

OIC Independent Permanent Human Rights Commission concludes its 15th Regular Session held in Jeddah from 21-25 April 2019

Jeddah 25 April 2019: The OIC Independent Permanent Human Rights Commission (IPHRC) held its 15th Regular Session in Jeddah, Kingdom of Saudi Arabia (KSA) from 21-25 April 2019. The traditional thematic debate of the Session was held on 23 April 2019 on the subject of *'The Role of Human Rights in Promoting Good Governance'*. An outcome document on the subject was also adopted by the Commission and is issued separately.

Besides Commission Members, the Session was attended by the representative of the OIC Secretary General; United Nations Special Rapporteur on the Right to Development and representatives of the United Nations Development Program, Office of the UN High Commissioner for Human Rights, Islamic Development Bank and SESRIC. OIC Member and Observer States including their National Human Rights Institutions (NHRIs), also attended the debate and actively participated in the open proceedings of the Session.

In his opening remarks, IPHRC Chairperson, Prof. Akmal Saidov, expressed gratitude to all the OIC Member States, including the host country, KSA, for their trust and steadfast support to the work and activities of the Commission and its Secretariat. He also paid rich tributes to the seven Commission Members, who upon completion of their term shall be retiring after the Session, for their meritorious services in strengthening the Commission.

Prof. Saidov, while highlighting the work of the Commission, updated the participants on the ongoing activities and future projects. He informed that the IPHRC proposed revised text of the *'Cairo Declaration of Human Rights in Islam'* is being deliberated upon by the Inter-Governmental Working Group and hoped of its finalization by this year. The Commission is presently reviewing the *'OIC Covenant on the Rights of Child in Islam'* and intends to present the revised text to the next CFM, he added. It was also conveyed that the Commission will hold its 2019 International Seminar on the topic of ***'Importance of promoting and protecting the rights of Youth for building peaceful and democratic societies and sustainable development'*** in Tashkent in early October. It also plans to undertake second fact-finding visit to Palestine for which necessary coordination with the Palestinian authorities are underway.

Referring to the topic of this Session's thematic debate, IPHRC Chairperson highlighted that good governance, based on the core principles of citizenship participation, accountability, transparency and state responsibility, are not only interlinked to human rights but are mutually reinforcing. To this end, he urged the Member States to: (a) strengthen inclusive and transparent institutional frameworks, which respond coherently and effectively to current and future governance challenges at all levels; (b) strengthen cooperation with relevant international development institutions to address persistent governance; (c) mainstream Human Rights Education in the national curricula, highlighting the concept of responsible citizenry; (d) empower the local government institutions through public participation; (e) institutionalize the role of media and civil society as a check against the abuse of executive authority.

Speaking on behalf of the OIC Secretary General, Amb. Hesham Yousef, lauded the active role played by the Commission in promoting and protecting human rights within OIC countries. He also welcomed the topic of thematic debate and highlighted that the contemporary model of public administration envisages a social contract between the

Government and its people based on mutual trust. People entrust the government to create institutions, devise processes and enact laws and policies to protect and promote their human rights. While regretting the low ranking of the OIC Group on Good Governance indicators, he urged the Member States to maximize governance through decentralization and system wide integration through modern information and communication technologies. He suggested that SESRIC may take the initiative to conduct qualitative research on governance related issues and create a country wise database, which would be helpful to Member States in devising targeted policies. Furthermore, he stressed the need of devising an OIC specific Compact on Good Governance.

The Commission Members, panelists and representatives of Member States had an exhaustive and fruitful discussion underlining that human rights protection and good governance are mutually reinforcing. It was pointed out that the governance has direct impact on the lives of people, as it relates to all political and institutional processes and outcomes that are deemed necessary to effectively conduct public affairs, rationally manage public resources and guarantee the realization of human rights to all members of society to achieve the goals of development. Accordingly, contours of good governance were highlighted which included institutionalized infrastructure which guarantees the rule of law, effective participation of citizens in the public affairs, multi-actor partnerships, political pluralism, transparent and accountable processes and institutions. Based on the rich discussions, the Commission also adopted an outcome document, which outlined Commission's views and recommendations on the subject.

