



DIIS REPORT

ISLAMIC OR UNIVERSAL HUMAN RIGHTS?

THE OIC'S INDEPENDENT PERMANENT
HUMAN RIGHTS COMMISSION

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Abstract

In June 2011 the Organisation of Islamic Cooperation established the Independent Permanent Human Rights Commission, with the objective to “advance human rights” and “support the Member States’ efforts to consolidate civil, political, economic, social and cultural rights.” This report provides an introduction to the new human rights commission, presenting the background to its establishment, its objectives, activities and experts, as well as its relation to the international human rights community and its conception of human rights. The report concludes by discussing some of the potentially problematic aspects of the Commission, as well as some of its strengths, seen from a Danish perspective.

Executive Summary

In June 2011, the Organisation of Islamic Cooperation (OIC) established the world's first explicitly Muslim human rights commission, the Independent Permanent Human Rights Commission (IPHRC).

The OIC was founded in 1969 with the purpose of strengthening solidarity among Muslims. In its first decades the organisation focused especially on the Palestinian cause, the protection of Islamic holy sites and the strengthening of economic cooperation between member states. In 2005 a plan for reform of the organisation was introduced, resulting in major changes. Today the OIC is increasingly involved in areas such as humanitarian aid and development, the environment and women's rights. The IPHRC is an important part of this process.

There are various reasons for the establishment of the Commission. First, and particularly since 9/11 and the so-called War on Terror, the OIC has sought to become an acknowledged player in the international community. Second, the human rights commission serves as a way to strengthen the perceived legitimacy and relevance of the OIC among member state populations. Third, the establishment of the Commission reflects the increasing importance of so-called moderate member states in the OIC, which include Turkey, Malaysia, Morocco and Indonesia. And fourth, the speed with which the Commission has been established is the result of Secretary General Ekmeleddin Ihsanoglu's personal efforts.

According to its statutes the IPHRC and its 18 experts shall work to "advance human rights" and "support the Member States' efforts to consolidate civil, political, economic, social and cultural rights." This is to be done through counselling and legal advice to member states, information campaigns and research and cooperation with other human rights organisations. Thus, the Commission will not handle cases on human rights violations as do, for example, the UN Human Rights Council and regional human rights commissions, but rather will serve as an advisory organ, modelled on the UN Advisory Committee to the Human Rights Council.

The new human rights commission presents a number of potentially problematic aspects, including: its limited independence in relation to member states, its location in Saudi Arabia, the lack of human rights expertise of some experts, and its potential to be used as a tool in the struggle to further the anti-defamation agenda.

But there are also several aspects of the Commission that allow for an optimistic view. Most importantly, the Commission was established with strong political support from all member states. Second, with the new commission, OIC member states have established a much-needed forum for internal criticism and introspection. Third, despite the fact that some experts in the Commission do not have much human rights expertise, the majority do have substantial expertise at national, regional or international level. Fourth, the Commission may open up for broader involvement of the OIC in new areas of human rights, including, in particular, economic, social and cultural rights. And fifth, the Commission may become a vehicle for increased cooperation between the OIC and civil society.

Against this background, it is recommendable that Danish organizations and institutions – including not only the Foreign Ministry, but also the Danish Institute for Human Rights and NGOs involved in human rights issues – pay close attention to the IPHRC as a new actor on the international human rights scene, exploring avenues for dialogue and cooperation.

About the Report

This report is the result of a six-week study, part of a larger research programme at the Institute for Regional and Cross-cultural Studies, financed by the Office for the Middle East and North Africa, Ministry of Foreign Affairs. The study was carried out in October and November 2011 and included a field trip to Jeddah, Saudi Arabia, as well as desk studies carried out at the Danish Institute for International Studies in Copenhagen.

During my one-week trip to OIC Headquarters in Jeddah, I talked with ten people from the General Secretariat, including representatives from the General Directorate of Cultural, Social and Family Affairs (which has been responsible for coordinating the process of establishing the human rights commission), the OIC Journal and briefly with the Secretary General himself. Apart from these interviews, I carried out a telephone interview with a representative from the UN Office of the High Commissioner for Human Rights, and an e-mail interview with a representative from the Turkish human rights organisation Mazlum-der. In the report, all interviewees have been anonymised.¹

The OIC has not been the topic of much academic research (but see Haynes 2001; Khan 2001; Akbarzadeh and Connor 2005, Pultz 2009), and there is no literature on the new human rights commission. Instead, I have relied primarily on newspaper and website articles, reports from NGOs and think tanks as well as, most importantly, organisational material from the OIC, including website information, the weekly OIC newsletter, monthly OIC Journals and other material collected while visiting the organisation.

As well as the present report, the study has also resulted in a newspaper article in Danish, *Menneskerettigheder spoger i kulissen*, published in *Politiken* (Petersen 2011), and an article in English, *The world's first Muslim human rights commission*, published on the website OpenDemocracy (Petersen 2012).

¹ I wish to thank all interviewees for sharing their knowledge and time with me. A special thanks to Maha Akeel and Rizwan Sheikh from OIC headquarters for their assistance and comments to earlier drafts of the paper. I would also like to thank Lars Engberg-Pedersen, Danish Institute for International Studies, and Jakob Skovgaard-Petersen, Institute for Regional and Cross-cultural Studies, for their useful comments and suggestions.

Introduction

We intend to take an incremental approach. We cannot be expected to be, nor are we ourselves, overly and unrealistically ambitious. The human rights commission will crawl, and in time it will walk, and perhaps one day it will take giant steps
(staff member, IPHRC secretariat)

In June 2011, fifty-seven foreign ministers met in Kazakhstan to establish the world's first Muslim human rights commission – the Independent Permanent Human Rights Commission (IPHRC). Behind the Commission is the Organisation of Islamic Cooperation (OIC), the second largest intergovernmental organisation in the world, surpassed only by the United Nations.² The OIC consists of 57 self-declared Muslim states from the Middle East, Asia, Africa and Latin America (see Appendix A for a list of member states). It includes 30 per cent of the UN membership, 25 per cent of the world's surface and encompasses 22 per cent of the global population (Khan 2001:301).

The OIC was founded in 1969 with the aim of strengthening solidarity among Muslims. In its first decades the organisation focused especially on the Palestinian cause, on the protection of Islamic holy sites and on the strengthening of economic cooperation between member states (Johnson 2010a). In 2005 an action plan for reform of the organisation was introduced, resulting in major changes. Today the OIC is increasingly involved in areas such as humanitarian aid and development, the environment and human rights. The new human rights commission is an important part of this process: “Establishment of an independent human rights body by the OIC Member States is considered to be one of the major steps in the transformation process of the OIC” as noted in an OIC newsletter (OIC 2009b).

There are several reasons why the OIC is establishing a human rights commission now. First, the organisation wants to participate more actively in the international community: “It is all about becoming part of the international community,” as one staff member said. The war on terror has not only resulted in conflicts between the West and the Muslim world; it has also, paradoxically, emphasised the inevitability of the international community and the impossibility of maintaining parallel

² The OIC was formerly known as the Organisation of the Islamic Conference, but as part of a larger reform process the name was changed to the Organisation of Islamic Cooperation in June 2011.

structures. Rather than isolating itself, the OIC seeks to promote itself as a partner of the West, as an exponent of a moderate and modern Islam, fully compatible with the values and principles of the international community. From this perspective the establishment of a human rights commission serves as concrete proof of the OIC's will to participate in the international community. At the meeting in Astana, Secretary General Ekmeleddin Ihsanoglu said that he hoped "this body will boost OIC's credibility in the eyes of the outside world, helping to increase the confidence of the OIC" (OIC 2009a: 19).

Second, the OIC needs to strengthen legitimacy and support among member state populations. In the 1980s and 1990s many people did not even know the organisation (hence the nickname *Oh I See*) – and of those that did, most considered it to be an irrelevant gathering of paralysed states, capable only of agreeing on serial condemnations of Israel or fatwas on theological details, while lacking in initiatives that could make a real difference to people on the street. With activities such as the increase in humanitarian aid, cooperation with civil society organisations and the establishment of a human rights commission, the OIC hopes to improve its image and to signal a greater will to reach out to the population. The need for such a sea change has, of course, only grown after the Arab Spring. Events in Tunisia, Egypt, Yemen, Libya and even Bahrain show with great clarity that popular demands for welfare, democracy and rights are difficult to ignore in the long run. As the Secretary General wrote in a recent issue of the OIC Journal, "It is only appropriate that a year marked by popular uprising in different parts of the Muslim world against injustice, corruption and abuse of power should conclude with the landmark establishment of a Human Rights Commission duly equipped with a progressive vision and mandate" (OIC 2012a: 1).

Third, the establishment of the Commission may reflect changes in power relations internally in the OIC. Historically Saudi Arabia and Iran, both major contributors to the organisational budget, have been especially dominant voices in the OIC. While they maintain a strong position in the organisation, recent years have seen the emergence of new powerful voices, with Turkey and other so-called moderate Muslim states such as Malaysia, Morocco and Indonesia, gaining increasing clout in the organisation. While Saudi Arabia and Iran tend to promote a political agenda – and in the case of Saudi Arabia, this includes the spread of theocratic influence – Turkey, Malaysia, Morocco and Indonesia seem to envision the OIC more as a forum for a cultural agenda, pushing for moderation and dialogue, (Johnson 2010a) and they have played an important role in promoting the establishment of the IPHRC.

Finally, and on a somewhat different level, the 2005 election of Ekmeleddin Ihsanoglu as Secretary General has further contributed to speeding up the establishment of the human rights commission. Ihsanoglu has made human rights a key issue since he was elected, and he has written and spoken extensively on the topic. It was Ihsanoglu who personally established a panel of five independent human rights experts to formulate the draft statutes of the Commission, and it was Ihsanoglu who managed to bring all the parties to an agreement when the final statutes were to be adopted.

From this perspective there can be no doubt that the establishment of a human rights commission constitutes an important step for the OIC, reflecting a new will to participate in international community, to reach out to member state populations and to allow for moderate voices within the OIC. As such, getting to know the Commission is a crucial part of understanding the OIC today. But as a new player on the international human rights scene, the Commission is also important in its own right. As a cross-regional representative of the Muslim world, the Commission has the potential to become a powerful player, capable of creating links between different regions and reaching out to the Western world.

Despite its potential importance, the IPHRC has so far received very little coverage in the Western media. Apart from a brief comment in the *Washington Times* (Kaminski 2011), few North American or European media have mentioned its establishment.³ The present report seeks to fill this gap by giving a description and initial analysis of the human rights commission. The purpose of this brief report is, first and foremost, to introduce the Commission to Danish human rights actors, including the Danish Foreign Ministry, the Danish Institute for Human Rights and Danish human rights NGOs, providing them with information on a new actor on the international human rights scene, thereby hopefully facilitating constructive dialogue and cooperation in the future.

³ The Commission's establishment has been covered fairly well in OIC member states, with articles in e.g. *Arab News*, Pakistan's *The Nation*, Turkey's *Today's Zaman*, the *Jakarta Globe*, and *Saudi Gazette*.

A Brief History of the OIC

The OIC was established in September 1969, upon the initiative of Morocco and Saudi Arabia, and was prompted by the arson attack on the Al-Aqsa Mosque a month beforehand (Khan 2001).⁴ The founding member states were Afghanistan, Algeria, Chad, Egypt, Guinea, Indonesia, Iran, Jordan, Kuwait, Lebanon, Libya, Malaysia, Mali, Mauritania, Morocco, Niger, Pakistan, Palestine, Yemen, Saudi Arabia, Senegal, Sudan, Somalia, Tunisia and Turkey,⁵ with new members being included in a steady flow since then, the most recent being Côte d'Ivoire in 2001 (for an overview of member states, see Appendix A).⁶

The first summit conference, held in Rabat in 1969, decided that member states would “consult together with a view to promoting close cooperation and mutual assistance in the economic, scientific, cultural and spiritual fields, inspired by the immortal teachings of Islam” (BBC 2010). From the beginning, however, the OIC suffered from internal conflict and discrepancies, reflecting its composition of highly different countries in terms of size, wealth and political systems (Khan 2001). At the first meeting member states could not even agree on an agenda, and the charter of the organisation was not adopted until 1972 (Pultz 2009:8).

For decades the OIC was wracked by internal division and conflicts. To mention only a few: Egypt entered a treaty with Israel, leading to the suspension of Egypt from the OIC; there was a war between Iran and Iraq (and a subsequent conflict between Iran and Saudi Arabia, because Saudi Arabia supported Iraq); the Gulf War divided member states with Saudi Arabia, Egypt and Syria on one side, Palestine and Jordan on the other; and there was a controversy between Iraq and Turkey, because of the latter entering Iraqi territory (Pultz 2009:10ff). Such political conflicts, coupled with large economic, social and cultural differences, meant that OIC member states had difficulty finding common ground and the organisation remained a peripheral, and in many ways irrelevant, figure on the international scene.

⁴ See Landau (1994) for a history of Islamic pan-Islamism, including the emergence of the OIC.

⁵ However, Turkey only became a full member in 1995, due to internal disagreements as to the role of the state in Islamic politics (FDGG 2008:8).

⁶ India, home to the world's second largest Muslim population (175 million people), has shown interest in joining the OIC as an observer nation, but inclusion has been blocked by Pakistan, due to disagreements over Kashmir (FDGG 2008:7).

With the beginning of the 2000s, the demand for reform of the OIC began to grow among member states wishing to strengthen the position and relevance of the organisation. At the Tenth Islamic Summit in Malaysia in 2003 a commission of experts was established, entrusted with the task of coming up with recommendations for the reform of the organisation. Against this background a Ten Year Programme of Action was formulated, and almost unanimously adopted at the extraordinary Summit in Mecca in 2005 (OIC 2005; see Appendix E for the full text of the Ten Year Programme). At the same time the OIC got its first democratically elected Secretary General, the Turkish academic and diplomat Ekmeleddin Ihsanoglu. Promising to “re-energise” the OIC (FDGG 2008:4), Ihsanoglu presented himself as a reformer of the organisation. In his inaugural speech, held on 28 December 2004, he said: “The OIC must acquire more weight and impact on the world scene” (Ihsanoglu 2004).

The new Programme of Action promises an organisation that will uphold good governance, promote sustainable development, assist the least developed member states in tackling diseases and disasters, and protect the rights of women, children and minorities. It also pledges closer cooperation with international organisations as well as the promotion of theological initiatives that confront violent and extremist ideologies (FDGG 2008:1). In concrete terms, the programme includes a number of organisational changes, many of which have already been implemented, namely: a review of the Charter (OIC 2008a; see Appendix D for the full text of the new charter), the creation of an Executive Committee, reform of the Islamic Fiqh Academy, restructuring of the International Islamic News Agency, establishment of a poverty alleviation fund and empowerment of the OIC to act in disaster management and humanitarian assistance and, finally, the establishment of a permanent human rights body – the topic of the present report.⁷

⁷ For an overview of OIC structure and budget, see Appendices A and B.

