

## **OIC Independent Permanent Human Rights Commission concludes its 8<sup>th</sup> Regular Session in Jeddah held from 21 – 26 November 2015**

**26 November 2015:** The OIC Independent Permanent Human Rights Commission (IPHRC) held its 8<sup>th</sup> Regular Session in Jeddah, Kingdom of Saudi Arabia from 21-26 November 2015. The Session was attended by H.E. Iyad Ameen Madani, Secretary General of OIC, H.E. Tan Sri Syed Hamid Albar, OIC Special Envoy to Myanmar, Dr. Abdul Salam Al Abadi, Secretary General of Islamic Fiqh Academy, Mr. David Kaye, UN Special Rapporteur on Freedom of Expression (participated through video link) and Mr. Doudou Diene, former UN Special Rapporteur on Racism. Besides Commission Members, representatives of OIC Member and Observer States and media also attended and actively participated in the open proceedings of the Session.

In keeping with the tradition, a thematic debate on “**Freedom of Expression and Hate Speech**” was held on 23<sup>rd</sup> November 2015. At the end of the debate, the Commission adopted an outcome document on the subject, by consensus, which is being issued separately.

In her opening remarks, on the issue of the thematic debate, the IPHRC Chairperson, Ambassador Ilham Ibrahim, reminded that while freedom of expression serves to broaden the democratic space and helps progress multicultural societies towards sustainable development, its irresponsible use can have devastating impact on the wellbeing of targeted individuals and groups such as denial of their fundamental human rights including the right to life and dignity, hence the need to address hate speech and incitement to hatred. She urged the Muslim world and international community to engage in constructive dialogue both from legal and human rights perspective to bridge the widening perceptual gap on how best to tackle incitement to hatred and hate speech by improvising practical solutions that can be universally applied across different legal regimes.

On behalf of the Commission, the Chairperson also condemned the recent heinous terrorist acts in Beirut, Paris, Tunisia, Ankara and Mali in which hundreds of innocent people were killed and others injured. While expressing condolences to the families of the victims, she reiterated that terrorism in all its forms and manifestations remains the common enemy of all religions and civilizations.

Mr. Iyad Ameen Madani, Secretary General of the OIC, in his statement, commended the role of IPHRC in supporting and strengthening the efforts of Member States in promoting and protecting the human rights of their citizens. He congratulated the Commission on successful holding of the ‘*International Seminar on Human Rights Education*’ in Jakarta in October 2015 and urged to link the outcome of the Seminar with the debate on freedom of expression with a view to fostering universally recognized human rights values, culture of peace, and democratic citizenship among the Member States. Furthermore, he assured the Commission of his full moral and logistical support for fulfillment of its mandated responsibilities in an effective manner.

Mr. Madani dispelled the impression that Islam is against freedom of expression and clarified that the difference between the Islamic and Western discourse is on ‘*contextual*’ grounds and not ‘*conceptual*’ basis. Both discourses emphasize that freedom of expression is not ‘absolute’ and is subject to ‘*special duties and corresponding responsibilities*’. According to him, Islam has

always stood for human freedoms and emancipation, however, there are ‘*red lines*’ on either side of the divide, which should be respected by all at all times to ensure social cohesion. He categorically, shunned the extremist ideologies, based on hatred and racism, nurtured in the name of religion or xenophobia.

The Commission discussed the situation of the Rohingya Muslims, ‘*the most persecuted people*’ in Myanmar. As a follow up to the decision taken during the previous Session, H.E. Tan Sri Syed Hamid Albar, OIC Special Envoy to Myanmar, briefed the Commission about his eyewitness account of the plight and ongoing human rights violations endured by the Rohingya Muslims. He strongly condemned the withdrawal of identity documents (white cards) and disenfranchisement of the Rohingya that led to deprivation of their right to vote. According to him, the recently concluded elections, although, have generated considerable ‘euphoria’ but human rights situation on ground remains turbulent and fluid as lot of ‘ifs’ and ‘buts’ shall continue to impact the real transition to democracy. Having said that, he stressed the need to continuously engage, both formally and informally, with the present and future dispensation in Myanmar to secure Muslim community’s interests. He endorsed the idea of holding an interfaith roundtable conference/ seminar on the subject to depoliticize the rhetoric, promote mutual understating and counter rising Islamophobia in Myanmar and undertook to facilitate such an event.

During the six day session, the Commission dwelt on all mandated items on its agenda including 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 Council of Foreign Ministers (CFM) such as Islamophobia and incitement to hatred, Negative impact of unilateral economic sanctions on Member States; Standing Mechanism for monitoring human rights situation in the Indian Occupied Kashmir, Human rights situation of Muslim minorities in Myanmar and Central African Republic. The Commission also received briefings and inputs from experts on these subjects, which aided in making informed discussions and decisions.

