OUTCOME DOCUMENT OF THEMATIC DEBATE ON
'THE ROLE OF HUMAN RIGHTS IN PROMOTING GOOD GOVERNANCE'
HELD ON 23RD APRIL 2019 DURING 15TH REGULAR SESSION OF IPHRC

Jeddah 25 April 2019: During its 15th Regular Session, the OIC Independent Permanent Human Rights Commission (IPHRC) held a thematic debate on the subject of **"*The Role of Human Rights in Promoting Good Governance"*.** IPHRC Chairperson Prof. Akmal Saidov and Amb. Hisham Youssef, on behalf of the OIC Secretary General, inaugurated the debate. Representatives of the Office of the United Nations High Commissioner for Human Rights (OHCHR), the United Nations Development Program (UNDP), and the UN Special Rapporteur on the Right to Development (RtD) participated as key panelists. A large number of OIC Member and Observer States and their NHRIs also participated actively and contributed to the discussion.

The Commission welcomed the steps taken and resolve expressed by all OIC Member States during the debate to promote human rights and best practices that ensure good governance through institutional building and citizen empowerment, as well as to enhance collaboration with relevant partners in accordance with their obligations under respective international and regional human rights instruments. Based on the comprehensive discussion, the Commission adopted the following:

Guided by the eternal and divine guidance given in the Noble Quran; Islamic teachings of protecting rights, assuring justice and serving the public interest; and other relevant OIC and international human rights instruments dealing with good governance;

Reaffirmed that Islam is a religion, which guides all aspects of human life, in accordance with the guidance given in the Noble Quran and teachings of *the Prophet Mohammed peace be upon him*. Deriving from this guidance, the Islamic concept of good governance is based on a comprehensive approach to providing justice, assuming responsibilities, protecting rights and promoting the welfare of both the society and individuals by eliminating corruption and social injustice;

Emphasized that the concept of governance is as old as human civilization, which encompasses both the process of decision-making and the process by which decisions are implemented. States have the primary responsibility for human rights and good governance, while other actors, including political parties, religious institutions, economic and financial institutions, and various civil society actors, play an important role in making, influencing, and implementing the decisions at different levels;

Highlighted that in Islamic concept of good governance, values, leadership and pragmatism are emphasized as a guide to the institutional infrastructure. To this end, recalled the governance model of *Prophet Mohammed peace be upon him* as the ultimate inspiration for all Muslims that established justice and ensured the rights and duties of all in an inclusive and harmonious society;

Further highlighted that in Islam, the concept of '*Amanah*' (trust) is at the heart of governance and assuming responsibility at all levels. Allah commends that one should perform his/her duties

honestly and diligently to uphold his/her *Amanah (Surat Al Anfal, verse 27).* The Islamic concept of '*Taqwa*' is also closely linked to good governance, which means that every believer should be mindful of Allah's omnipresence and be aware of accountability. Furthermore, Islam commends the attitude of carrying out responsibilities and tasks with perfection and dedication, as stated by the *Prophet Mohamed peace be upon him*: *"indeed, Allah loves one, who when he does a work, he does it with perfection"*;

Recalled that the OIC Charter and its 2nd Ten Year Program of Action clearly recognize the strategic importance of promoting human rights and fundamental freedoms, good governance, rule of law, democracy and accountability for the prosperity and progress of all OIC Member States;

Further recalled that the 2030 Development Agenda and Sustainable Development Goals (SDGs) also recognize the role of good governance to foster sustainable development and build peaceful, just and inclusive societies;

Highlighted that governance has a direct impact on the lives of all people in any country, 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, and to achieve the goals of development;

Affirmed that a good model of governance requires an institutionalized infrastructure, which guarantees the rule of law, empowers people at grass root level, ensures effective participation of citizens in the public affairs, multi-actor partnerships, political pluralism, transparent and accountable processes and institutions as well as delivery of services to population;

Stressed that human rights and good governance are two faces of the same coin. Good governance promotes human rights while human rights are a source of good governance. In fact, the basic purpose of good governance is to protect the human dignity and foster human development. As such, the implementation of human rights relies on a conducive and enabling environment, where appropriate legislative and policy frameworks are developed and implemented. Thus, the two concepts are intrinsic to each other and mutually reinforcing;

Further Stressed that when led by human rights values, good governance reforms create avenues for the public to participate in policymaking and improve its implementation, through formal or informal mechanisms. Human rights norms also help to establish mechanisms for the inclusion of multiple social groups, especially vulnerable ones, in decision-making processes, provide guiding standards for the administration of justice and equitable service delivery, as well as encourage civil society and local communities' engagement on issues of importance to them;

Underscored that human rights education and raising public awareness on human rights enable informed social and political dialogue that help to reform negative social and legal practices and strengthen good governance. Rights awareness is especially important among vulnerable and disadvantaged groups, as well as the State and civil society organizations working with them;

Highlighted that corruption is a major obstacle for achieving good governance. It is an assault on the inherent dignity of the human person and a betrayal of one's responsibility to others. It is

defined as the pursuit of one's interests at the expense of the good of others, which undermines commitment and solidarity by corroding trust and hope. It robs all, particularly the poor and marginalized, of their rightful share in the common good and thus blocks integral development;