Establishing the Independent Permanent Human Rights Commission

Historically, the OIC has not been famous for its role in the protection and promotion of human rights. Through its involvement in the UN, the OIC has engaged in discussions on human rights, but it has not been a topic that has been brought up much internally in the organisation – perhaps because many of its member countries have poor human rights records.⁸

An exception to this is, of course, its 1990 Cairo Declaration of Human Rights in Islam; an attempt at formulating a set of specifically Islamic human rights (OIC 1990; see Appendix F for the full text of the declaration). While there is, of course, nothing that hinders a combination of Islam and human rights, the particular conception of Islamic human rights promoted in the Cairo Declaration does conflict with essential principles of the UN Declaration on Human Rights. Nowhere in the declaration is there any mention of universal human rights. Instead the declaration is expressly based on Islamic values, stating that: “All the rights and freedoms stipulated in this Declaration are subject to the Islamic Shari’ah” (OIC 1990, Article 24), thereby robbing human rights of their inalienability.⁹ Despite initial enthusiasm, no initiatives to ensure the implementation of the Cairo Declaration were launched.

This changed with the Ten Year Programme of Action (OIC 2005). As part of the larger reform of the OIC mentioned above, the programme introduced a clear focus on human rights and the importance of mainstreaming them into all programmes and activities, and the establishment of a human rights commission was explicitly mentioned.

⁸ Freedom House recently listed nine OIC member states (Somalia, Sudan, Turkmenistan, Uzbekistan, Libya, Saudi Arabia, Chad, Guinea and Syria) as among the greatest human rights violators in the world (Freedom House 2010).

⁹ See Mayer (1998) for a detailed analysis of the Cairo Declaration. See e.g. Akbarzadeh and MacQueen (2008) or Bielefeldt (2000) for more general discussions of human rights and Islam.

Ten Year Plan of Action

Article VIII. Human Rights and Good Governance.

1. Seriously endeavour to enlarge the scope of political participation, ensure equality, civil liberties and social justice and to promote transparency and accountability, and eliminate corruption in the OIC Member State
2. Call upon the Islamic Conference of Foreign Ministers to consider the possibility of establishing an independent permanent body to promote human rights in the Member States, in accordance with the provisions of the Cairo Declaration on Human Rights in Islam and to also call for the elaboration of an OIC Charter for Human Rights. Introduce changes to national laws and regulations in order to guarantee the respect of human rights in Member States
3. Mandate the OIC General Secretariat to cooperate with other international and regional organisations to guarantee the rights of Muslim Minorities and Communities in non-OIC Member States, and promote close cooperation with the Governments of the States hosting Muslim communities

The amended OIC Charter, adopted at the 11th Islamic Summit in Dakar in 2008, further strengthened this new focus on human rights, mentioning human rights several times and according the human rights commission statutory status (see text box below).¹⁰ In his book, Ihsanoglu (2010:185) writes that the summit “ushered in a new era for the Organisation and its members,” and he continues:

This new approach, in the objectives of the Charter, marked a great step forward in adapting to global human rights values and involves closer alignment of principle to the international instruments and the practices of other regional or intergovernmental organisations.

¹⁰ See Cavalli (2009) for a short analysis of the new OIC Charter.

Charter of the Organisation of the Islamic Conference

“In the name of Allah, the most Compassionate, the most Merciful. We, the Member States of the Organisation of the Islamic Conference, determined [...]

- To promote human rights and fundamental freedoms, good governance, rule of law, democracy and accountability in Member States in accordance with their constitutional and legal systems
- To safeguard and promote the rights of women and their participation in all spheres of life, in accordance with the laws and legislation of Member States

CHAPTER 1. Objectives and Principles

Article 1

The objectives of the Organisation of the Islamic Conference shall be:
[...]

7. To reaffirm its support for the rights of peoples as stipulated in the UN Charter and international law

14. To promote and to protect human rights and fundamental freedoms including the rights of women, children, youth, elderly and people with special needs as well as the preservation of Islamic family values

Article 2

The Member States undertake that in order to realise the objectives in Article 1, they shall be guided and inspired by the noble Islamic teachings and values and act in accordance with the following principles:
[...]

7. Member States shall uphold and promote, at the national and international levels, good governance, democracy, human rights and fundamental freedoms, and the rule of law

CHAPTER X. Independent Permanent Commission on Human Rights.

Article 15. The Independent Permanent Commission on Human Rights shall promote the civil, political, social and economic rights enshrined in the organisation's covenants and declarations and in universally agreed human rights instruments, in conformity with Islamic values

In February 2009 an informal advisory panel was established with the purpose of elaborating a set of draft statutes for the OIC to consider. The five members of the panel were Ibrahim Salama (director of the Human Rights Treaties Division, UN Office of the High Commissioner for Human Rights); Adama Dieng (from Senegal, Registrar of the International Criminal Tribunal for Rwanda); Mahjoub El Haiba (Morocco, former member of the UN Human Rights Committee and currently Secretary General of the Moroccan Advisory Council on Human Rights); a retired ambassador from Pakistan; and finally an Iranian scholar, who was not able to participate in the end, due to visa problems.

Once the panel had presented their draft statutes of the human rights commission (OIC 2010), discussions and negotiations among OIC member states began. According to different sources, Turkey, Malaysia, Morocco, Tunisia, and eventually Egypt, were among the most enthusiastic, pushing for the swift adoption of the statutes, while others were more reluctant.

One of the main discussions was over the question of membership. Should the members of the Commission be government officials, as Iran preferred, or independent experts, as most others wanted? In the end, it was agreed that members should be independent experts; however, with individual member states free to nominate whoever they want, the door is still open for government representatives.

Another discussion turned on the location of the Commission. According to sources, some people in the organisation wanted to reach out to Indonesia and Algeria, thereby perhaps signalling a new, and more moderate, direction of the OIC. But Iran and Saudi Arabia were also interested in hosting the Commission, resulting in lengthy discussions. In the end the parties agreed on a compromise in order not to further stall the process: the secretariat would temporarily be placed in Jeddah until a final decision is made at the 39th Council of Foreign Ministers in 2012. Member states close to the Saudi position expressed immense satisfaction, as noted in an article in Arab News, which quotes a delegate as saying: “The OIC Secretariat is in Jeddah, and Jeddah is in Saudi Arabia. You can put it in many different ways, but the fact remains that the Commission will be headquartered in Saudi Arabia – that is it” (Wahab 2011). Some people in the OIC headquarters are aware that this location may not send the best signal to the international community, but Saudi Arabia is a strong player in the OIC – “and people must understand that the OIC is not Saudi Arabia no more than the UN is the United States,” as one commentator noted.

Other discussions turned more explicitly on the mandate and objectives of the Commission. The advisory panel had suggested an article with the following wording: “The Commission shall seek to ensure the promotion and protection of the civil, political, economic, social and cultural rights in the Member States” (US General Consulate 2009). After discussions, this was changed to the much softer: “The Commission shall support the Member States’ efforts to consolidate civil, political, economic, social and cultural rights” (OIC 2011c, Article 9), emphasising the subordination of the Commission to the member states. Another article was completely deleted, further restricting the mandate of the Commission: “The Commission shall investigate any possible human rights violations by the OIC Member States in accordance with its rules of procedure, and shall submit reports thereon to the Council of Foreign Ministers for appropriate decision” (US General Consulate 2009).

The revised statutes were adopted at the Astana Council of Foreign Ministers in Kazakhstan 28–30 June 2011, where the 18 experts were also elected.

Other OIC human rights involvement

The OIC is not only engaged in human rights issues through the human rights commission, but is also increasingly involved in women’s rights, or ‘women’s advancement’ as it is often called in the context of the OIC. A Plan of Action for the Advancement of Women was adopted in 2008 (OIC 2008b), and a Centre for the Advancement of Women is to be established in Cairo in the near future, entrusted with the task of overseeing member state implementation of the plan.

Another area of great interest to the OIC is minority rights, often framed in terms of Islamophobia. Following the Cartoon Crisis in Denmark, the OIC established an Observatory for monitoring discrimination against Muslim minorities in the West.

Finally, there is the work of the OIC in the UN. The organisation has offices in both Geneva and New York and holds an annual coordination meeting for foreign ministers in relation to the UN General Assembly, discussing, among other things, member state attitudes to different human rights initiatives. Historically, OIC member state involvement in the UN has centred on issues such as pro-family rights and the defamation of religion agenda, apart from the involvement in the Palestinian cause.

Objectives, Activities and Experts

Objectives of the IPHRC: Advancing human rights

The objectives of the IPHRC are outlined in the statutes (OIC 2011c), based on Articles 5 and 15 of the Charter and the Ten Year Programme of Action and recalling the Cairo Declaration on Human Rights in Islam. According to the statutes, the Commission shall work to “advance human rights” and “support Member States’ efforts to consolidate civil, political, economic, social and cultural rights” (OIC 2011c, Articles 8 and 9, see text box below).

Chapter III. Objectives of the Commission:

Article 8. The Commission shall seek to advance human rights and serve the interests of the Islamic Ummah in this domain, consolidate respect for the Islamic cultures and noble values and promote inter-civilizational dialogue, consistent with the principles and objectives of the OIC Charter.

Article 9. The Commission shall support the Member States’ efforts to consolidate civil, political, economic, social and cultural rights.

Article 10. The Commission shall cooperate with the Member States to ensure consolidation of civil, political, economic, social and cultural rights in the Member States in accordance with the OIC Charter, and to monitor observance of the human rights of Muslim communities and minorities.

Article 11. The Commission shall support the Member States’ efforts in terms of policies aimed at enhancing legislation and policies in favour of advancing the rights of women, the young and those with special needs, in the economic, social, political and cultural fields as well as eliminating all forms of violence and discrimination.

Chapter IV. Mandate of the Commission

Article 12. The Commission shall carry out consultative tasks for the Council and submit recommendations to it. It shall also carry out other tasks as may be assigned to it by the Summit or the Council

Article 13. The Commission shall support the OIC's position on human rights at the international level and consolidate cooperation among the Member States in the area of human rights

Article 14. The Commission shall provide technical cooperation in the field of human rights and awareness raising about these rights in the Member States, and offer approving Member States consultancy on human rights issues

Article 15. The Commission shall promote and support the role of Member State-accredited national institutions and civil society organisations active in the area of human rights in accordance with the OIC Charter and work procedures, in addition to enhancing cooperation between the Organisation and other international and regional human rights organisations

Article 16. The Commission shall conduct studies and research on priority human rights issues, including those issues referred to it by the Council, and coordinate efforts and information exchange with Member States' working groups on human rights issues in international fora

Article 17. The Commission may cooperate with Member States, at their request, in the elaboration of human rights instruments. It may also submit recommendations on refinement of OIC human rights declarations and covenants and instruments within the OIC framework and in harmony with Islamic values and agreed international standards

Activities: Assisting member states

The IPHRC will meet at least twice a year, holding week-long sessions. Meetings will be held in different locations, the first being Indonesia in January 2012. The Commission may also hold extraordinary meetings at the request of any member state or the Secretary General, with the approval of a majority of member states. Member states and OIC observers may participate in the Commission's meetings. Representatives from UN human rights institutions also hope to be invited as observers.

The main activity of the IPHRC is to assist member states in meeting their human rights obligations by, for example, providing expert advice on how to apply the conventions they have ratified, by clarifying obligations and implications of the conventions, by assisting member states in making efforts to remove reservations, and in improving national legislation in order to bring it into alignment with international human rights standards. For instance, as a staff member said, the Commission can be useful in relation to the recently introduced Universal Periodic Review, providing expert advice and opinions on how to meet recommendations and make reports. The Commission can formulate recommendations to the Council of Ministers which can then make resolutions and decide on a course of action, but the Commission itself has no power to impose sanctions on member states that do not meet their obligations.

Activities of the Commission

- Consultancy to approving member states
- Technical cooperation
- Coordination of efforts and information with member states' working groups on human rights issues in international fora
- Elaboration of human rights instruments at the request of member states
- Submission of recommendations on refinement of OIC human rights declarations and covenants
- Suggestions towards ratification of human rights covenants and instruments
- Awareness raising
- Studies and research
- Cooperation with international and regional human rights organisations
- Promotion and support of national institutions and civil society organisations

The IPHRC will not be handling cases of human rights violations as, for instance, do the UN Human Rights Council and the regional human rights commissions, but rather is an advisory organ, modelled after the UN Advisory Committee to the Human Rights Council. According to the statutes the Commission is further restricted in the sense that it can only offer advice to “approving Member States” (OIC 2011c, Article 14). Likewise, and as noted above, the statutes do not give the Commission a mandate to investigate human rights violations in member states. However, staff members in the Commission’s secretariat insist that the statutes are flexible, allowing for some room for manoeuvre. “Because of the advisory capacity of the Commission there is more space for the experts to offer and volunteer their views and advice. Hardly anything is ruled out,” said one interviewee.

Human Rights Council Advisory Committee

The Human Rights Council Advisory Committee was established by Human Rights Council Resolution 5/1 of 18 June 2007. The Advisory Committee is composed of 18 experts serving in their personal capacity and acts as a think tank for the Council. The function of the Advisory Committee is to provide expertise in the manner and form requested by the Council, focusing mainly on studies and research-based advice. The Advisory Committee should be implementation-oriented. The scope of its advice should be limited to thematic issues pertaining to the mandate of the Council; namely promotion and protection of all human rights. The Committee shall not adopt resolutions or decisions, but may propose to the Council, within the scope of its work as set out by the Council, suggestions for further enhancing its procedural efficiency, as well as further research proposals within the scope of the work set out by the Council. In the performance of its mandate, the Advisory Committee is urged to establish interaction with states, national human rights institutions, non-governmental organisations and other civil society entities in accordance with the modalities of the Council. Member states and observers, including states that are not members of the Council, the specialised agencies, other intergovernmental organisations and national human rights institutions, as well as non-governmental organisations shall be entitled to participate in the work of the Advisory Committee based on arrangements, including Economic and Social Council Resolution 1996/31 and practices observed by the Commission on Human Rights and the Council, while ensuring the most effective contribution of these entities.¹¹

¹¹ Information from the website of the Office of the High Commissioner for Human Rights, <http://www2.ohchr.org/english/bodies/hrcouncil/advisorycommittee.htm>

IPHRC experts: a mixed bag

The Commission is made up of 18 experts of “established distinction in the area of human rights” (OIC 2011c, Article 3), six of them from Middle Eastern member states, six from Asia, and six from Africa (see Appendix H for a list of experts).

Member states from the three geographical areas could nominate candidates prior to the Council of Foreign Ministers in Astana in June 2011. The General Secretariat collected nominations and coordinated with member states before submitting the list to the Council of Foreign Ministers, which then elected the experts for a period of three years, renewable once. Four of the elected experts are women, reflecting the statutes’ encouragement to nominate women (OIC 2011c, Article 6).

The group of current experts is “a mixed bag,” as one OIC staff member put it. “There are people with different human rights backgrounds, diplomats, some have served in the UN Third Committee as delegates, some are ambassadors, some lawyers and human rights practitioners. We are encouraged by this broad composition.”