During the five days session, the Commission also had in-depth discussions on all items on its agenda including continued 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-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 departments of the OIC General Secretariat on these subjects, which were instrumental in making informed and comprehensive decisions and recommendations on these subjects.

The Commission, while discussing the deteriorating human rights situation in the Occupied Palestinian Territories, noted with deep concern that there is no letting up in the brutalities of the Israeli occupation forces, which continue to violate human rights of innocent Palestinians with impunity including through massive crackdown on peaceful protesters leading to killing of dozens and maiming of hundreds. Besides, Israel has engaged in a de-facto policy of annexing Palestinian lands through its illegal settlements, in flagrant violation of international law and human rights standards that practically makes the two States solution unviable. Furthermore, the Commission condemned the adoption of discriminatory laws like 'Nationality Laws' which were designed to strip the Palestinians of their residency and property rights in Jerusalem. The Commission squarely condemned any action that restricts the right and freedom of worship in Al Aqsa mosque, or that may lead to any change on the legal, and cultural status of the Al-Quds and declared the illegality of any changes caused by the Israeli occupation in the Old City of Al-Quds and its environs. The Commission, while reiterating its full support to the inalienable rights of the Palestinian people, urged the OIC Member States to maintain a unified stance against Israel at all levels particularly in the

United Nations. A separate detailed press statement on the subject is also issued by the Commission on the subject.

The Commission received detailed briefing on the worsening human rights situation in the Indian occupied Kashmir (IOK) from the OIC General Secretariat. Commission members categorically condemned the unabated gross human rights violations faced by the innocent Kashmiri Muslims, which include systematic ethnic cleansing and genocide of the Kashmiris, as well as unabated violence against innocent Kashmiris, especially use of pellet guns for blinding children and use of rape as an instrument of collective punishment. IPHRC also expressed concern over arbitrary arrest and indictment of Kashmiri Hurriyat leaders (True Representatives of Kashmiri People) on trumped up charges to demotivate the freedom struggle. It also welcomed and supported the adoption of a Resolution by the Parliamentarians from All Parties in the British Parliament, which called for an immediate end to the continuing human rights violations in IOK, repealing of discriminatory laws and need for implementing relevant UN resolutions to allow people of Jammu and Kashmir to exercise their inherent and inalienable right to self-determination in a free and fair plebiscite under the UN auspices. The Commission also endorsed the UN call for establishing a Commission of Inquiry to comprehensively investigate the human rights abuses and violations in IOK. A separate press statement is being issued.

In its deliberations about Rohingya Muslim Minority in Myanmar, the Commission was briefed by the OIC General Secretariat on the latest developments on the situation of the Rohingya Muslim minority in Myanmar. The Commission was apprised about the progress on the establishment and functioning of the Ad Hoc Ministerial Committee on Accountability for Human Rights Violations against the Rohingya, which agreed that a sustained international pressure is required to ensure the government of Myanmar fulfills its obligations under international law and to pursue accountability through legal action in the International Court of Justice. The Commission noted that although the Myanmar government, due to sustained international pressure, agreed to establish a military court to investigate the allegations of abuses but the follow up steps taken so far confirm that the action is taken more for optics than to carry out genuine accountability. It also noted with deep concern that the situation has tragically deteriorated with no concrete signs of progress towards repatriation of the over 1 million Rohingya refugees presently camping in neighboring Bangladesh.

During the discussion in its Working Group on Islamophobia and Muslim minorities, the Commission appreciated the active engagement and holding of consultations between OIC and the Chinese government on all issues of common concern including the situation of Uyghur Muslims in Xinjiang. IPHRC welcomed the OIC visit to different parts of China including Xinjiang as a step-in right direction that enables transparent and constructive engagement. It encouraged both sides to continue to engage positively with a view to discussing and addressing all issues of mutual interest/concern, including protection of the rights of Uyghur Muslims, in an open and constructive fashion. It was stressed that the freedom of religion is a fundamental right, practice of which should not be construed as a source of radicalization.

