

## **OIC Independent Permanent Human Rights Commission (OIC-IPHRC) concludes its 12<sup>th</sup> Regular Session held in Jeddah from 19-23 November 2017**

**Jeddah 23 November 2017:** The OIC Independent Permanent Human Rights Commission (IPHRC) held its 12<sup>th</sup> Regular Session in Jeddah, Kingdom of Saudi Arabia (KSA) from 19-23 November 2017. The traditional thematic debate of the Session was held on 22 November 2017 on the subject of ‘The Importance of cultural Diversity in the Promotion and Protection of Human Rights’. An outcome document on the subject was also adopted by the Commission and is issued separately.

Besides Commission Members, the Session was attended by representative of the OIC Secretary General, senior officials of the OIC General Secretariat, relevant international human rights experts including Dr. Doudou Diene, former UN Special Rapporteur on contemporary forms of racism and Ambassador Nureldin Satti, former director of UNESCO Dar es-Salaam Cluster Office. Representatives of OIC Member and Observer States and their National Human Rights Institutions (NHRIs) also attended and actively participated in the open proceedings of the Session.

In his opening remarks, IPHRC Chairperson, Mr. Med S.K. Kagawa, expressed gratitude to all the OIC Member States, including the host country Government of the KSA, for their trust and confidence in IPHRC, and their steadfast support to the work and activities of the Commission and its Secretariat. Mr. Kagawa added that active participation of OIC member States in the proceedings of the Commission has been instrumental in guiding and improving the work of the Commission and fulfilling its mandate. He also thanked the OIC Secretary General, H.E Dr. Yousef Al Othaimen, and his entire team at the General Secretariat for their continued moral and logistical support, which has enabled the Commission to discharge its functions with independence and effectiveness.

Referring to the thematic debate, IPHRC Chairperson highlighted that the topic chosen was based on the importance of the subject for the OIC as well as the uncalled-for uneasiness at certain human rights forums about its application, largely due to its perceived misuse. He stressed that in today’s well integrated world, cultures constantly interact and influence each other, and no society is culturally homogeneous, the respect for cultural diversity represents respect for the shared human values, which form the bedrock of the universality of human rights and fundamental freedoms proclaimed in the religions and universally recognized human rights instruments. Mr. Kagawa highlighted that unlike, other civilizations in history, Islam did not look upon human cultures in terms of black and white and sustained cultural relevance to distinct peoples and diverse places underlay Islam’s long success as a global civilization.

Dr. Yousef Al Othaimen, Secretary General of the OIC, in his message, highlighted that cultural diversity is a defining characteristic of humanity reflected in the rich tapestry of cultures, traditions, philosophies and arts. He cited the migration of the Prophet Muhammad (PBUH) to Madinah and creation of a pluralistic society of different tribal groups and religions as a reflection of Islam’s immense assimilative potential. He argued that Islam’s adherence to pluralism is not based on any expediency or opportunism but it came from its pristine teachings, which had a universal appeal transcending all notions of color, creed, race and religions. Mr. Othaimen, however, regretted the growing tide of Islamophobia, which has resulted in blatant human rights violation against Muslims such as continued attempts to destroy the cultural heritage of Palestinians by the Israeli occupation forces, persecution of Muslim minorities in Myanmar, Central African Republic and violations of fundamental freedoms of immigrant

communities (mainly Muslims) in the developed world. Dr. Al Othaimen dwelled on the range of steps taken by the OIC to bridge the gaps of misunderstandings at different levels and urged all Member States to intensify cultural cooperation, devise and implement national legislations / policies in conformity with their international human rights obligations including the respect for cultural diversity as a tool and engine of sustainable development.

The Commission Members, panelists and representatives of Member States had an exhaustive and fruitful discussion that underlined the importance of embracing cultural diversity, and respecting differences as a tool to strengthen universality of human rights. They rejected growing tide of xenophobia, hatred and discrimination based on one's race, religion, origin and ethnicity, which has resulted in blatant human rights violation of affected communities. While emphasizing utmost respect for cultural diversity, participants cautioned against its misuse to perpetuate the harmful cultural practices, which run against the basic human rights. They also stressed the need for the societies to introspect and evolve, though suggested that the process to change the harmful practices must be carried out by proponents within the respective societies or communities rather than imposed from outside. Participants also stressed the importance of establishing a culture of peace through inter-civilizational dialogue to bridge the perceptual gaps among the communities and allow each culture to learn about itself by seeing itself through the eyes of others. Together with the need to transform domestic laws and legal frameworks to embrace diversity, participants stressed the paramount role of traditional, ethical and family values in brining sustainable cultural integration among various groups. The discussion also reviewed the prevailing best practices and identified gaps within the existing initiatives and mechanisms to suggest the way forward. The outcome document of the debate reflects the summary of key points and recommendations made in the meeting.