Among the experts, the majority have substantial human rights expertise at national, regional or international level. At least seven experts have been or are members of national human rights departments, committees and commissions; one is a member of a regional human rights commission, and three have been or are part of their country’s delegation to the UN.¹²

At least eight experts are or have been employed by governments: as ambassadors, representatives to UN delegations or directors of human rights departments in foreign ministries.¹³ Furthermore, several national human rights committees and

¹² S. K. Kaggwa (Uganda) is chairperson of Uganda Human Rights Commission, Mohamed Mustapha Raisonni (Morocco) is advisor to the Moroccan Advisory Council on Human Rights, Saleh bin Mohamed al-Khatlan (Saudi Arabia) is the deputy president of the National Society for Human Rights, Mamdouh al-Aker (Palestine) is the General Commissioner of the Palestinian Independent Commission for Human Rights, Adel Issa al-Mahry (United Arab Emirates) is director of the Foreign Ministry’s Department of Human Rights, Asila Wardak (Afghanistan) is Director of Human Rights and Women’s Affairs in the Ministry of Foreign Affairs, and Mostafa Alaei (Iran) is Director of the Department on Human Rights in the Ministry of Foreign Affairs; S.K. Kaggwa is a member of the African Commission on Human and People’s Rights; and Ousman Diao Balde (Guinea) is a member of Guinea’s delegation to the Human Rights Commission, Wael Attiya (Egypt) is counsellor to Egypt’s mission to the UN, and Abdul Wahab (Pakistan) has been Pakistan’s delegate to the UN’s Third Committee as well as Head of OIC’s mission to the UN.

¹³ This includes Mohammed Kawu Ibrahim (Nigeria) and Elham Ibrahim Ahmed Mohamed (Sudan) who have worked as ambassadors; Ousman Diao Balde (Guinea), Adel Issa al-Mahry (United Arab Emirates), Asila Wardak (Afghanistan), Mostafa Alaei (Iran) who are all employees of their country’s foreign ministries; and Abdul Wahab (Pakistan) and Wael Attiya (Egypt) who represent their governments in the UN.

commissions are semi-governmental, with representatives being either formally or informally appointed by government.

A smaller group of experts are from civil society (four of them university professors), and a very few have backgrounds in the private sector.¹⁴

¹⁴ Zuhtu Arslan (Turkey), Siti Ruhaini (Indonesia), Raihanah Abdullah (Malaysia) and Saleh bin Mohamed al-Khatlan (Saudi Arabia) are all university professors. S. K. Kaggwa (Uganda) has previously worked as a lawyer in the private sector.

The IPHRC and the International Human Rights Community

Cooperation with international and regional human rights mechanisms

Article 15 of the IPHRC statutes states that the Commission shall cooperate with “international and regional human rights organisations” (OIC 2011c). With this, the statutes refer first and foremost to UN human rights mechanisms such as the Human Rights Council and the Office of the High Commissioner for Human Rights, as well as to the various regional human rights mechanisms which include the Inter-American Court of Human Rights and Inter-American Commission on Human Rights; the European Court of Human Rights and European Committee of Social Rights; the African Commission on Human and Peoples’ Rights and the African Court on Human and Peoples’ Rights, the ASEAN Intergovernmental Commission on Human Rights, and the Arab Human Rights Committee.

In terms of cooperation with UN human rights mechanisms, the human rights commission can build on years of cooperation between the OIC and the UN in other areas. The two organisations have held bi-annual meetings for several years and the OIC has also cooperated with individual UN organisations, including UNICEF, OCHA and UNDP, on various occasions.

During preparations for the human rights commission the OIC also cooperated closely with the UN. From 2008, when the first preparations were initiated, until the final approval of the statutes, OIC staff were in frequent interaction with representatives from the UN Human Rights Commission and the Office of the High Commissioner for Human Rights. “They have been advising us; they have established or overseen other human rights mechanisms, so they know the dos and don’ts,” according to one of the OIC staff members. “They made us go through their internal exercises, and we went on a one week study tour, visiting all relevant human rights mechanisms and organs in the UN.”

A few more examples serve to illustrate the close cooperation between the OIC and the UN: The director of the Human Rights Treaties Division, Office of the High Commissioner, Ibrahim Salama, was one of five experts invited by Ihsanoglu to take part in the advisory panel, which drafted a first version of the Commission’s statutes. The UN High Commissioner for Human Rights, Navanethem Pillay,

was invited to present a statement at the 36th Ministerial Meeting of the OIC in Damascus in 2009, where the human rights commission was discussed. Likewise, Bacre Waly Ndiaye, Director of the UN Human Rights Council and Treaties Division, participated in the establishment of the Commission in Kazakhstan. In his speech (2011) he encouraged the new commission, “to cooperate and to engage in the exchange of information and joint activities with other regional and international human rights mechanisms.”

Contacts in the UN also made sure to grant the OIC observer status in the conference of regional human rights mechanisms. “This really helped us to chart out our own distinct mechanisms,” staff members of the OIC said. Insofar as the Commission overlaps with three regional human rights mechanisms – ASEAN Intergovernmental Commission on Human Rights, the Arab Human Rights Committee and the African Commission on Human and Peoples’ Rights – cooperation and coordination is particularly important with these three. No formal mechanisms have been established yet, but there are plans to invite them to the Commission’s meetings, to establish networks and ensure exchange of experiences in different ways.

Cooperation with human rights organisations in civil society

Article 15 of the statutes of the commission states that: “The Commission shall promote and support the role of member state-accredited national institutions and civil society organisations active in the area of human rights. However, until recently, no appropriate mechanisms were in place. The establishment of mechanisms of coordination and cooperation with civil society has been a topic for discussion in the OIC for many years. For instance, in the Tehran Declaration of Dialogue among Civilisations, adopted at the 1999 Islamic Symposium on Dialogue among Civilisations in Teheran, member states acknowledge that “Representatives of civil society can play an instrumental role in promoting the culture of dialogue within various societies and should also participate in such dialogue” (cf. Segesvary 2000:102). However, despite such lofty promises, few concrete initiatives have been launched to ensure cooperation with civil society.

It was not until the mid-2000s that things started to change. The tsunami in 2004 had made it clear to all that the poor coordination and cooperation between the OIC and civil society had very real ramifications in terms of ineffective aid provision. Reflecting this, the Ten Year Programme of Action (OIC 2005, section III, 1) called

for increased cooperation and coordination with civil society under the heading “Social solidarity in the face of natural disasters”:

Islam advocates solidarity with, and assistance to, all the needy without discrimination, which requires the Islamic States to develop and adopt a clear strategy on Islamic relief action and support the trend towards cooperation and coordination between individual relief efforts of Islamic States and Islamic civil society institutions on the one hand, and international civil society institutions and organisations on the other hand.

This led to various efforts on the part of the OIC to strengthen relations, including the 2007 introduction of a mechanism for granting humanitarian NGOs consultative status in the OIC and the decision to host annual conferences for NGOs, supported by the Office for Coordination of Humanitarian Affairs (OCHA). The first NGO conference was held in Dakar in 2008, with the participation of 30 NGOs. This year, the conference in Khartoum had more than 120 participants. Also, a number of concrete partnerships between the OIC and individual organisations have been formed. The OIC Alliance to Rescue Tsunami Child Victims includes several NGOs; in Bangladesh the Islamic Development Bank has entered into cooperation with Muslim Aid and a number of local civil society organisations; and in Somalia the OIC has formed the Humanitarian Alliance, cooperating with 15 international and 10 national NGOs to provide emergency relief to internally displaced people.

However, until recently, the increased cooperation with civil society was limited to a particular kind of civil society organisations; namely humanitarian organisations, the majority of them with an explicitly Muslim identity. There were few opportunities for e.g. human rights organisations to engage with and influence the OIC. But in January 2012, a set of rules for granting NGOs consultative status in the OIC more generally were adopted. In relation to this, Ihsanoglu was quoted in OIC’s newsletter for saying that the role of civil society is not confined to humanitarian action, but includes also environmental protection, human rights, dialogue among civilizations, cultures and religions, as well as woman and child affairs and the fight against organized crime (OIC 2012b). It remains to be seen whether this new initiative will facilitate IPCHR cooperation with national human rights organisations.

Representatives from human rights organisations in member states have lobbied for more influence in the OIC. In 2008, for instance, one of the largest Turkish human rights organisations, Mazlum-der (Turkish acronym for Organisation of Human

Rights and Solidarity with Oppressed People), sent a letter to the Secretary General calling for the establishment of an independent human rights commission. Ihsanoglu then invited Mazlum-der to a meeting during which he informed the organisation about the ongoing efforts to establish such a commission.

In October 2010 a group of Asian NGOs, together with Freedom House, organised a meeting in Ankara to discuss the OIC human rights commission. Mazlum-der participated in the meeting, together with 30 other organisations. At the meeting an open letter to the Secretary General was drafted, urging the OIC to ensure space for civil society participation in the Commission, “guaranteeing access to the mechanism and the secretariat as well as putting in place a process for their accreditation” and encouraging “broader engagement of other segments of civil society [than humanitarian organisations] in the OIC” (Mazlum-der et al. 2011). In the following months more than 230 organisations from OIC member countries signed the letter, which was then sent to the OIC Secretary General in June 2011. The signatories consist primarily of human rights organisations, media and journalistic associations, few of them explicitly religious. The OIC never provided any official response to the letter, but individual NGOs have had communications with OIC representatives in their countries.

What Kind of Human Rights?

From the Cairo Declaration to the Universal Declaration on Human Rights

Against this background, what kinds of human rights can the IPHRC be expected to promote? Is the establishment of the IPHRC best understood as an attempt at finally institutionalising and implementing the Cairo Declaration on Human Rights in Islam, or will the Commission rely primarily on the UN Declaration on Human Rights? While the preamble to the IPHRC's statutes (OIC 2011c) does recall the Cairo Declaration, there can be no doubt that the Commission relies on a conception of human rights that is closer to the UN Declaration on Human Rights than the Cairo Declaration, based as it is on an understanding of civil, political, social, cultural and economic rights as outlined "in universally agreed human rights instruments" (OIC 2011c, Article 15). In the words of a staff member: "The term Independent Permanent Human Rights Commission means human rights as they are generally understood within the UN and the rest of the world."

As such, the establishment of the IPHRC can be seen as "a paradigm shift within OIC in the way universal human rights and freedoms flow together with Islamic values," as an article in the OIC Journal declares (OIC 2011a: 15). At a 2009 conference Ihsanoglu stated that "the complexity of the fields of human rights inevitably call [sic] for the need to refine the 1990 Cairo Declaration on Human Rights in keeping with the current global human rights discourse" (Today's Zaman 2009). A staff member elaborated on this:

The very fact that the Ten Year Programme and the summit in Mecca decided to establish a commission indicates a progressive movement from the Cairo Declaration. If the Cairo Declaration were sufficient, there would be no need for a commission. The Cairo Declaration was a first step, we have moved beyond that now. The Cairo Declaration is a declaration, the human rights commission is a statutory commission – you decide what is most important!

Directly asked whether the OIC wants a separate system for Islamic human rights, Ihsanoglu responded in a recent interview (Johnson 2010b):

I believe that universal human rights are compatible with Islam, and I have no problem with that. I made a statement in Geneva in the Human Rights Council that we look forward to integrating our system with the United Nations system, and now we have established a new human rights commission for us.

From this perspective, the IPHRC should probably not be seen as a step towards introducing an alternative human rights system, establishing parallel structures to the UN human rights system, but rather as an attempt to work within the existing system (something which the close cooperation with the Office of the High Commissioner for Human Rights, described in the previous section, also shows). But how will the Commission navigate within this system? Will it reflect OIC member state positions in the UN or will it manage to create an independent position?

The OIC in the UN human rights system

As is well known, OIC member states have historically been sceptical towards particular parts of the human rights corpus which are seen to contradict religious and cultural values of member states. A recent resolution on the follow-up and coordination of OIC's work on human rights emphasises "the significance of [member states'] religious, national, and regional specificities and various historical and cultural backgrounds" (OIC 2011b). Likewise, it "reaffirms the right of States to adhere to their religious, social, and cultural specificities which constitute heritage and streams of thought that contribute towards enriching the common international conceptions of human rights" (OIC 2011b, no. 4, p. 2).

In concrete terms, these reservations have historically most frequently been expressed in opposition to women's sexual and reproductive rights, often in cooperation with conservative Christian states and NGOs. An early example is the 1995 World Conference on Women in Beijing, during which a strong alliance of Muslim and Catholic delegations – graphically illustrated by the image of Catholic nuns in their habits and Muslim women wearing the *hijab* walking arm-in-arm – opposed the term 'women's and girls' sexual rights' (Ilkcaracan 2007). More recently, representatives from OIC member states have spoken up in several UN negotiations on women's rights, defending parental rights and the right to life, thereby seeking to introduce an alternative discourse on women's rights, centred on the family.

The question of homosexual rights is another area in which OIC member states have been heavily involved, opposing what many perceive to be a narrow 'Western'

conception of sexuality. In 2003, for instance, Brazil sought to present a resolution on the rights of homosexuals to the Human Rights Commission, but decided to withdraw it after massive pressure from the Vatican and the OIC. According to some, the OIC went so far as to threaten Brazil on trade relations (Pisik 2004). It was not until June 2011 that the Human Rights Council succeeded in passing a resolution on the topic, calling on the office of UN High Commissioner for Human Rights to draw up the first UN report on discrimination and sexual orientation (UN 2011). However, the resolution was staunchly opposed by Arab and African states, including many OIC members, and only passed by 23 to 19 votes. Speaking on behalf of the OIC Pakistan's envoy, Zamir Akram, said that OIC states are "deeply concerned by the [...] resolution that intends to discuss very controversial notions that are on sexual orientation" and further, that these notions have "no legal foundations in any international human rights instruments" (AFP 2011).

Defamation of religion is a third area of human rights in which the organisation and its members have been involved in recent years, seeking to combat discrimination and misperceptions of religion. Every year since 1999 a member of the OIC has proposed a resolution on 'Combating the Defamation of Religions'. Since 2001 the resolution has been met with increasing opposition, especially from Western countries, turning it into a symbol of the conflict between 'the Islamic world' and 'the West'. In 2010, twenty countries voted for the resolution, seventeen against, and eight abstained from voting. Attempting to open up for negotiations, Secretary General Ihsanoglu gave a speech in September 2010, signalling a willingness on the part of the OIC member states to move away from the term 'defamation'. This led to talks, first between the OIC and the US and, later, with EU representatives and in March 2011 a new resolution was presented, entitled 'Combating intolerance, negative stereotyping and stigmatisation of, and discrimination, incitement to violence, and violence against persons based on religion and belief' and, as such, shifting focus from the protection of religion to the protection of religious persons. Whether this is a sign that the OIC is moving away from the defamation agenda, or simply pushing it forward at a more gradual pace, however, is difficult to judge.

Positioning the IPHRC in the UN human rights system

The question now is how the IPHRC will position itself in these and other human rights debates. Naturally, a lot will depend on the member states, insofar as they – through the Council of Ministers – have the power to reject recommendations of the IPHRC. But much will also depend on the individual experts and their positions

on human rights. What are their views on defamation of religion, for example, or the rights of women and homosexuals? An investigation of the human rights involvement of the individual IPHRC experts presents a mixed picture when it comes to their positions, opinions and interests, making it difficult to predict what direction the work of the experts will take.

As regards the defamation of religion agenda, none of the experts seem to have been directly involved in its promotion – nor, for that matter, in the opposition to this agenda.¹⁵ When it comes to women’s and homosexual rights, however, several experts have a history of involvement; some of them in promoting the agenda of conservative OIC member states. For instance one expert, Wael Attiya, is well known in the UN human rights system for his work with the Egyptian Mission to the UN, staunchly supporting the traditional family and opposing same-sex marriage, abortion and legalisation of prostitution. In November 2010 Attaya was even awarded the conservative US organisation Family Watch’s *Stand for the Family Award* for his efforts “to protect the institution of the family” (Slater 2010).