The Commission also reviewed the worsening human rights situation of Muslims in the Central African Republic (CAR). It welcomed the signing of a new Political Agreement on Peace and Reconciliation in Bangui on 6 February 2019, which provides for “the complete dissolution of armed groups throughout the national territory” but stressed the need for full

and effective implementation of the agreement. The Commission was appalled by the looming humanitarian catastrophe as more than 648,000 people were internally displaced throughout the country and more than 575,000 refugees were registered in neighboring countries. The Commission agreed to undertake another field visit to CAR (with the General Secretariat) to evaluate human rights situation and explore possible areas of support/cooperation for the Special Criminal Court. It, also, urged the OIC to appoint a Special Envoy who can develop relationships on the ground and get reliable information to move the reconciliation forward. The OIC could also expand its contributions in alleviating the suffering of IDPs and refugees in neighboring countries.

In its interaction with the OIC Observatory on Islamophobia, the Commission expressed grave concern over the sharp rise in Islamophobic and racist incidents especially in areas where the extreme right political parties are actively engaging local populations with hate speech and propaganda against immigrants, especially Muslims. Recent attacks against Muslims in New Zealand have brought the realization to the West that Islamophobia poses a real threat to the security and stability of peaceful societies, hence, the need to engage and build bridges among religions and civilizations to alleviate misunderstandings and misperceptions about Islam. The Commission stressed the need to cooperate with OIC and other international stakeholders to campaign to legislate laws that criminalize all forms of hate speech, including Islamophobia.

The Commission's Working Group on the Right to Development (RtD) expressed concern that the goals of the UN Declaration of the RtD have not been achieved. It endorsed the call to transform the Declaration into a binding International Convention on the Right to Development. To this end, welcomed the focus of the upcoming 20th Session of the Inter-Governmental Working Group on RtD in Geneva to start crafting a legally binding instrument on RtD. It reaffirmed (a) importance of fighting against corruption, which adversely affects people's human rights including the RtD; (b) importance of "fair distribution of the benefits of development" without discrimination which is conducive to addressing inequality, poverty and leaving no one behind; (c) importance of good governance and active, free and meaningful participation of all segments of society in the development, realization, and the assessment of the RtD policies; (d) need to engage the private sector in the realization of the RtD through innovative public-private partnerships; and (e) the importance of international cooperation / reforming the global financial governance structure in accordance with the present day realities. It also recommended to the OIC Member States to integrate RTD in their National Voluntary Reporting on SDG follow-up and UPR.

In its deliberations on the rights of women and children, the Commission noted with satisfaction that 12 Member States have ratified the Statute of OIC Women's Development Organization and hoped that the process will be completed soon for its early operationalization. It also affirmed the need for developing collaborative and cooperative networks with UN and international NGOs to promote women and child rights, but also cautioned against the attempts of some of these organizations to introduce and promote controversial concepts like sexual rights, abortion and misuse of word 'gender' etc. which are incompatible with socio cultural and religious norms of the people. With regards to protection of child rights, the Commission was briefed about the outcome of the 2nd Meeting of the IPHRC Sub Committee, held on 20th April 2019, to undertake mandated review of the OIC

Covenant on the Rights of the Child. It was conveyed that the Sub- Committee undertook article by article review of the Covenant based on the inputs provided by the Committee Members and agreed on the first draft of the revised document which will be further deliberated upon during the next IPHRC Session.

The Commission also adopted two thematic studies which include: (a) Gender Equality, Gender Equity and Gender Justice: An Islamic and Human Rights Perspective and (b) Role of Human Rights Education in Advancing Human Rights in OIC Member States.

In his concluding remarks, IPHRC Chairperson, Prof. Akmal Saidov expressed profound gratitude to all Member States including the host country KSA and the OIC Secretary General for their steadfast logistical and moral support in smooth and effective functioning of the Commission. He also affirmed Commission's 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 all Member States.