During the five days session, the Commission had in-depth discussions on all items on its agenda including Israeli human rights violations in the Occupied Palestinian Territories; civil, political, economic, social and cultural rights in OIC Member States as well as specific mandates given to it by the OIC Council of Foreign Ministers (CFM) such as Islamophobia; Rights of Women and Children; Right to development; Standing Mechanism for monitoring human rights situation in the Indian Occupied Kashmir (IoK), as well as human rights situation of Muslim minorities in Myanmar and Central African Republic. The Commission also received briefings from relevant OIC General Secretariat officials on these subjects, which were instrumental in making informed and comprehensive decisions and recommendations on these subjects.

Ambassador Samir Bakr, Head of the OIC Al-Quds Department and the Permanent Representative of Palestine to the OIC, updated the Commission on the latest developments in the human rights situation in Palestine, which included continued high-headedness of Israeli Occupation Forces resulting in increased violence against innocent Palestinians, their extrajudicial executions and systematic violations of all their human rights and fundamental freedoms (while Gaza is still under total blockade, 61% of West Bank is under total occupation and control of Israeli forces).

The Commission, while condemning the deteriorating human rights situation in the Occupied Palestinian Territories, especially the closure of Al-Aqsa Mosque in July 2017, inhuman treatment meted out to Palestinian prisoners and establishment and expansion of illegal settlements, expressed serious concerns over the unending plight of the Palestinians under Israeli occupation. The Commission also expressed its deep disappointment on the centennial celebrations of the historic discriminatory Balfour promise, held by Britain. The Commission

also decided to send another fact-finding visit to Palestine, in particular to the Gaza strip, which continues to suffer some of the worst human rights violations. It also urged all OIC Member States to intensify their participation and unity in all international fora, especially at the Human Rights Council and the General Assembly, in support of the Palestinian rights.

The Commission was also briefed on the ongoing human rights situation in the IoK by the Special Representative of the OIC Secretary General on Jammu and Kashmir dispute, who gave a detailed account of the worsening state of human rights violations at the hand of Indian authorities. The Commission expressed deep concerns on the reports of continuous violations of the fundamental human rights of the Kashmiri people including denial of their inalienable right to self-determination. The Commission noted that UN Special Procedures expressed concerns over the media bans and restrictions on freedom of expression in IoK aimed at curbing protests and social unrest in the region and called upon the UN, in particular the Office of the High Commissioner for Human Rights, to urgently dispatch a fact-finding visit to Indian Occupied Kashmir to independently ascertain and report on the human rights situation on ground. The Commission also decided to follow up on its earlier request to the Indian Government to allow access to the IPHRC delegation to visit the IoK to assess the ongoing human rights situation and accordingly report the facts to the CFM.

In its deliberations on the situation of Rohingya Muslims, the Commission noted with deep concern that the situation has tragically and most severely deteriorated since August 2017, when Myanmar forces began the so-called “clearance operations” following alleged armed attacks on security posts. Since then, the latest statistics from the UN and other reliable organizations indicate that more than 615000 Rohingya have fled to Bangladesh. However, despite an increase in the international interest and involvement to respond to this unprecedented humanitarian crisis, there are currently over 200000 Rohingya refugees without any kind of aid. The Commission, in an effort to raise awareness and gather firsthand information on the human rights situation of the Rohingya Muslims in Myanmar, decided to visit Bangladesh to meet Rohingya refugees and to prepare a comprehensive report on the situation to be submitted to the 45th Session of CFM. The Commission welcomed the adoption by UN General Assembly of the OIC sponsored resolution on the human rights situation of Rohingya Muslims in Myanmar and extended its full support to the OIC call for a Special Session of the Human Rights Council on the subject.