In contrast with this, another expert, S. K. Kaggwa, has – in his capacity as chairman of Uganda’s Human Rights Commission – recently called for the decriminalisation of homosexuality. In an annual report to the Ugandan parliament, the Ugandan commission states that it is “gravely concerned that homosexual behaviour [has been] criminalised in Uganda” (cf. Kivumbi 2011). The three female experts in the Commission are all involved in women’s rights, seeking to merge rather than contrast Islamic conceptions and traditions with universalist discourses on human rights. Asila Wardak, Director of Human Rights and Women’s Affairs in the Afghan Ministry of Foreign Affairs, is an internationally renowned women’s rights activist and has worked hard to ensure women’s participation in political decision-making processes in Afghanistan. Siti Ruhaini Duhayatin, one of Indonesia’s leading female Muslim thinkers, and Raihanah Abdullah, Professor in Islamic Studies at the University of Malaysia, are also involved in the promotion of women’s rights, insisting on a gender perspective on Islamic law.

Depending on the interests and capacities of the experts, together with the amount of pressure from OIC member states, however, the Commission may end up introducing a completely new set of issues, thus broadening the human rights agenda of the OIC.

¹⁵ In 2009, for instance, 207 NGOs from 46 countries signed a statement urging member states to reject the resolution ‘Combating Defamation of Religion.’ None of the 18 experts were involved in this initiative.

As an OIC staff member noted: “The experts will be charting their own course – their collective wisdom will be charting the course in terms of establishing a priority list of issues.” For instance Zuhtu Arslan, who is Rector of the Police Academy in Ankara, has been active in several projects on policing and human rights. Likewise, S. K. Kaggwa – through the Ugandan Human Rights Commission – is involved in activities promoting mechanisms for ensuring human rights accountability of the state. Mahmoud al-Aker, General Commissioner of the Palestinian Independent Commission for Human Rights and founder of the Mandela Institute for Palestinian Political Prisoners, has many years of experience in the area of arbitrary arrests, prevention of torture and the protection of human rights defenders.

Conclusions

What kind of human rights commission will the IPCHR be? Although it is in many ways impossible to evaluate the human rights commission at this stage, taking into consideration that it has not even held its first meeting yet, there are aspects of the Commission's history, set-up, membership and mandate that can nonetheless give an indication of the way in which the Commission will go.

First, there are a number of factors that point to potentially problematic aspects of the Commission, at least from a Danish perspective, including its limited mandate, its location in Saudi Arabia, and the inclusion of experts with no human rights expertise.

Location in Saudi Arabia The choice of location of the secretariat is one matter of concern. Does the location of a human rights commission in Jeddah send the right signals? Staff in the OIC emphasise the importance of distinguishing between the OIC and Saudi Arabia: just as the UN is not the USA simply because its headquarters are situated in New York, the OIC is not Saudi Arabia even though its General Secretariat is in Jeddah. Nevertheless, the location of the Commission in a country with one of the world's worst human rights records will inevitably damage the reputation of the Commission.

A limited mandate Another, and potentially more problematic, aspect of the Commission's statutes is the limited independence ascribed to the Commission, compared to the original version. As noted in Article 13 of the statutes, "The Commission *shall support the OIC's position* on human rights at the international level and consolidate cooperation among the Member States in the area of human rights" (OIC 2011c, emphasis added). Likewise, it can only offer consultancy to "*approving* Member States" (OIC 2011c, Article 14, emphasis added). Furthermore, the Commission does not have an explicit mandate to investigate human rights violations in member states, but is instead only allowed to "conduct studies and research on priority human rights issues" (OIC 2011c, Article 16). And finally, the Commission's recommendations are not binding but must be approved by the Council of Foreign Ministers.

Experts with no human rights expertise The group of experts making up the Commission is, for better and worse, a mixed bag. Apart from diplomats, civil

society representatives and university professors with several years of human rights expertise, it also includes people whose merits within the area of human rights are limited, as well as some who are best known for their strong opposition to elements of the universal human rights.

A tool in the defamation of religion agenda Depending on the independence and expertise of the experts, as well as the amount of pressure from OIC member states, the IPCHR may become a tool to further what have historically been key OIC issues, such as the promotion of family rights and the right to life, the struggle against homosexual rights and the promotion of the defamation of religion agenda; all issues which the Danish government neither supports nor agrees with.

On the other hand, there are also several aspects of the new human rights commission that allow for an optimistic view on the Commission's future.

Political support Most importantly, the Commission is a result of a strong will on the part of all member states to create a human rights mechanism. As one staff member said: "What was part of our ten year plan has been accomplished in half the time; that shows the unanimity on this topic." The fact that disagreements about the location of the secretariat were not allowed to halt the process is another clear sign of the support the Commission enjoys in the OIC.

Room for introspection In the past the OIC has had a tendency to focus more on human rights violations outside the OIC (e.g. in relation to Muslim minorities in the West) than inside the OIC. It is positive that OIC's member states with the Commission have established a forum for internal criticism and introspection. As a representative from one of the member states said at the meeting in Astana: "This is the first time such an exercise is being carried out in the Muslim world. It will be 100 times better to hear what is happening in our countries from our own people rather than from the outside world [...] Of course, we are not in the habit of hearing any criticism from fellow member states, but eventually we will learn to set our houses in order to avoid attracting criticism" (Wahab 2011).

Independent experts Despite the above-mentioned criticism of the lack of expertise of some experts, there are also many positive things to say about them. The 18 experts of the Commission are not all government representatives, as Iran allegedly would have preferred, but more or less independent experts from civil society, university and human rights institutions. Several have experience of the UN human rights system.

Three of the experts are women, and while this number certainly leaves room for improvement, it is still high for an organisation that has less than five per cent female staff in its General Secretariat.

Broader human rights concerns While the IPCHR may very well end up as a tool in the promotion of certain member states' relatively narrow human rights agendas, there is also a real chance that it will succeed in broadening the scope of OIC human rights involvement, based on the experience and interests of the Commission's experts, and bring new issues to the table.

Cooperation with civil society Although relations have yet to be formalised, Article 15 opens up for cooperation with civil society: "The Commission shall promote and support the role of member state-accredited national institutions and civil society organisations active in the area of human rights" (OIC 2011c). The holding of meetings in different locations each time further facilitates cooperation with national actors.

To sum up, the work of the new human rights commission may take many different directions, depending first and foremost on the capacities, interests and relations of its 18 elected experts; the willingness of OIC member states to listen and provide them with room to manoeuvre; and the degree to which national civil society organisations are allowed avenues of participation and influence in the Commission. To these factors, a fourth can be added: namely that of the international human rights community. As noted by a high-level UN representative who has followed the establishment of the Commission closely:

"I am optimistic as regards the Commission – as long as it receives the right technical support. Ultimately, it is the involvement and collaboration of this newly born mechanism with relevant and/or equivalent bodies in different parts of the world that will shape its thinking in the right direction. It is important for relevant regional and international mechanisms to get involved with the OIC Commission, help it get started in a mutually reinforcing way with other similar mechanisms and confirm to the OIC that this has the potential to become something good – for the OIC and for international community."

Against this background, it is recommendable that Danish organizations and institutions – including not only the Foreign Ministry, but also the Danish Institute for Human Rights and NGOs involved in human rights issues – pay close attention to the IPHRC as a new actor on the international human rights scene. This may contribute

to creating a platform for constructive dialogue and cooperation. Cooperation with the IPHRC may be a possible venue for dialogue with the OIC on sensitive human rights issues such as freedom of religion and belief. Furthermore, cooperation may also facilitate broader partnerships on human rights in the Muslim world, complementing and strengthening existing initiatives.

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APPENDICES

Appendix A. OIC Member States and Observers

Member States

Islamic Republic of Afghanistan, 1969
People's Democratic Republic of Algeria, 1969
Republic of Chad, 1969
Arab Republic of Egypt, 1969
Republic of Guinea, 1969
Republic of Indonesia, 1969
Islamic Republic of Iran, 1969
Hashemite Kingdom of Jordan, 1969
State of Kuwait, 1969
Republic of Lebanon, 1969
Libya, 1969
Republic of Mali, 1969
Malaysia, 1969
Islamic Republic of Mauritania, 1969
Kingdom of Morocco, 1969
Republic of Niger, 1969
Islamic Republic of Pakistan, 1969
State of Palestine, 1969
Kingdom of Saudi Arabia, 1969
Republic of Senegal, 1969
Republic of Somalia, 1969
Republic of the Sudan, 1969
Republic of Tunisia, 1969
Republic of Turkey, 1969
Republic of Yemen, 1969
Kingdom of Bahrain, 1972
Sultanate of Oman, 1972
State of Qatar, 1972
Republic of Sierra Leone, 1972
Syrian Arab Republic, 1972
State of the United Arab Emirates, 1972
People's Republic of Bangladesh, 1974
Burkina Faso, 1974
Republic of Cameroon, 1974
Republic of Gabon, 1974
Republic of the Gambia, 1974
Republic of Guinea-Bissau, 1974
Republic of Uganda, 1974
Republic of Iraq, 1975

Union of the Comoros, 1976
 Republic of Maldives, 1976
 Republic of Djibouti, 1978
 Republic of Benin, 1983
 Brunei-Darussalam, 1984
 Federal Republic of Nigeria, 1986
 Republic of Albania, 1992
 Republic of Azerbaijan, 1992
 Kyrgyz Republic, 1992
 Republic of Tajikistan, 1992
 Turkmenistan, 1992
 Republic of Mozambique, 1994
 Republic of Kazakhstan, 1995
 Republic of Suriname, 1996
 Republic of Uzbekistan, 1996
 Republic of Togo, 1997
 Republic of Guyana, 1998
 Republic of Cote d'Ivoire, 2001

Observers

Bosnia and Herzegovina, 1994
 Central African Union, 1996
 Kingdom of Thailand, 1998
 Russian Federation, 2005
 Turkish Cypriot State, 1979
 Moro National Liberation Front, 1977
 United Nations, 1976
 Non-Aligned Movement, 1977
 League of Arab States, 1975
 African Union, 1977
 Economic Cooperation Organisation, 1995

Appendix B. Structure of the OIC

The OIC consists of a number of different institutions, committees and organisations. At the top level we find *the Islamic Summit*, which is the highest policy making organ in the organisation, convened every three years and attended by heads of state of the 57 member states. In between the summits, the *Conference of Foreign Ministers* meets every year, in order to oversee the implementation of decisions taken at the summit. The first meeting of foreign ministers took place in 1972, when the OIC Charter was adopted. The *General Secretariat*, headed by the Secretary General, is entrusted with the concrete implementation of the decisions

that the Islamic Summit and the Conference of Foreign Ministers make. The Secretariat is organised in different departments, each headed by an Assistant Secretary General. The departments include the Department of Palestine and Al-Quds, the Department of Science and Technology, the Department of Information, the Department of Culture and Social Affairs, the Department of Political Affairs, the Department of Minorities, the Department of Economic Affairs, and the newly established Department of Humanitarian Affairs.

The second organisational level is made up of a number of *specialised committees*, nearly all at ministerial level and some of them chaired by heads of state (FDGG 2008:4). The OIC has a Standing Committee on Information and Cultural Affairs (COMIAC), Standing Committee on Economic and Trade Cooperation (COMCEC), and a Standing Committee on Scientific and Technological Cooperation (COMSTECH). At the same level, we also find the Islamic Committee for Economic, Cultural and Social Affairs (ICECSA), the Permanent Finance Committee, the International Islamic Court of Justice, the Al-Quds Committee, and – since June 2011 – the Independent Permanent Human Rights Commission.

Also, temporary committees are established to give support to specific cases – e.g. the Afghanistan Committee, which coordinates aid to the Afghan people, the Committee of Six on Palestine which follows up on the implementation of sanctions against Israel for refusing to implement UN resolutions, and the Committee on United Nations Reform (FDGG 2008:11).

At the third organisational level we find a number of organisations established within the framework of the OIC, but working independently of the OIC. Depending on their degree of autonomy they are classified as subsidiary organs, specialised institutions and affiliated organisations. *Subsidiary organs* include two research centres (the Statistical, Economic, Social Research and Training Centre for Islamic Countries and the Research Centre for Islamic History, Art and Culture), three Islamic universities (in Bangladesh, Niger and Uganda), the Islamic Fiqh Academy, the Islamic Centre for the Development of Trade, and the Islamic Solidarity Fund. *Specialised institutions* include the Islamic Development Bank, Islamic Educational, Scientific and Cultural Organisation (ISESCO), Islamic Broadcasting Union and the International Islamic News Agency. *Affiliated organisations* include, among others, the Islamic Chamber of Commerce and Industry, the Islamic Shipowners Association, the Islamic Committee of the International Crescent and the Islamic Conference Youth Forum for Dialogue and Cooperation.

Appendix C. OIC Budget

OIC's budget is based on mandatory contributions from member states, organised according to member state gross national income as well as a host of economic, social and developmental considerations. Apart from these, member states also pay voluntary contributions to different OIC initiatives and institutions. For instance, at the 33rd meeting of foreign ministers in Baku in 2006, Iran announced a USD 1 million voluntary contribution, the United Arab Emirates gave USD 2 million to the Islamic Solidarity Fund, and Saudi Arabia pledged USD

Mandatory contributions of member states by percentage (2006–2007)¹⁶

0.5	Afghanistan, Albania, Benin, Burkina Faso, Chad, Comoros, Cameroon, Djibouti, Gambia, Guinea, Guinea Bissau, Guyana, Kyrgyzstan, Maldives, Mali, Mauritania, Mozambique, Niger, Sierra Leone, Somalia, Suriname, Tajikistan, Togo, Uganda, Yemen
1.0	Azerbaijan, Bahrain, Bangladesh, Gabon, Ivory Coast, Jordan, Kazakhstan, Lebanon, Senegal, Turkmenistan, Uzbekistan
1.5	Nigeria, Syria, Tunisia
2.0	Egypt, Iraq, Morocco, Oman, Pakistan
3.0	Algeria
3.5	Brunei, Indonesia, Qatar
5.0	Malaysia, Turkey
5.5	Iran
6.0	Libya
7.0	United Arab Emirates
9.0	Kuwait
10.0	Saudi Arabia

1 billion to the newly created fund for poverty alleviation, established under the Islamic Development Bank.

Despite its size, the organisation has a tight budget, much smaller than that of comparable organisations.¹⁷ Added to this, many member states do not pay their mandatory contributions. In fact, few years ago as many as 21 states had never paid their contributions and only 21 states were considered regular payers. However, with budgetary increases in recent years, member states seem to be starting to take their obligations more seriously, with the number of non-paying states going down to 12, and the number of regular payers increasing to 25.

Appendix D. OIC Charter

Charter of the Organisation of the Islamic Conference

In the name of Allah, the most Compassionate, the most Merciful

We the Member States of the Organisation of the Islamic Conference, determined:

¹⁶ Information from Resolution no. 3/33-AF on the New Scale of Member States' Mandatory Contributions to Annual Budgets of the General Secretariat and its Subsidiary Organs, 2006/7 (cf. FDGG 2008). Palestine is exempt from paying.

¹⁷ It is difficult to get exact numbers, but according to a speech made by Ihsanoglu to the Permanent Finance Committee on 2 December 2007, the 2008 budget for the General Secretariat was USD 22 million, an increase of 25 per cent on the year before. Since then more recent numbers are not available to the public.