The Commission condemned, in strictest terms, the recent escalation in violence against the innocent Palestinians by the Israeli security forces and settlers as well as the inhuman extra judicial ‘*shoot to kill*’ Israeli policy pursued with impunity. The Commission urged the OIC Member States to highlight the ongoing atrocities and discriminatory Israeli practices at all relevant international human rights forums and seriously consider referring the matter to the International Court of Justice. While welcoming the growing Boycott, Divestment and Sanctions movement, it urged the Member States to intensify the boycott network to deter the Israeli government from ongoing human rights violations. The Commission also discussed various options to hold an event to highlight the plight of Palestinian people involving all stakeholders in any of the countries neighboring Palestine. A separate press release is also issued on the subject.

During the Session, a comprehensive study titled ‘*Countering Islamophobia: An Unfinished Business*’ was adopted. The study defines the phenomena of ‘Islamophobia’ and identifies the prime factors instigating the rise of anti-Muslim sentiments and rhetoric in the West. It also analyzed the prevailing political discourse and international human rights instruments and mechanisms and suggested practical socio-political, legal and cultural measures to prevent and

preempt Islamophobia. As mandated, the study will be submitted to the OIC Council of Foreign Ministers for its consideration.

Furthermore, the Commission discussed initial drafts of three studies namely, *'Rights of Minorities in Islam'*, *'Right of Women inheritance in Islamic Sharia'* and *'Human Trafficking in particular Women and Children'*. Revised versions of these studies with comments and suggestions from Commission members will be discussed during the 9<sup>th</sup> Session. The Commission also agreed on a list of studies including *'study to analyze OIC Plan for the Advancement of Women (OPAAW)'* and a *'study to define the concepts/parameters of Right to Development from IPHRC Perspective'*, *'Sexual orientation and gender identity'*, *'Promotion and protection of human rights while countering terrorism'* and *'Human rights and cultural Diversity'* and tasked specific commissioners to prepare these with specific timelines.

The Commission was briefed by the representative of the OIC special envoy on Kashmir on the ongoing human rights violations in the Indian Occupied Kashmir. The Commission also adopted the *'operating methods/modalities of the IPHRC Standing Mechanism for monitoring the human rights situation in Indian occupied Kashmir'*. As mandated by the CFM, the Commission will submit its reports regularly on the subject to the subsequent sessions of CFM.

During this session, the Commission also adopted another document dealing with the “working methods of IPHRC and its working groups” to facilitate its routine functioning.

The Commission also discussed follow up activities for its two Seminars on *'Negative impact of economic and financial sanctions on the full enjoyment of human rights by the people in the targeted OIC States'* held in December 2014 and on *'Human Rights Education (HRE)'* held in October 2015. Concerning the first Seminar, the Chairperson briefed the Commission on contacts being made with the new UN Special Rapporteur on Unilateral Coercive Measures and plans for possible joint collaboration on the subject. On the follow up of the HRE Seminar, the Commission welcomed the decision of the OIC Secretary General to establish a broad based *Working Group* consisting of OIC, IPHRC and Islamic Educational Scientific and Cultural Organization (ISESCO) to coordinate efforts, with the support of United Nations Educational Scientific and Cultural Organization UNESCO and UN Office of High Commissioner for Human Rights (OHCHR) for formulation of a matrix/guidelines of best practices for harmonization of national educational strategies of Member States from HRE perspective.

The Commission agreed that the theme of the 2016 IPHRC annual seminar will be related to *'Right to Development'* to coincide with the 30th anniversary of the UN Declaration on the Right to Development. The specifics of the seminar i.e. exact title and concept paper will be finalized later. It was also decided that the theme of the 9<sup>th</sup> Regular Session to be held in Jeddah in April 2016 will be in the framework of the rights of women, exact title of which will be conveyed to the Member States in due course.

In her concluding remarks, IPHRC Chairperson, reiterated the Commission's resolve to work closely with the Member States and other specialized institutions to protect and promote human rights ideals and values in accordance with the OIC Charter and IPHRC Statute. She expressed

her gratitude and appreciation to the OIC Secretary General for his steadfast commitment to the mandate and activities of the Commission as well as for provision of consistent support to the Commission.

The Commission also lauded the continued support and cooperation of the host country, the government of Kingdom of Saudi Arabia and the Custodian of Two Holy Mosques to the Commission in successful conduct of its activities.

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