The Commission also reviewed the worsening human rights situation of Muslims in the Central African Republic (CAR). It noted that despite the progress registered on the political front since last year, the situation on the ground has dramatically deteriorated with increased violence against Muslims, at the hands of armed and criminal groups, especially anti-balaka militia, who targets innocent Muslim civilians, attacks their villages and mosques. Since May 2017, over 270 Muslims were massacred, and thousands are still taking refuge in UN camps. The Commission is considering the possibility to conduct an urgent field mission, in cooperation with the OIC General Secretariat, for an assessment of the latest human rights situation in CAR. The Commission also urged the international Community, especially the UNSC to act quickly and to hold the perpetrators of repetitive violence to account by expanding the sanctions list to include those identified behind these crimes. IPHRC also urged the international Community to beef up the MINUSCA to ensure a more robust protection of civilians throughout the country while pursuing the DDR process and security sector reform for a more representative and inclusive security services in the CAR.

In its interaction with the OIC Observatory on Islamophobia, the Commission noted with concern the alarming rise of the far right across the Western world, on the basis of xenophobic and discriminatory political discourse against minorities in particular against Muslims that has led to Islamophobia and increase in hate crimes against Muslims. The Commission stressed that the threat of Islamophobia was very real and the causes of Islamophobia were not limited to the misinformation about Islam; but were also based on extremist political ideologies, which use fear as a tool to stereotype and discriminate against the minorities including refugees and migrants fleeing from persecution and conflicts in their countries. The Commission expressed willingness to continue to work with OIC to lobby to criminalize all forms of hate speech and incitement to hatred and to pursue vigorous diplomatic efforts to sensitize the international community on the dangerous implications of Islamophobia on the regional and global peace and security. The Commission also adopted a comprehensive study on Islamophobia and Counter terrorism, which will be submitted to the consideration of the 45th CFM.

IPHRC Working Group (WG) on Right to Development (RtD) carried out a follow up review of the Abu Dhabi Declaration on RtD, which the Commission adopted during its 2016 International Seminar on RtD in Abu Dhabi. The Commission also reiterated the need to make use of relevant provisions of the UN Sustainable Development Goals, Declaration of the RtD, OIC Ten Year Program of Action and IPHRC Abu Dhabi Declaration on the RtD in furthering IPHRC's agenda on Right to Development. The Commission also discussed and adopted the first part of a study that defines the concept/parameters of RtD from IPHRC perspective, identifies challenges and proposes the way forward. It also decided to approach the newly appointed UN Special Rapporteur on the Right to Development to further the cooperative relationship and promote exchange of knowledge on the subject.

The Working Group on Women and Child Rights, while stressing the importance of preserving the institution of family and marriage in Member States, expressed satisfaction over the adoption of the IPHRC study on "Sexual Orientation and Gender Identity" by the 44th CFM, and considered a number of follow up steps on the subject. The Commission reaffirmed the importance of ensuring women's rights and women empowerment as its key priorities, which play a vital role in sustainable development of their respective societies. Welcoming the 44th CFM mandate to review the 'Covenant on the Rights of the Child in Islam' to deal with the emerging challenges faced by the Member States in child welfare and to bring it in conformity with the international human rights instruments; the Commission expressed its willingness to contribute towards the review exercise by providing its expert/technical advice on the subject. The Commission also welcomed the initiative of formulation of OIC Strategy in Child Welfare and Child Protection in the Muslim World and urged the OIC General Secretariat to take advantage of the IPHRC expertise on the subject to devise rights based approaches to deal with the implementation of such a strategy.

The Commission also adopted 'IPHRC's Working Arrangements of Cooperation with Human Rights Organizations and Research Institutions' with a view to utilizing their expertise in constructive and result-oriented manner to advance knowledge in the field of human rights. Besides the regular proceedings of the 12th Session, the IPHRC Secretariat in collaboration with the UN Office of the High Commissioner for Human Rights has also organized a workshop on Thursday 23 November 2017. The workshop was attended by Commission Members, Members of the IPHRC and OIC General Secretariat as well as the representatives of the Member and Observer States and their NHRIs. The joint workshop intended to impart orientation/training on areas related to a) Human Rights Council mechanisms such as Universal

Periodic Review, Advisory Committee and Special Procedures; and b) UN Treaty bodies system including how to write periodic reports and related aspects.

In his concluding remarks, IPHRC Chairperson, Mr. Med S.K. Kaggwa expressed profound gratitude to all Member States including the Government of KSA, which hosts the Commission's Headquarters, and the OIC Secretary General for their steadfast logistical and moral support in smooth and effective functioning of the Commission. He also reaffirmed Commission's firm resolve to working in tandem with the OIC General Secretariat and other specialized institutions for further developing and strengthening of human rights respecting and protecting societies in OIC countries.

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