- to acknowledge the Conference of Kings, Heads of State and Government of the Member States convened in Rabat from 9 to 12 Rajab, 1389 H, corresponding to 22 to 25 September 1969, as well as the Conference of Foreign Ministers held in Jeddah from 14 to 18 Muharram 1392 H corresponding to 29 February to 4 March 1972; to be guided by the noble Islamic values of unity and fraternity, and affirming the essentiality of promoting and consolidating the unity and solidarity among the Member States in securing their common interests at the international arena;
- to adhere our commitment to the principles of the United Nations Charter, the present Charter and International Law;
- to preserve and promote the lofty Islamic values of peace, compassion, tolerance, equality, justice and human dignity;
- to endeavour to work for revitalizing Islam's pioneering role in the world while ensuring sustainable development, progress and prosperity for the peoples of Member States;
- to enhance and strengthen the bond of unity and solidarity among the Muslim peoples and Member States;
- to respect, safeguard and defend the national sovereignty, independence and territorial integrity of all Member States;
- to contribute to international peace and security, understanding and dialogue among civilizations, cultures and religions and promote and encourage friendly relations and good neighbourliness, mutual respect and cooperation;
- to promote human rights and fundamental freedoms, good governance, rule of law, democracy and accountability in Member States in accordance with their constitutional and legal systems;
- to promote confidence and encourage friendly relations, mutual respect and cooperation between Member States and other States;
- to foster noble Islamic values concerning moderation, tolerance, respect for diversity, preservation of Islamic symbols and common heritage and to defend the universality of Islamic religion;
- to advance the acquisition and popularization of knowledge in consonance with the lofty ideals of Islam to achieve intellectual excellence;
- to promote cooperation among Member States to achieve sustained socioeconomic development for effective integration in the global economy, in conformity with the principles of partnership and equality;
- to preserve and promote all aspects related to environment for present and future generations;
- to respect the right of self-determination and non-interference in the domestic affairs and to respect sovereignty, independence and territorial integrity of each Member State;
- to support the struggle of the Palestinian people, who are presently under foreign occupation, and to empower them to attain their inalienable rights, including the right to self-determination, and to establish their sovereign state with Al-Quds

- Al-Sharif as its capital, while safeguarding its historic and Islamic character, and the holy places therein;
 - to safeguard and promote the rights of women and their participation in all spheres of life, in accordance with the laws and legislation of Member States;
 - to create conducive conditions for sound upbringing of Muslim children and youth, and to inculcate in them Islamic values through education for strengthening their cultural, social, moral and ethical ideals;
 - to assist Muslim minorities and communities outside the Member States to preserve their dignity, cultural and religious identity;
 - to uphold the objectives and principles of the present Charter, the Charter of the United Nations and international law as well as international humanitarian law while strictly adhering to the principle of non-interference in matters which are essentially within the domestic jurisdiction of any State;
 - to strive to achieve good governance at the international level and the democratization of the international relations based on the principles of equality and mutual respect among States and non-interference in matters which are within their domestic jurisdiction;
- Have resolved to cooperate in achieving these goals and agreed to the present amended Charter.

CHAPTER I. Objectives and Principles

Article 1

The objectives of the Organisation of the Islamic Conference shall be:

1. To enhance and consolidate the bonds of fraternity and solidarity among the Member States;
2. To safeguard and protect the common interests and support the legitimate causes of the Member States and coordinate and unify the efforts of the Member States in view of the challenges faced by the Islamic world in particular and the international community in general;
3. To respect the right of self-determination and non-interference in the domestic affairs and to respect sovereignty, independence and territorial integrity of each Member State;
4. To support the restoration of complete sovereignty and territorial integrity of any Member State under occupation, as a result of aggression, on the basis of international law and cooperation with the relevant international and regional organisations;
5. To ensure active participation of the Member States in the global political, economic and social decision-making processes to secure their common interests;
6. To promote inter-state relations based on justice, mutual respect and good neighbourliness to ensure global peace, security and harmony;
7. To reaffirm its support for the rights of peoples as stipulated in the UN Charter and international law;

8. To support and empower the Palestinian people to exercise their right to self determination and establish their sovereign State with Al-Quds Al-Sharif as its capital, while safeguarding its historic and Islamic character as well as the Holy places therein;
9. To strengthen intra-Islamic economic and trade cooperation; in order to achieve economic integration leading to the establishment of an Islamic Common Market;
10. To exert efforts to achieve sustainable and comprehensive human development and economic well-being in Member States;
11. To disseminate, promote and preserve the Islamic teachings and values based on moderation and tolerance, promote Islamic culture and safeguard Islamic heritage;
12. To protect and defend the true image of Islam, to combat defamation of Islam and encourage dialogue among civilisations and religions;
13. To enhance and develop science and technology and encourage research and cooperation among Member States in these fields;
14. To promote and to protect human rights and fundamental freedoms including the rights of women, children, youth, elderly and people with special needs as well as the preservation of Islamic family values;
15. To emphasize, protect and promote the role of the family as the natural and fundamental unit of society;
16. To safeguard the rights, dignity and religious and cultural identity of Muslim communities and minorities in non-Member States;
17. To promote and defend unified position on issues of common interest in the international fora;
18. To cooperate in combating terrorism in all its forms and manifestations, organised crime, illicit drug trafficking, corruption, money laundering and human trafficking;
19. To cooperate and coordinate in humanitarian emergencies such as natural disasters;
20. To promote cooperation in social, cultural and information fields among the Member States.

Article 2

The Member States undertake that in order to realize the objectives in Article 1, they shall be guided and inspired by the noble Islamic teachings and values and act in accordance with the following principles:

1. All Member States commit themselves to the purposes and principles of the United Nations Charter;
2. Member States are sovereign, independent and equal in rights and obligations;
3. All Member States shall settle their disputes through peaceful means and refrain from use or threat of use of force in their relations;

4. All Member States undertake to respect national sovereignty, independence and territorial integrity of other Member States and shall refrain from interfering in the internal affairs of others;
5. All Member States undertake to contribute to the maintenance of international peace and security and to refrain from interfering in each other's internal affairs as enshrined in the present Charter, the Charter of the United Nations, international law and international humanitarian law;
6. As mentioned in the UN Charter, nothing contained in the present Charter shall authorize the Organisation and its Organs to intervene in matters which are essentially within the domestic jurisdiction of any State or related to it;
7. Member States shall uphold and promote, at the national and international levels, good governance, democracy, human rights and fundamental freedoms, and the rule of law;
8. Member States shall endeavour to protect and preserve the environment.

CHAPTER II. Membership

Article 3

1. The Organisation is made up of 57 States member of the Organisation of the Islamic Conference and other States which may accede to this Charter in accordance with Article 3 paragraph 2.
2. Any State, member of the United Nations, having Muslim majority and abiding by the Charter, which submits an application for membership may join the Organisation if approved by consensus only by the Council of Foreign Ministers on the basis of the agreed criteria adopted by the Council of Foreign Ministers.
3. Nothing in the present Charter shall undermine the present Member States' rights or privileges relating to membership or any other issues.

Article 4

1. Decision on granting Observer status to a State, member of the United Nations, will be taken by the Council of Foreign Ministers by consensus only and on the basis of the agreed criteria by the Council of Foreign Ministers.
2. Decision on granting Observer status to an international organisation will be taken by the Council of Foreign Ministers by consensus only and on the basis of the agreed criteria by the Council of Foreign Ministers.

CHAPTER III. Organs

Article 5

The Organs of the Organisation of the Islamic Conference shall consist of:

1. Islamic Summit
2. Council of Foreign Ministers

3. Standing Committees
4. Executive Committee
5. International Islamic Court of Justice
6. Independent Permanent Commission of Human Rights
7. Committee of Permanent Representatives
8. General Secretariat
9. Subsidiary Organs
10. Specialized Institutions
11. Affiliated Institutions

CHAPTER IV. Islamic Summit

Article 6

The Islamic Summit is composed of Kings and Heads of State and Government of Member States and is the supreme authority of the Organisation.

Article 7

The Islamic Summit shall deliberate, take policy decisions and provide guidance on all issues pertaining to the realization of the objectives as provided for in the Charter and consider other issues of concern to the Member States and the Ummah.

Article 8

1. The Islamic Summit shall convene every three years in one of the Member States.
2. The Preparation of the Agenda and all necessary arrangements for the convening of the Summit will be done by the Council of Foreign Ministers with the assistance of the General Secretariat.

Article 9

Extraordinary Sessions will be held, whenever the interests of Ummah warrant it, to consider matters of vital importance to the Ummah and coordinate the policy of the Organisation accordingly. An Extraordinary Session may be held at the recommendation of the Council of Foreign Ministers or on the initiative of one of the Member States or the Secretary-General, provided that such initiative obtains the support of simple majority of the Member States.

CHAPTER V. Council of Foreign Ministers

Article 10

1. The Council of Foreign Ministers shall be convened once a year in one of the Member States.
2. An Extraordinary Session of the Council of Foreign Ministers may be convened at the initiative of any Member State or of the Secretary-General if such initiative is approved by a simple majority of the Member States.

3. The Council of Foreign Ministers may recommend convening other sectorial Ministerial meetings to deal with the specific issues of concern to the Ummah. Such meetings shall submit their reports to the Islamic Summit and the Council of Foreign Ministers.
4. The Council of Foreign Ministers shall consider the means for the implementation of the general policy of the Organisation by:
 - a. Adopting decisions and resolutions on matters of common interest in the implementation of the objectives and the general policy of the Organisation;
 - b. Reviewing progress of the implementation of the decisions and resolutions adopted at the previous Summits and Councils of Foreign Ministers;
 - c. Considering and approving the programme, budget and other financial and administrative reports of the General Secretariat and Subsidiary Organs;
 - d. Considering any issue affecting one or more Member States whenever a request to that effect by the Member State concerned is made with a view to taking appropriate measures in that respect;
 - e. Recommending to establish any new organ or committee;
 - f. Electing the Secretary General and appointing the Assistant Secretaries General in accordance with Articles 16 and 18 of the Charter respectively;
 - g. Considering any other issue it deems fit.

CHAPTER VI. Standing Committees

Article 11

1. In order to advance issues of critical importance to the Organisation and its Member States, the Organisation has formed the following Standing Committees:
 - i. Al Quds Committee
 - ii. Standing Committee for Information and Cultural Affairs (COMIAC)
 - iii. Standing Committee for Economic and Commercial Cooperation (COMCEC)
 - iv. Standing Committee for Scientific and Technological Cooperation (COMSTECH).
2. The Standing Committees are chaired by Kings and Heads of State and Government and are established in accordance with decisions of the Summit or upon the recommendation of the Council of Foreign Ministers and the membership of such Committees.

CHAPTER VII. Executive Committee

Article 12

The Executive Committee is comprised of the Chairmen of the current, preceding and succeeding Islamic Summits and Councils of Foreign Ministers, the host country of the Headquarters of the General Secretariat as well as the Secretary-General as an ex-officio member. The Meetings of the Executive Committee shall be conducted according to its Rules of Procedure.

CHAPTER VIII. Committee of Permanent Representatives

Article 13

The prerogatives and modes of operation of the Committee of Permanent Representatives shall be defined by the Council of Foreign Ministers.

CHAPTER IX. International Islamic Court of Justice

Article 14

The International Islamic Court of Justice established in Kuwait in 1987 shall, upon the entry into force of its Statute, be the principal judicial organ of the Organisation.

CHAPTER X. Independent Permanent Commission on Human Rights

Article 15

The Independent Permanent Commission on Human Rights shall promote the civil, political, social and economic rights enshrined in the organisation's covenants and declarations and in universally agreed human rights instruments, in conformity with Islamic values.

CHAPTER XI. General Secretariat

Article 16

The General Secretariat shall comprise a Secretary-General, who shall be the Chief Administrative Officer of the Organisation and such staff as the Organisation requires. The Secretary-General shall be elected by the Council of Foreign Ministers for a period of five years, renewable once only. The Secretary-General shall be elected from among nationals of the Member States in accordance with the principles of equitable geographical distribution, rotation and equal opportunity for all Member States with due consideration to competence, integrity and experience.

Article 17

The Secretary General shall assume the following responsibilities:

- a. bring to the attention of the competent organs of the Organisation matters which, in his opinion, may serve or impair the objectives of the Organisation;
- b. follow-up the implementation of decisions, resolutions and recommendations of the Islamic Summits, and Councils of Foreign Ministers and other Ministerial meetings;
- c. provide the Member States with working papers and memoranda, in implementation of the decisions, resolutions and recommendations of the Islamic Summits and the Councils of Foreign Ministers;
- d. coordinate and harmonize, the work of the relevant Organs of the Organisation;
- e. prepare the programme and the budget of the General Secretariat;
- f. promote communication among Member States and facilitate consultations and exchange of views as well as the dissemination of information that could be of importance to Member States;

- g. perform such other functions as are entrusted to him by the Islamic Summit or the Council of Foreign Ministers;
- h. submit annual reports to the Council of Foreign Ministers on the work of the Organisation.

Article 18

1. The Secretary-General shall submit nominations of Assistant Secretaries General to the Council of Foreign Ministers, for appointment, for a period of 5 years in accordance with the principle of equitable geographical distribution and with due regard to the competence, integrity and dedication to the objectives of the Charter. One post of Assistant Secretary General shall be devoted to the cause of Al-Quds Al-Sharif and Palestine with the understanding that the State of Palestine shall designate its candidate.
2. The Secretary-General may, for the implementation of the resolutions and decisions of the Islamic Summits and the Councils of Foreign Ministers, appoint Special Representatives. Such appointments along with mandates of the Special Representatives shall be made with the approval of the Council of Foreign Ministers.
3. The Secretary-General shall appoint the staff of the General Secretariat from among nationals of Member States, paying due regard to their competence, eligibility, integrity and gender in accordance with the principle of equitable geographical distribution. The Secretary-General may appoint experts and consultants on temporary basis.

Article 19

In the performance of their duties, the Secretary-General, Assistant Secretaries General and the staff of the General Secretariat shall not seek or accept instructions from any government or authority other than the Organisation. They shall refrain from taking any action that may be detrimental to their position as international officials responsible only to the Organisation. Member States shall respect this exclusively international character, and shall not seek to influence them in any way in the discharge of their duties.

Article 20

The General Secretariat shall prepare the meetings of the Islamic Summits and the Councils of Foreign Ministers in close cooperation with the host country insofar as administrative and organizational matters are concerned.

Article 21

The Headquarters of the General Secretariat shall be in the city of Jeddah until the liberation of the city of Al-Quds so that it will become the permanent Headquarters of the Organisation.

CHAPTER XII

Article 22

The Organisation may establish Subsidiary Organs, Specialized Institutions and grant affiliated status, after approval of the Council of Foreign Ministers, in accordance with the Charter.

Subsidiary Organs

Article 23

Subsidiary organs are established within the framework of the Organisation in accordance with the decisions taken by the Islamic Summit or Council of Foreign Ministers and their budgets shall be approved by the Council of Foreign Ministers.

CHAPTER XIII

Specialized Institutions

Article 24

Specialized institutions of the Organisation are established within the framework of the Organisation in accordance with the decisions of the Islamic Summit or Council of Foreign Ministers. Membership of the specialized institutions shall be optional and open to members of the Organisation. Their budgets are independent and are approved by their respective legislative bodies stipulated in their Statute.

Affiliated Institutions

Article 25

Affiliated institutions are entities or bodies whose objectives are in line with the objectives of this Charter, and are recognized as affiliated institutions by the Council of Foreign Ministers. Membership of the institutions is optional and open to organs and institutions of the Member States. Their budgets are independent of the budget of the General Secretariat and those of subsidiary organs and specialized institutions. Affiliated institutions may be granted observer status by virtue of a resolution of the Council of Foreign Ministers. They may obtain voluntary assistance from the subsidiary organs or specialized institutions as well as from Member States.