Stressed that it is the responsibility of States to have in place appropriate policies and measures to fight corruption at all levels, and that all persons have the duty to peacefully resist corruption in all its forms. Respect for the dignity of the person requires all persons to live in truth and in the exercise of solidarity, particularly with those directly resisting corruption;

Affirmed that the States have the sovereign right to devise their national policies for their convenient model of good governance within their jurisdiction, taking into account national realities, policies, priorities and requirements in conformity with international law and universal human rights norms and standards. Also, the States have the primary responsibility and obligation for establishing justice under a legitimate model of good governance;

Reaffirmed that each person has the responsibility to participate in the building of a free and just society rooted in the intrinsic and inviolable dignity of human beings, and that all States should make the best efforts in order to ensure active, free and meaningful participation in development and the fair distribution of its benefits resulting therefrom;

Commended all OIC Member States that have taken up specific initiatives for open and good governance and achieved significant improvements. However, **expressed concerns** that many of them still face tremendous challenges to overcome complicated and multi-dimensional deficiencies of governance, especially related to corruption, conflicts and weak infrastructure of institutions. These realities across many OIC Member States make the need to improve good governance a top priority, in order to ensure socially and economically equitable societies that are inclusive in nature and enable human rights and sustainable development;

Urged all OIC Member States and other relevant stakeholders to utilize and integrate human rights principles as basis of their good governance efforts with a particular focus on transparency, accountability, non-discrimination, rule of law and access to justice, efficient and effective participation of all citizens to strengthen democratic institutions, delivery of justice and to eliminate corruption at all levels for responding to the rights and needs of their populations;

Underscored that a good model of governance should always be based on a people-centered perspective, which puts the expansion of human capabilities, choices and opportunities at the center of the governance process. This necessitates legitimate and accountable government and governance, based on the rule of law and fundamental human rights;

Identified some of the key elements needed to build a good governance model, which inter-alia include: i) assuring an effective, just and non-discriminatory delivery of public services pertaining to the rule of law, including administration of justice and legal aid; ii) upholding human rights and ensuring full and equal participation of all citizens, including in institutions of governance and the judicial system; and iii) recommitting to establishing appropriate legal and legislative frameworks to prevent and address all forms of discrimination, especially against women and other vulnerable members of society, to secure their empowerment and full access to justice;

Reiterated that while good governance is a State led process, global interconnectedness and contemporary challenges warrant international cooperation in the spirit of "the collective responsibility of the international community to ensure the attainment of the minimum standards of living necessary for the enjoyment of human rights and fundamental freedoms by all persons throughout the world"[1];

Called upon Member States to: (i) utilize development tools to implement human rights principles and standards to materialize good governance model in specific areas including service delivery; (ii) provide incentives to relevant actors through development strategies to improve good governance; (iii) ensure effective rule of law, including non-discriminatory measures to guarantee justice and equal access opportunity for all; (iv) strengthen legislative drafting and implementation of laws and judicial processes in line with human rights standards; (v) follow-up on Universal Periodic Review and Treaty Body recommendations through appropriate monitoring systems; and (vi) promote grassroots empowerment as a way to strengthen the quality and level of participation in development and governance processes;

Further called upon the international community to uphold good governance at the international level, which is fundamental for strengthening the global peace, justice and to democracies international order. To this end, **stressed** the importance of reforming the international governance structures, including the quotas and voting rights of the Bretton Woods institutions, to better reflect current realities and enhance the voice and participation of developing countries;

Noted that developing countries including many OIC Member States, as part of a globalized world, are confronted with unprecedented challenges in the climatic, technological, political, security and demographic arena and **urged** them to cooperate with each other in eliminating these obstacles to ensure good governance, development, and broad-based sustainable development for all;

Recommended to all OIC Member States to undertake coordinated and accelerated actions, in accordance with the commitments made in the revised OIC Charter and the 2nd Ten Year Plan of Action 2025 to: (a) promote human rights and fundamental freedoms, good governance, rule of law, democracy and accountability in their countries; (b) create sound policy frameworks, at national, regional and international levels, based on pro-poor and all-inclusive development strategies to support accelerated investments in poverty eradication programs; and (c) promote cooperation among Member States to achieve sustained socioeconomic development and effective integration in the global economy, in conformity with the principles of partnership and equality;

Reaffirmed that the good governance remains a priority area both for the OIC and OIC-IPHRC, and **undertook** to continue to work for wider understanding, better implementation and realization at national, regional and international levels to ensure the institutional foundation for full enjoyment of human rights both by the individuals and peoples in all countries without discrimination on any grounds;

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[1] The General Comment No. 3 of the UN Committee on Economic Social and Cultural Rights obligates State Parties to international cooperation for development for the realization of economic, social and cultural rights for all at all levels.

Agreed to launch a joint study involving the IPHRC, Islamic Development Bank and SESRIC to develop indicators to monitor progress on the principles outlined above for consideration and adoption by the OIC Member States.

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