CHAPTER XIV. Cooperation with Islamic and other Organisations

Article 26

The Organisation will enhance its cooperation with the Islamic and other Organizations in the service of the objectives embodied in the present Charter.

CHAPTER XV. Peaceful Settlement of Disputes

Article 27

The Member States, parties to any dispute, the continuance of which may be detrimental to the interests of the Islamic Ummah or may endanger the maintenance of international peace and security, shall, seek a solution by good offices, negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement or other peaceful means of their own choice. In this context good offices may include consultation with the Executive Committee and the Secretary-General.

Article 28

The Organisation may cooperate with other international and regional organizations with the objective of preserving international peace and security, and settling disputes through peaceful means.

CHAPTER XVI. Budget & Finance

Article 29

1. The budget of the General Secretariat and Subsidiary Organs shall be borne by Member States proportionate to their national incomes.
2. The Organisation may, with the approval of the Islamic Summit or the Council of Foreign Ministers, establish special funds and endowments (waqfs) on voluntary basis as contributed by Member States, individuals and Organisations. These funds and endowments shall be subjected to the Organisation's financial system and shall be audited by the Finance Control Organ annually.

Article 30

The General Secretariat and subsidiary organs shall administer their financial affairs according to the Financial Rules of Procedure approved by the Council of Foreign Ministers.

Article 31

1. A Permanent Finance Committee shall be set up by the Council of Foreign Ministers from the accredited representatives of the participating Member States which shall meet at the Headquarters of the Organisation to finalize the programme and budget of the General Secretariat and its subsidiary organs in accordance with the rules approved by the Council of Foreign Ministers.
2. The Permanent Finance Committee shall present an annual report to the Council of Foreign Ministers which shall consider and approve the programme and budget.
3. The Finance Control Organ comprising financial/auditing experts from the Member States shall undertake the audit of the General Secretariat and its subsidiary organs in accordance with its internal rules and regulations.

CHAPTER XVII. Rules of Procedure and Voting

Article 32

1. The Council of Foreign Ministers shall adopt its own rules of procedure.
2. The Council of Foreign Ministers shall recommend the rules of procedures of the Islamic Summit.
3. The Standing Committees shall establish their own respective rules of procedure.

Article 33

1. Two-third [sic] of the Member States shall constitute the quorum for the meetings of the Organisation of the Islamic Conference.
2. Decisions shall be taken by consensus. If consensus cannot be obtained, decision shall be

taken by a two-third majority of members present and voting unless otherwise stipulated in this Charter.

CHAPTER XVIII. Final Provisions

Privileges and Immunities

Article 34

1. The Organisation shall enjoy in the Member States, immunities and privileges as necessary for the exercise of its functions and the fulfilment of its objectives.
2. Representatives of the Member States and officials of the Organisation shall enjoy such privileges and immunities as stipulated in the Agreement on Privileges and Immunities of 1976.
3. The staff of the General Secretariat, subsidiary organs and specialised institutions shall enjoy privileges and immunities necessary for the performance of their duties as may be agreed between the Organisation and host countries.
4. A Member State which is in arrears in the payment of its financial contributions to the Organisation shall have no vote in the Council of Foreign Ministers if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years. The Council may, nevertheless, permit such a Member to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the Member.

Withdrawal

Article 35

1. Any Member State may withdraw from the Organisation by notifying the Secretary-General one year prior to its withdrawal. Such a notification shall be communicated to all Member States.
2. The State applying for withdrawal shall be bound by its obligations until the end of the fiscal year during which the application for withdrawal is submitted. It shall also settle any other financial dues it owes to the Organisation.

Amendments

Article 36

Amendments to the present Charter shall take place according to the following procedure:

- a. Any Member State may propose amendments to the present Charter to the Council of Foreign Ministers;
- b. When approved by two-third majority of the Council of Foreign Ministers and ratified by a two-third majority of the Member States, it shall come into force.

Interpretation

Article 37

1. Any dispute that may arise in the interpretation, application or implementation of any

Article in the present Charter shall be settled cordially, and in all cases through consultation, negotiation, reconciliation or arbitration;

2. The provisions of this Charter shall be implemented by the Member States in conformity with their constitutional requirements.

Article 38

Languages of the Organisation shall be Arabic, English and French.

Transitional Arrangement

RATIFICATION AND ENTRY INTO FORCE

Article 39

1. This Charter shall be adopted by the Council of Foreign Ministers by two-third majority and shall be open for signature and ratification by Member States in accordance with the constitutional procedures of each Member State.
2. The instruments of ratification shall be deposited with the Secretary General of the Organisation.
3. This Charter replaces the Charter of the Organisation of the Islamic Conference which was registered in conformity with Article 102 of the Charter of the United Nations on February 1, 1974.

Done at the city of Dakar (Republic of Senegal), the Seventh day of Rabi Al-Awal, One Thousand Four Hundred and Twenty-nine Hijra, corresponding to Fourteenth day of March Two Thousand and Eight.

Appendix E. OIC Ten Year Programme of Action

Ten-year Programme of Action to Meet the Challenges Facing the Muslim Ummah in the 21st Century

Third Extraordinary Session of the Islamic Summit Conference

*Makkah al Mukarramah – Kingdom of Saudi Arabia
5-6 dhulqa'dah 1426 h 7-8 December 2005*

Introduction

The Muslim World is faced with grave political, socioeconomic, cultural and scientific challenges with implications for its unity, peace, security and development. OIC Member States would need to cooperate decisively in order to face these challenges and to take necessary initiatives to overcome them. It has therefore become imperative for them to take joint actions within the framework of the OIC, based on common values and ideals so as to revive the Muslim Ummah's pioneering role as a fine example of tolerance and enlightened moderation, and a force for international peace and harmony.

Conscious of these challenges and anxious to bring the Ummah out of its present situation into a new reality marked by greater solidarity and more prosperity to achieve its decisive objectives and aspirations, the Custodian of the Two Holy Mosques, King Abdullah Ibn Abdulaziz, addressed the pilgrims on Eid Al-Adha Day in 1425 H, and called upon the leaders of the Muslim Ummah to convene an Extraordinary Conference of the leaders of OIC Member States to consider the issues of solidarity and Joint Islamic Action.

In preparation for this Extraordinary Conference, the Custodian of the Two Holy Mosques invited the scholars and intellectuals of the Ummah to meet in Makkah Al-Mukarramah in order to consider the state of the Ummah, develop visions and concepts and propose optimal solutions to the challenges facing the Ummah in all fields. Accordingly, an elite group of Muslim scholars and intellectuals from different countries met in Makkah Al-Mukarramah from 5 to 7 Shaaban 1426 H (9–11 September 2005) and examined the challenges facing the Ummah in the intellectual, cultural, political, media, economic and developmental fields. They also formulated a number of recommendations to effectively address these challenges.

Based on the views and recommendations of scholars and intellectuals, convinced of the potential for the Muslim Ummah to achieve its renaissance, and in order to take practical steps towards strengthening the bonds of Islamic solidarity, achieve unity of ranks, and project the true image and noble values of Islam and its civilizational approaches, a Ten-Year Programme of Action has been developed, which reviews the most prominent challenges facing the Muslim world today, as well as ways and means to address them in an objective and realistic way in order to serve as a practicable and workable programme for all OIC Member States.

In the intellectual and political fields, there are major issues, such as establishing the values of moderation and tolerance, combating extremism, violence and terrorism, countering Islamophobia, achieving solidarity and cooperation among Member States, conflict prevention, the question of Palestine, the rights of Muslim minorities and communities, and rejecting unilateral sanctions. All of these are issues which require a renewed commitment to be addressed through effective strategies. In this context, special attention needs to be given to Africa, which is the most affected region, due to poverty, diseases, illiteracy, famine, and debt burden.

In the economic and scientific fields, the Ummah needs to achieve higher levels of development and prosperity, given its abundant economic resources and capacities. Priority must be given to enhancing economic cooperation, intra-OIC trade, alleviating poverty in OIC Member States, particularly in conflict-affected areas, and addressing issues related to globalization, economic liberalization, environment, and science and technology.

As for education and culture, there is an urgent need to tackle the spread of illiteracy and low standards of education at all levels as well as a need to redress ideological deviation. In the social field, it is imperative to focus on the rights of women, children and the family.

In implementing the new vision and goals for the Muslim world, the role of the OIC is central, which requires its reform in a way that meets the hopes and aspirations of the Ummah in the 21st Century.

To achieve this new vision and mission for a brighter, more prosperous and dignified future for the Ummah, We, the Kings, Heads of State and Heads of Government of the OIC Member States, decide to adopt the following Ten-Year Programme of Action, with a mid-term review, for immediate implementation:

I. INTELLECTUAL AND POLITICAL ISSUES

I. Political Will

1. Demonstrate the necessary political will in order to translate the anticipated new vision into concrete reality and call upon the Secretary-General to take necessary steps to submit practical proposals to the Member States for consideration and subsequent submission to the Islamic Conference of Foreign Ministers.
2. Urge Member States to fully implement the provisions of the OIC Charter and resolutions.

II. Solidarity and Joint Islamic Action

1. Demonstrate strong commitment and credibility in Joint Islamic Action by effective implementation of OIC resolutions, and to focus on the adoption of implementable resolutions until the Ummah reaches its objectives. In this context, the Secretary General should be enabled to fully play his role in following up the implementation of all OIC resolutions.
2. Affirm commitment to Islamic solidarity among the OIC Member States vis-à-vis the challenges and threats faced or experienced by the Muslim Ummah, and request the Secretary General to elaborate a general framework, in consultation with Member States, on their duties and obligations in this regard, including solidarity and support to Member States who are facing threats.
3. Participate and coordinate effectively in all regional and international forums, in order to protect and promote the collective interests of the Muslim Ummah, including UN reform, expanding the Security Council membership, and extending the necessary support to candidatures of OIC Member States to international and regional organisations.
4. Continue to support the issue of Al Quds Al Sharif as a central cause of the OIC and the Muslim Ummah.
5. Reaffirm previous resolutions and decisions of the OIC on Jammu and Kashmir, Cyprus, Nagorno Karabakh and Somalia and demonstrate solidarity with these Muslim peoples in their just causes.

III. Islam - The Religion of Moderation and Tolerance

1. Endeavour to spread the correct ideas about Islam as a religion of moderation and tolerance and to safeguard Islamic values, beliefs and principles in order to fortify Muslims against extremism and narrow-mindedness.
2. Condemn extremism in all its forms and manifestations, as it contradicts Islamic and human values; and address its political, economic, social, and cultural root-causes, through development programmes and resolution of long-standing conflicts, which are to be faced with rationality, persuasion, and good counsel.
3. Emphasize that inter-civilizational dialogue, based on mutual respect and understanding, and equality amongst people are prerequisites for international peace and security, tolerance, peaceful co-existence, and participation in developing the mechanism for that dialogue.
4. Encourage inter-religious dialogue and underline common values and denominators.

5. Ensure the participation of the OIC and its specialized bodies, as a proactive partner in the dialogue among civilizations and religions, as well as in initiatives and efforts exerted in this regard.
6. Utilize the different mass media in order to serve and defend the causes of the Muslim Ummah, promote the noble principles and values of Islam, and correct misconceptions about it.
7. Strive for the teaching of Islamic education, culture, civilization, and the jurisprudence and literature of difference; call on Member States to cooperate amongst themselves in order to develop balanced educational curricula that promote values of tolerance, human rights, openness, and understanding of other religions and cultures; reject fanaticism and extremism, and establish pride in the Islamic identity.

IV. Multiplicity of Islamic Jurisprudence

1. Underline the need to strengthen dialogue among Islamic Schools, affirm the true faith of their followers and the inadmissibility of accusing them of heresy, as well as the inviolability of their blood, honor and property, as long as they believe in Allah Almighty, in the Prophet (PBUH) and in the other pillars of the Islamic faith, respect the pillars of Islam and do not deny any self-evident tenet of religion.
2. Condemn the audacity of those who are not qualified in issuing religious rulings (fatwa), thereby flouting the tenets and pillars of the religion and the well-established schools of jurisprudence. Consequently, compliance with the principle of fatwa, as approved by scholars, must be observed in line with the relevant provisions of the International Islamic Conference held in Amman in late July 2005 and in the recommendations of the Forum of Muslim Scholars and Intellectuals Preparatory to the Summit convened by the Custodian of the Two Holy Mosques in Makkah Al Mukarramah from 9 to 11 September 2005.

V. The Islamic Fiqh Academy (IFA)

1. Entrust the Secretary General to invite a group from the members of the Islamic Fiqh Academy and eminent Islamic scholars from outside to prepare a detailed study to develop the IFA's work in accordance with the following objectives, for consideration by the ICFM:
 - a. Coordinate religious ruling (fatwa) authorities in the Muslim world.
 - b. Counter religious and sectarian extremism, refrain from accusing Islamic schools of heresy, emphasize dialogue among them, and strengthen balance, moderation, and tolerance.
 - c. Refute fatwas that take Muslims away from the parameters and constants of their religion and its established schools.

VI. Combating terrorism

1. Emphasize the condemnation of terrorism in all its forms, and reject any justification or rationalization for it, consider it as a global phenomenon that is not connected with any religion, race, color, or country, and distinguish it from the legitimate resistance to foreign occupation, which does not sanction the killing of innocent civilians.
2. Introduce comprehensive qualitative changes to national laws and legislations in order to

criminalize all terrorist practices as well as all practices to support, finance, or instigate terrorism.

3. Affirm commitment to the OIC Convention on Combating Terrorism, participate actively in international counter-terrorism efforts, and endeavour to implement the recommendations of the International Conference on Combating Terrorism, held in Riyadh in February 2005, including the establishment of an International Center for Combating Terrorism, as well as the recommendations of the Special Meeting of OIC Foreign Ministers on Terrorism, held in Kuala Lumpur in April 2002.
4. Support efforts to develop an International Code of Conduct to Combat Terrorism and to convene an international conference or a special session of the UN General Assembly to reiterate the international consensus on establishing a comprehensive strategy to combat this dangerous phenomenon.

VII. Combating Islamophobia

1. Emphasize the responsibility of the international community, including all governments, to ensure respect for all religions and combat their defamation.
2. Affirm the need to counter Islamophobia, through the establishment of an observatory at the OIC General Secretariat to monitor all forms of Islamophobia, issue an annual report thereon, and ensure cooperation with the relevant Governmental and Non-Governmental Organizations (NGOs) in order to counter Islamophobia.
3. Endeavour to have the United Nations adopt an international resolution to counter Islamophobia, and call upon all States to enact laws to counter it, including deterrent punishments.
4. Initiate a structured and sustained dialogue in order to project the true values of Islam and empower Muslim countries to help in the war against extremism and terrorism.

VIII. Human Rights and Good Governance:

1. Seriously endeavour to enlarge the scope of political participation, ensure equality, civil liberties and social justice and to promote transparency and accountability, and eliminate corruption in the OIC Member States.
2. Call upon the Islamic Conference of Foreign Ministers to consider the possibility of establishing an independent permanent body to promote human rights in the Member States, in accordance with the provisions of the Cairo Declaration on Human Rights in Islam and to also call for the elaboration of an OIC Charter for Human Rights. Introduce changes to national laws and regulations in order to guarantee the respect of human rights in Member States.
3. Mandate the OIC General Secretariat to cooperate with other international and regional organizations to guarantee the rights of Muslim Minorities and Communities in non-OIC Member States, and promote close cooperation with the Governments of the States hosting Muslim communities.

IX. Palestine and the Occupied Arab Territories

1. Make all efforts to end the Israeli occupation of Palestinian territories occupied since 1967, including East Jerusalem, the Syrian Golan and the full completion of the Israeli withdrawal

from all remaining Lebanese territories, in compliance with Security Council Resolution 425, and extend effective support for the Palestinian people's right to self-determination and the establishment of their independent State with Al-Quds Al-Sharif as its capital.

2. Maintain a united stand on the comprehensive resolution of the Palestinian question according to OIC resolutions, UN resolutions, including UN Security Council Resolutions 242, 338, 1515 and UN General Assembly Resolution 194, the Arab Peace Initiative, and the Roadmap, in coordination and consultation with the UN, the Quartet, and other stakeholders, such as to make full withdrawal as a prerequisite for establishing normal relations with Israel, and for providing the OIC with a greater role in establishing peace.
3. Emphasize the central importance of the cause of Al-Quds for the Muslim Ummah, the need to establish the Palestinian rights in the city, preserve its heritage as well as its Arab and Islamic identity as a symbol of solidarity and the meeting point of divine religions; underline the sanctity of Al-Aqsa Mosque and its premises against violations and the need to protect the other Islamic and Christian holy places, counter the judaization of the Holy City, and support the efforts of Al-Quds Committee under the chairmanship of His Majesty King Mohamed VI; call for support to Baytmal Al-Quds and Al-Aqsa Fund, support the steadfastness of Al-Quds population and institutions, and establish Al-Aqsa University in Al-Quds Al-Sharif.
4. Extend full support to the Palestinian Authority in its efforts to negotiate for the inalienable Palestinian rights and extend necessary assistance to ensure control of all Palestinian territories, international crossings, reopen Gaza airport and seaport, and connect Gaza with the West Bank in order to ensure free movement of the Palestinians.
5. Work together with the international community to compel Israel to stop and dismantle its settlements in the occupied Palestinian territories and the occupied Syrian Golan; remove the racist separation Wall built inside the Palestinian territories, including within and around the city of Al-Quds, in accordance with the relevant UN resolutions and the Opinion of the International Court of Justice (ICJ).

X. Conflict Prevention, Conflict Resolution and Post-conflict Peace Building

1. Strengthen the role of the OIC in conflict prevention, confidence-building, peacekeeping, conflict resolution and post-conflict rehabilitation in OIC Member States as well as in conflict situations involving Muslim communities.
2. Enhance cooperation among the OIC Member States and between the OIC and international and regional organizations in order to protect the rights and interests of the Member States in conflict prevention, conflict resolution, and post-conflict peace-building.

XI. Reform of the OIC

1. Reform the OIC through restructuring, and consider changing its name, review its Charter and activities and provide it with highly qualified manpower, in such a manner as to promote its role, reactivate its institutions and strengthen its relations with the officially recognized NGOs in the OIC Member States; empower the Secretary-General to discharge his duties and provide him with sufficient flexibility and the resources that enable him to carry out the tasks assigned to him and strengthen all OIC specialized and affiliated organs in order

to allow them to play their aspired role, and reinforce coordination with the General Secretariat, and request it to review the activities of these organs and recommend the dissolution of those that prove to be inefficient.

2. Establish a mechanism for the follow-up of resolutions by creating an Executive Body, comprising the Summit and Ministerial Troikas, the OIC host country, and the General Secretariat. The Member States concerned should be invited to participate in the deliberations of these meetings.
3. Mandate the Secretary-General to prepare a study to strengthen the role of Islamic Solidarity Fund and develop it, and submit the study to the Islamic Conference of Foreign Ministers.
4. Urge Member States to pay in full and on time their mandatory contributions to the General Secretariat and Subsidiary Organs, in accordance with relevant resolutions, in order to enable Member States to avail themselves of the facilities and services offered by OIC subsidiary organs and specialized and affiliated institutions.

2. DEVELOPMENT, SOCIO-ECONOMIC AND SCIENTIFIC ISSUES

I. Economic Cooperation

1. Call upon the Member States to sign and ratify all existing OIC trade and economic agreements, and to implement the provisions of the relevant OIC Plan of Action to Strengthen Economic and Commercial Cooperation among OIC Member States.
2. Mandate COMCEC to promote measures to expand the scope of intra-OIC trade, and to consider the possibility of establishing a Free Trade Area between the Member States in order to achieve greater economic integration to raise it to a percentage of 20% of the overall trade volume during the period covered by the plan, and call on the Member States to support its activities and to participate in those activities at the highest possible level with delegations possessing the necessary expertise.
3. Promote endeavors for institutionalized and enhanced cooperation between OIC and regional and international institutions working in the economic and commercial fields.
4. Support OIC Member States in their efforts to accede to the World Trade Organization (WTO), and promote concerted positions between the Member States within the WTO.
5. Call upon the OIC Member States to facilitate the freedom of movement of businessmen and investors across their borders.
6. Support expanding electronic commerce among the OIC Member States and call on the Islamic Chamber of Commerce and Industry to strengthen its activities in the field of data and expertise exchanges between chambers of commerce of the Member States.
7. Call upon the Member States to coordinate their environmental policies and positions in international environmental fora so as to prevent any adverse effects of such policies on their economic development.

II. Supporting the Islamic Development Bank (IDB)

1. Establish a special fund within the IDB in order to help address and alleviate poverty, and provide job opportunities; and commission the IDB Board of Governors to establish this special fund, including mechanisms for its financing.

2. Mandate the Islamic Development Bank to coordinate with the OIC General Secretariat in order to make the necessary contacts with the World Health Organization and other relevant institutions to draw up a programme for combating diseases and epidemics, to be financed through the special fund that will be created within the IDB.
3. Commission the IDB Board of Governors to take necessary measures for ensuring a substantial increase in the Bank's authorized, subscribed, and paid-up capital, so as to enable it to strengthen its role in providing financial support and technical assistance to OIC Member States, and strengthen the Islamic Corporation for Trade Finance recently established within the IDB.
4. Urge the IDB to develop its mechanisms and programmes aimed at cooperation with the private sector and to consider streamlining and activating its decision-making process.
5. Urge the IDB and its institutions to promote investment opportunities and intra-OIC trade, and to conduct other feasibility studies to provide the necessary information to develop and promote joint ventures.

III. Social solidarity in the face of natural disasters

1. Islam advocates solidarity with, and assistance to, all the needy without discrimination, which requires the Islamic States to develop and adopt a clear strategy on Islamic relief action and support the trend towards cooperation and coordination between individual relief efforts of Islamic States and Islamic civil society institutions on the one hand, and international civil society institutions and organizations on the other hand.
2. Help countries affected by these disasters to rebuild their buffer stocks.

IV. Supporting development and poverty alleviation in Africa

1. Promote activities aimed at achieving economic and social development in African countries, including supporting industrialization, energizing trade and investment, transferring technology, alleviating their debt burden and poverty, and eradicating diseases; welcome the New Economic Partnership for African Development (NEPAD), adopt to this end, a special programme for the development of Africa.
2. Call upon the Member States to participate in international efforts to support programmes aimed at alleviating poverty and capacity building in the Least-Developed Member States of the OIC.
3. Urge donor Member States to cancel bilateral and multilateral debts to low-income Member States.
4. Urge international specialized institutions and organizations to exert greater efforts to alleviate poverty in the Least-Developed Member States and assist Muslim societies, the refugees and displaced in the OIC Member States, and Muslim Minorities and Communities in non-OIC Member States; urge States to contribute to the World Fund for Solidarity and Combating Poverty.

V. Higher Education, Science and Technology

1. Effectively improve and reform educational institutions and curricula in all levels, link postgraduate studies to the comprehensive development plans of the Islamic World. At the same time, priority should be given to science and technology and facilitating academic

interaction and exchange of knowledge among the academic institutions of Member States, and urge the Member States to strive for quality education that promotes creativity, innovation, and research and development

2. Assimilate highly qualified Muslims within the Muslim World, develop a comprehensive strategy in order to utilize their expertise and prevent brain migration phenomenon.
3. Entrust the General Secretariat to study the creation of an OIC Award for Outstanding Scientific Achievements by Muslim scientists.
4. Call upon Islamic countries to encourage research and development programmes, taking into account that the global percentage of this activity is 2% of the Gross Domestic Product (GDP), and request Member States to ensure that their individual contribution is not inferior to half of this percentage.
5. Take advantage of the important results of the World Summit on Information Society, held in Tunis, in which all Muslim States actively participated with a view to close the digital gap between the developed and developing States and request the General Secretariat to follow up these results in order to build the capacities of Member States to adhere to the information society which, in turn, will sustain development in Muslim States.
6. Encourage public and private national research institutions to invest in technology capacity building, in areas of advanced technologies, such as the acquisition of nuclear technology for peaceful uses.
7. Review the performance of the OIC-affiliated universities so as to improve their effectiveness and efficiency, and call for participation in the two Waqfs (Endowments) dedicated to the two universities in Niger and Uganda, and provide support to the International Islamic University in Malaysia.
8. Call upon the Member States to extend enhanced support to the Islamic University of Technology in Bangladesh in order to enable it to contribute more towards capacity building of the OIC Member States through human resources development.
9. Urge the IDB to further enhance its programme of scholarships for outstanding students and Hi-Tech specializations aimed at developing the scientific, technical, and research capabilities of scientists and researchers in the Member States.

VI. Rights of Women, Youth, Children, and the Family in the Muslim World

1. Strengthen laws aimed at enhancing the advancement of women in Muslim societies in economic, cultural, social, and political fields, in accordance with Islamic values of justice and equality; and aimed also at protecting women from all forms of violence and discrimination and adhering to the provisions of the Convention on the Elimination of all Forms of Discrimination against Women, in line with the Islamic values of justice and equality.
2. Give special attention to women's education and female literacy.
3. Expedite developing "The Covenant on the Rights of Women in Islam", in accordance with Resolution No. 60/27-P and the Cairo Declaration on Human Rights in Islam.
4. Strive to provide free and quality basic education for all children.
5. Strengthen laws aimed at preserving the rights of children, enjoying the highest possible health levels, taking effective measures in order to eradicate poliomyelitis and protect them from all forms of violence and exploitation.

6. Encourage the Member States to sign and ratify the OIC Covenant on the Rights of the Child in Islam, the United Nations Declaration on the Rights of the Child in Islam, the UN Convention on the Rights of the Child and its annexed Optional Protocols, and the Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol with regard to the Girl Child.
7. Call upon all Member States to support and promote youth programmes and youth forums.
8. Call upon the OIC to contribute towards projecting Islam as a religion that guarantees full protection of women's rights and encourages their participation in all walks of life.
9. Accord necessary attention to the family as the principal nucleus of the Muslim society, exert all possible efforts, at all levels, to face up to the contemporary social challenges confronting the Muslim family and affecting its cohesion, on the basis of Islamic values.
10. Establish a Division responsible for Family Affairs within the framework of the General Secretariat's restructuring.

VII. Cultural and Information Exchange among Member States

1. Call upon TV channels and the mass media to deal with international mass media effectively in order to enable the Muslim world to express its perspective on international developments. Call on the mass media in Member States, including satellite channels, to agree on a Code of Ethics that caters for diversity and pluralism and safeguards the Ummah's values and interests. Mandate the Secretary-General to prepare a report to evaluate the current situation of IINA, ISBO, and the OIC Information Department; consider ways and means to activate the role and mechanisms of the media within the framework of the OIC System; and submit proposals, in this regard, to the Islamic Conference of Information Ministers for consideration. Accord attention to Arabic as the language of Qur'an, develop programmes for translation between the languages of the Muslim Ummah, and implement programs of cultural exchanges among the OIC Member States, including Observer States.
2. Strengthen COMIAC in order to give more care to information and cultural issues in Member States. In this context, the Member States should voluntarily support digital solidarity and allow the OIC to actively participate in the efforts to reduce the digital gap.

Appendix F. Cairo Declaration on Human Rights in Islam

Cairo Declaration on Human Rights in Islam

The Nineteenth Islamic Conference of Foreign Ministers (Session of Peace, Interdependence and Development), held in Cairo, Arab Republic of Egypt, from 9-14 Muharram 1411H (31 July to 5 August 1990),

Keenly aware of the place of mankind in Islam as vicegerent of Allah on Earth;

Recognising the importance of issuing a Document on Human Rights in Islam that will serve as a guide for Member states in all aspects of life;

Having examined the stages through which the preparation of this draft Document has so far, passed and the relevant report of the Secretary General;

Having examined the Report of the Meeting of the Committee of Legal Experts held in Tehran from 26 to 28 December 1989;

Agrees to issue the Cairo Declaration on Human Rights in Islam that will serve as a general guidance for Member States in the Field of human rights.

Reaffirming the civilising and historical role of the Islamic Ummah which Allah made as the best community and which gave humanity a universal and well-balanced civilisation, in which harmony is established between hereunder and the hereafter, knowledge is combined with faith, and to fulfil the expectations from this community to guide all humanity which is confused because of different and conflicting beliefs and ideologies and to provide solutions for all chronic problems of this materialistic civilisation.

In contribution to the efforts of mankind to assert human rights, to protect man from exploitation and persecution, and to affirm his freedom and right to a dignified life in accordance with the Islamic Shari'ah.

Convinced that mankind which has reached an advanced stage in materialistic science is still, and shall remain, in dire need of faith to support its civilisation as well as a self-motivating force to guard its rights;

Believing that fundamental rights and freedoms according to Islam are an integral part of the Islamic religion and that no one shall have the right as a matter of principle to abolish them either in whole or in part or to violate or ignore them in as much as they are binding divine commands, which are contained in the Revealed Books of Allah and which were sent through the last of His Prophets to complete the preceding divine messages and that safeguarding those fundamental rights and freedoms is an act of worship whereas the neglect or violation thereof is an abominable sin, and that the safeguarding of those fundamental rights and freedom is an individual responsibility of every person and a collective responsibility of the entire Ummah;

Do hereby and on the basis of the above-mentioned principles declare as follows:

Article 1

- (a) All human beings form one family whose members are united by their subordination to Allah and descent from Adam. All men are equal in terms of basic human dignity and basic obligations and responsibilities, without any discrimination on the basis of race, colour, language, belief, sex, religion, political affiliation, social status or other considerations. The true religion is the guarantee for enhancing such dignity along the path to human integrity.
- (b) All human beings are Allah's subjects, and the most loved by Him are those who are most beneficial to His subjects, and no one has superiority over another except on the basis of piety and good deeds.

Article 2

- (a) Life is a God-given gift and the right to life is guaranteed to every human being. It is the duty of individuals, societies and states to safeguard this right against any violation, and it is prohibited to take away life except for a Shari'ah prescribed reason.
- (b) It is forbidden to resort to any means which could result in the genocidal annihilation of mankind.

- (c) The preservation of human life throughout the term of time willed by Allah is a duty prescribed by Shari'ah.
- (d) Safety from bodily harm is a guaranteed right. It is the duty of the state to safeguard it, and it is prohibited to breach it without a Shari'ah-prescribed reason.

Article 3

- (a) In the event of the use of force and in case of armed conflict, it is not permissible to kill non-belligerents such as old men, women and children. The wounded and the sick shall have the right to medical treatment; and prisoners of war shall have the right to be fed, sheltered and clothed. It is prohibited to mutilate or dismember dead bodies. It is required to exchange prisoners of war and to arrange visits or reunions of families separated by circumstances of war.
- (b) It is prohibited to cut down trees, to destroy crops or livestock, to destroy the enemy's civilian buildings and installations by shelling, blasting or any other means.

Article 4

Every human being is entitled to human sanctity and the protection of one's good name and honour during one's life and after one's death. The state and the society shall protect one's body and burial place from desecration.

Article 5

- (a) The family is the foundation of society, and marriage is the basis of making a family. Men and women have the right to marriage, and no restrictions stemming from race, colour or nationality shall prevent them from exercising this right.
- (b) The society and the State shall remove all obstacles to marriage and facilitate it, and shall protect the family and safeguard its welfare.

Article 6

- (a) Woman is equal to man in human dignity, and has her own rights to enjoy as well as duties to perform, and has her own civil entity and financial independence, and the right to retain her name and lineage.
- (b) The husband is responsible for the maintenance and welfare of the family.

Article 7

- (a) As of the moment of birth, every child has rights due from the parents, the society and the state to be accorded proper nursing, education and material, hygienic and moral care. Both the fetus and the mother must be safeguarded and accorded special care.
- (b) Parents and those in such like capacity have the right to choose the type of education they desire for their children, provided they take into consideration the interest and future of the children in accordance with ethical values and the principles of the Shari'ah.
- (c) Both parents are entitled to certain rights from their children, and relatives are entitled to rights from their kin, in accordance with the tenets of the Shari'ah.

Article 8

Every human being has the right to enjoy a legitimate eligibility with all its prerogatives and obligations in case such eligibility is lost or impaired, the person shall have the right to be represented by his/her guardian.

Article 9

- (a) The seeking of knowledge is an obligation and provision of education is the duty of the society and the State. The State shall ensure the availability of ways and means to acquire education and shall guarantee its diversity in the interest of the society so as to enable man to be acquainted with the religion of Islam and uncover the secrets of the Universe for the benefit of mankind.
- (b) Every human being has a right to receive both religious and worldly education from the various institutions of teaching, education and guidance, including the family, the school, the university, the media, etc., and in such an integrated and balanced manner that would develop human personality, strengthen man's faith in Allah and promote man's respect to and defence of both rights and obligations.

Article 10

Islam is the religion of true unspoiled nature. It is prohibited to exercise any form of pressure on man or to exploit his poverty or ignorance in order to force him to change his religion to another religion or to atheism.

Article 11

- (a) Human beings are born free, and no one has the right to enslave, humiliate, oppress or exploit them, and there can be no subjugation but to Allah the Almighty.
- (b) Colonialism of all types being one of the most evil forms of enslavement is totally prohibited. Peoples suffering from colonialism have the full right to freedom and self-determination. It is the duty of all States peoples to support the struggle of colonised peoples for the liquidation of all forms of and occupation, and all States and peoples have the right to preserve their independent identity and control over their wealth and natural resources.

Article 12

Every man shall have the right, within the framework of the Shari'ah, to free movement and to select his place of residence whether within or outside his country and if persecuted, is entitled to seek asylum in another country. The country of refuge shall be obliged to provide protection to the asylum-seeker until his safety has been attained, unless asylum is motivated by committing an act regarded by the Shari'ah as a crime.

Article 13

Work is a right guaranteed by the State and the Society for each person with capability to work. Everyone shall be free to choose the work that suits him best and which serves his interests as well as those of the society. The employee shall have the right to enjoy safety and security as well as all other social guarantees. He may not be assigned work beyond his capacity nor

shall he be subjected to compulsion or exploited or harmed in any way. He shall be entitled - without any discrimination between males and females - to fair wages for his work without delay, as well as to the holiday allowances and promotions which he deserves. On his part, he shall be required to be dedicated and meticulous in his work. Should workers and employers disagree on any matter, the State shall intervene to settle the dispute and have the grievances redressed, the rights confirmed and justice enforced without bias.

Article 14

Everyone shall have the right to earn a legitimate living without monopolisation, deceit or causing harm to oneself or to others. Usury (riba) is explicitly prohibited.

Article 15

- (a) Everyone shall have the right to own property acquired in a legitimate way, and shall be entitled to the rights of ownership without prejudice to oneself, others or the society in general. Expropriation is not permissible except for requirements of public interest and upon payment of prompt and fair compensation.
- (b) Confiscation and seizure of property is prohibited except for a necessity dictated by law.

Article 16

Everyone shall have the right to enjoy the fruits of his scientific, literary, artistic or technical labour of which he is the author; and he shall have the right to the protection of his moral and material interests stemming therefrom, provided it is not contrary to the principles of the Shari'ah.

Article 17

- (a) Everyone shall have the right to live in a clean environment, away from vice and moral corruption, that would favour a healthy ethical development of his person and it is incumbent upon the State and society in general to afford that right.
- (b) Everyone shall have the right to medical and social care, and to all public amenities provided by society and the State within the limits of their available resources.
- (c) The States shall ensure the right of the individual to a decent living that may enable him to meet his requirements and those of his dependents, including food, clothing, housing, education, medical care and all other basic needs.

Article 18

- (a) Everyone shall have the right to live in security for himself, his religion, his dependents, his honour and his property.
- (b) Everyone shall have the right to privacy in the conduct of his private affairs, in his home, among his family, with regard to his property and his relationships. It is not permitted to spy on him, to place him under surveillance or to besmirch his good name. The State shall protect him from arbitrary interference.
- (c) A private residence is inviolable in all cases. It will not be entered without permission from its inhabitants or in any unlawful manner, nor shall it be demolished or confiscated and its dwellers evicted.

Article 19

- (a) All individuals are equal before the law, without distinction between the ruler and the ruled.
- (b) The right to resort to justice is guaranteed to everyone.
- (c) Liability is in essence personal.
- (d) There shall be no crime or punishment except as provided for in the Shari'ah.
- (e) A defendant is innocent until his guilt is proven in a fast trial in which he shall be given all the guarantees of defence.

Article 20

It is not permitted without legitimate reason to arrest an individual, or restrict his freedom, to exile or to punish him. It is not permitted to subject him to physical or psychological torture or to any form of maltreatment, cruelty or indignity. Nor is it permitted to subject an individual to medical or scientific experiments without his consent or at the risk of his health or of his life. Nor is it permitted to promulgate emergency laws that would provide executive authority for such actions.

Article 21

Taking hostages under any form or for any purpose is expressly forbidden.

Article 22

- (a) Everyone shall have the right to express his opinion freely in such manner as would not be contrary to the principles of the Shari'ah.
- (b) Everyone shall have the right to advocate what is right, and propagate what is good, and warn against what is wrong and evil according to the norms of Islamic Shari'ah.
- (c) Information is a vital necessity to society. It may not be exploited or misused in such a way as may violate sanctities and the dignity of Prophets, undermine moral and ethical values or disintegrate, corrupt or harm society or weaken its faith.
- (d) It is not permitted to excite nationalistic or doctrinal hatred or to do anything that may be an incitement to any form or racial discrimination.

Article 23

- (a) Authority is a trust; and abuse or malicious exploitation thereof is explicitly prohibited, in order to guarantee fundamental human rights.
- (b) Everyone shall have the right to participate, directly or indirectly in the administration of his country's public affairs. He shall also have the right to assume public office in accordance with the provisions of Shari'ah.

Article 24

All the rights and freedoms stipulated in this Declaration are subject to the Islamic Shari'ah.

Article 25

The Islamic Shari'ah is the only source of reference for the explanation or clarification of any of the articles of this Declaration.

Appendix G. IPHRC Statutes

Statute of the OIC Independent Permanent Commission on Human Rights

Preamble

Taking into account the Islamic values and principles on human rights which call for the need to respect human rights and dignity,

Pursuant to the provisions of Article 5 and Article 15 of the Charter which stipulate that:

“The Independent Permanent Commission on Human Rights shall promote the civil, political, social and economic rights enshrined in the Organisation’s covenants and declarations and in universally agreed human rights instruments, in conformity with Islamic values,”

Pursuant to the provisions of the Ten-Year Programme of Action adopted by the Third Extraordinary Session of the Islamic Summit Conference held in Makkah Al Mukarramah in December 2005, which called for consideration of the possibility of establishing an independent permanent body to promote human rights in Member States,

Recalling the Cairo Declaration on Human Rights in Islam adopted in 1990,
Pursuant to relevant international instruments, charters and conventions,

Member States agreed on the statute of the Independent Permanent Commission on Human Rights as follows:

CHAPTER I. Definitions

Article 1

Wherever they appear in the present Statute, the following terms shall be interpreted as indicated below:

Charter: Charter of the Organisation of the Islamic Conference.

Organisation: Organisation of the Islamic Conference (OIC)

Commission: Independent Permanent Human Rights Commission of the Organisation of the Islamic Conference.

Summit: Islamic Summit Conference.

Council: Council of Foreign Minister.

Secretary General: OIC Secretary General.

Member States: OIC Member States.

General Secretariat: OIC General Secretariat.

Experts: Experts nominated for the membership of the Independent Permanent Human Rights Commission.

Member: Member of the OIC Independent Permanent Human Rights Commission.

Statute: Statute of the OIC Independent Permanent Human Rights Commission.

CHAPTER II. Composition and Membership of the Commission

Article 2

There shall be established within the Organisation of the Islamic Conference a commission called the OIC Independent Permanent Human Rights Commission.

Article 3

The Commission shall be composed of 18 members nominated by the Member States' governments among experts of established distinction in the area of human rights and elected by the Council of Foreign Ministers for a three-year period renewable once.

Article 4

The General Secretariat collects nominations and coordinates with the Member States on the list of candidates which it then circulates prior to its submission to the Council of Foreign Ministers.

Article 5

In the event of any expert's incapacity to continue his functions, his State shall appoint an alternate expert to complete his term in line with the standards and procedures laid out in this Statute.

Article 6

The Member States shall encourage the nomination of women to the membership of the Commission.

Article 7

In the election of the experts due consideration shall be given to equitable geographical distribution among Member States.

CHAPTER III. Objectives of the Commission

Article 8

The Commission shall seek to advance human rights and serve the interests of the Islamic Ummah in this domain, consolidate respect for the Islamic cultures and noble values and promote inter-civilizational dialogue, consistent with the principles and objectives of the OIC Charter.

Article 9

The Commission shall support the Member States' efforts to consolidate civil, political, economic, social and cultural rights.

Article 10

The Commission shall cooperate with the Member States to ensure consolidation of civil, political, economic, social and cultural rights in the Member States in accordance with the

OIC Charter, and to monitor observance of the human rights of Muslim communities and minorities.

Article 11

The Commission shall support the Member States' efforts in terms of policies aimed at enhancing legislation and policies in favour of advancing the rights of women, the young and those with special needs, in the economic, social, political and cultural fields as well as eliminating all forms of violence and discrimination.

CHAPTER IV. Mandate of the Commission

Article 12

The Commission shall carry out consultative tasks for the Council and submit recommendations to it. It shall also carry out other tasks as may be assigned to it by the Summit or the Council.

Article 13

The Commission shall support the OIC's position on human rights at the international level and consolidate cooperation among the Member States in the area of human rights.

Article 14

The Commission shall provide technical cooperation in the field of human rights and awareness raising about these rights in the Member States, and offer approving Member States consultancy on human rights issues.

Article 15

The Commission shall promote and support the role of Member State- accredited national institutions and civil society organisations active in the area of human rights in accordance with the OIC Charter and work procedures, in addition to enhancing cooperation between the Organisation and other international and regional human rights organisations.

Article 16

The Commission shall conduct studies and research on priority human rights issues, including those issues referred to it by the Council, and coordinate efforts and information exchange with Member States' working groups on human rights issues in international fora.

Article 17

The Commission may cooperate with Member States, at their request, in the elaboration of human rights instruments. It may also submit recommendations on refinement of OIC human rights declarations and covenants as well as suggest ratification of human rights covenants and instruments within the OIC framework and in harmony with Islamic values and agreed international standards.

CHAPTER V. Procedural Provisions

Article 18

The headquarters of the Commission shall be in one of the OIC Member States and the Commission shall convene bi-annually in ordinary meetings. It may also hold extraordinary meetings at the request of any Member State or of the Secretary General with the approval of the Member States' simple majority.

Article 19

Two thirds of the Commission's members shall constitute the quorum for its meetings.

Article 20

The Commission adopts its recommendations by consensus and if not possible, by a two-third majority of the voting members present.

Article 21

Upon the host country's consent and the approval of all its members the Commission may invite, as guests, OIC subsidiary organs and specialized and affiliated institutions relevant OIC accredited governmental and non- governmental organisations, and national human rights institution. Member States and OIC observers may also participate in the Commission's meetings as non-voting observers, in accordance with OIC standards.

Article 22

The Commission shall be assisted in the performance of its duties by a Secretariat headed by an Administrative Director appointed by the Secretary- General in consultation with the Member States. The Secretariat shall be governed by the OIC Personnel Regulations.

Article 23

The Secretary General shall appoint the Commission's staff from a list of Member State nominees submitted by the Administrative Director. He shall also avail the Commission of the services necessary for it to assume its duties effectively.

Article 24

The Commission submits its draft annual operating budgets to the OIC Permanent Finance Committee. The budgets are adopted by the Council and governed by the OIC financial regulations.

CHAPTER VI. Transitional Provisions

Article 25

Mindful of the provisions in this present Statute, the Commission shall temporarily apply the rules and procedures of OIC meetings pending its elaborating of its own procedural rules and their adoption by the Council, within a year from the entry in force of the present Statute.

CHAPTER VII. Final Provisions

Article 26

The Commission's headquarters State and the States hosting the Commission's meetings shall provide the necessary facilities, privileges and immunities for the Commission to perform its functions. The provisions of the OIC Agreement on privileges and immunities apply to the Commission.

Article 27

The Commission's languages are Arabic, English and French.

Article 28

The present Statute may be amended by a decision from the Council, based on a request from any Member State. Amendments are approved by a decision from the Council.

Article 29

The present Statute shall enter into force upon its adoption by the Council of Foreign Ministers.

Appendix H. List of IPHRC Experts

African region

Mohammed Kawu Ibrahim, Federal Republic of Nigeria
Oumar Abiu Abba, Republic of Cameroon
Mahamad Al-Bachir Ibrahim, Republic of Chad
Ousman Diao Balde, Republic of Guinea
Med S. K. Kaggwa, Republic of Uganda
Mohamed Lamine Timbo, Republic of Sierra Leone

Arab region

Mohammed Mustapha Raisouni, Kingdom of Morocco
Saleh Bin Mohamed Al-Khatlan, Kingdom of Saudi Arabia
Wael Attiya, Republic of Egypt
Elham Ibrahim Ahmed Mohamed, Republic of the Sudan
Mamdouh Al-Aker, State of Palestine
Adel Issa Al-Mahry, United Arab Emirates

Asian region

Asila Wardak, Islamic Republic of Afghanistan
Mostafa Alaei, Islamic Republic of Iran
Abdul Wahab, Islamic Republic of Pakistan
Raihanah Abdullah, Malaysia
Siti Ruhaini Dzuhayatin, Republic of Indonesia
Zuhtu Arslan, Republic of Turkey