

## **OIC Independent Permanent Human Rights Commission concludes its 13<sup>th</sup> Regular Session held in Jeddah from 15-19 April 2018**

**Jeddah 19 April 2018:** The OIC Independent Permanent Human Rights Commission (IPHRC) held its 13th Regular Session in Jeddah, Kingdom of Saudi Arabia (KSA) from 15-19 April 2018. The traditional thematic debate of the Session was held on 17 April 2018 on the subject of ‘Revisiting the OIC Covenant on the Rights of Child in Islam to Reinforce the Rights of Children in Member States’. An outcome document on the subject was also adopted by the Commission and is issued separately.

Besides Commission Members, the Session was attended by Dr. Abdallah Mosa Altayer, Chief Advisor to the OIC Secretary General, Dr. Abdulsalam Abaddi, Secretary of the International Islamic Fiqh Academy-IIFA, senior officials of the OIC General Secretariat and relevant international human rights experts on the subject including Dr. Hatem Kotrane and Dr. Hynd Idrissi Ayoubi, members of the UN Committee on the Rights of the Child, as well as Mr. Ghassan Khalil, Representative of UNICEF. Representatives of OIC Member and Observer States also attended and actively participated in the open proceedings of the Session.

In his opening remarks, IPHRC Chairperson, Dr. Rashid Al Balushi, expressed gratitude to all the OIC Member States, including the host country, Kingdom of Saudi Arabia (KSA), for their trust and steadfast support to the work and activities of the Commission and its Secretariat. Dr. Balushi added that IPHRC Secretariat successfully completed its first year of operations from its independent Headquarters provided by the the Government of KSA, and that the active participation of the OIC Member States in the proceedings of the Commission has been instrumental in guiding and improving the work of the Commission and realizing 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 topic of the thematic debate, IPHRC Chairperson highlighted that Islam laid the architecture of human rights-based society where interests of the vulnerable and disadvantaged sections, including children, are secured through codification of rights and responsibilities. He stressed that in today’s world, such a rights-based approach is critical to setting out the child rights in order for children to develop their full potential, free from hunger and want, neglect, exploitation and abuse. This approach provides for a vision of child rights in which children are considered as holders of specific rights as individuals and as members of family and community. Dr. Balushi also highlighted that the debate would meaningfully contribute towards a comprehensive review of the OIC Covenant on the Rights of Child in Islam that the Commission is being mandated to undertake by the OIC CFM.

Speaking on behalf of the OIC Secretary General, Dr. Abdallah Mosa Altayer welcomed the theme of this Session’s debate to prepare the ground for a comprehensive review of the OIC Covenant of the Child rights in Islam, which has gained traction after OIC’s renewed emphasis on creation of rights-based societies. He stressed that our responsibility towards children is derived from the Islamic values, which regard protection and promotion of child rights as obligatory and accord utmost priority to providing an enabling environment that nurtures positive future for every child in all settings without discrimination. Reflecting on the OIC efforts to promote child rights, Dr. Altayer recalled that the adoption of the Covenant on the Rights of the Child in Islam in 2005 as a significant development in its own right. However, an extremely low level of ratification of the covenant (only 8 signatures and 2 ratifications) clearly

shows that the Covenant, still falls short of convincing the Member States to accept it as a credible mechanism to convert claims into rights and render actions to protect the survival, protection, and development of the rights of children. Hence, the need to have a comprehensive review of the OIC Covenant to bring it in conformity with the international human rights instruments making it more representative, broad based and above all implementable.

The Commission Members, panelists and representatives of Member States had an exhaustive and fruitful discussion that underlined the importance of developing a broad-based comprehensive agenda of accountability for children's rights, where rule of law, social inclusion and gender sensitive human development are promoted for the benefit of all societies. In regard to the revision of the OIC Covenant on the Child Rights in Islam, all participants stressed that the revised Covenant must bring an added value to the existing international human rights instruments, and set higher norms, including practical implementation mechanisms to help promote and protect the rights of the child more effectively. Various speakers highlighted the rich Islamic teachings and historic contributions of Islam in setting high standards to recognize and safeguard the rights of the child, which must be exploited in drafting a comprehensive draft that reflects the universality of Islamic principles in respect of all specificities of each society. While stressing the primacy of the family as the natural unit to protect and promote child rights, participants called for empowering the status of children as holders of rights in harmony and respect to the religious and cultural specificities of each society, while putting the best interest of child at the forefront.

During the five days session, the Commission also 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 department 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, held Israel, the Occupying Power, solely responsible for the worsening situation in the Gaza Strip and the West Bank, which is rooted in systematic discriminatory policies against Palestinians in all aspects of their lives. The Commission reiterated its strong condemnation and rejection of the US decision to recognize Jerusalem as the capital of Israel and to transfer the US Embassy there. IPHRC reminded that the US decision was not only an illegal unilateral act that contravenes the international law, but also an action that has overwhelming negative consequences on the whole range of Palestinians' human rights including their fundamental right to self-determination. The Commission decided to initiate various actions to raise awareness about the grave human rights situation in the occupied Palestine, and to expose the Israeli aggressions against the innocent Palestinians. Among others, these include strengthening cooperation with the UN Rapporteur on the situation of human rights in the OPT and writing reports on different aspects of the occupation to highlight the illegality of and violation of international human rights and humanitarian law by Israel, the Occupying Power. The Commission also decided to undertake another visit to Palestine in 2018 (both West Bank and Gaza) and write a factual report on the ongoing human rights situation.

The Commission also received detailed briefing on the worsening human rights situation in the Indian occupied Kashmir (IoK) from the Special Representative of the OIC Secretary General on Jammu and Kashmir dispute. The Commission strongly condemned the systematic and systemic atrocities committed by the Indian occupation forces in IoK against the innocent Kashmiri Muslims who are denied their fundamental human rights in utter disregard to the international human rights law. The Commission also condemned the recent incident of gang rape and murder of an eight-year-old Muslim girl Aseefa Bano in Jammu and Kashmir's Kathua district, and called upon the Government of India to conduct independent investigations to bring the known rapists and murderers of the minor Muslim girl to justice. The Commission renewed its call upon the Government of India to allow international human rights organizations including IPHRC to visit IoK for an independent review of the human rights situation on ground. It also called upon the United Nations in particular the Office of the High Commissioner for Human Rights to urgently dispatch a fact-finding visit to IoK to independently ascertain and report on the allegations of human rights violations.

In its deliberations on the situation of Rohingya Muslim Minority in Myanmar, the Commission was briefed by the Members of the joint OIC/IPHRC delegation that visited Rohingya Refugee Camps in Cox's Bazar Bangladesh in January 2018. The delegation also presented a detailed report on the human rights situation faced by Rohingya Muslims in Myanmar that was based on first hand interactions with the victims. The report with its comprehensive recommendations was adopted by the Commission for onward presentation to the upcoming OIC CFM in Dhaka next month. The Commission was also briefed on the latest developments including the efforts made by the OIC to raise concerns at the regional and international levels. The Commission 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 neighbouring Bangladesh. Furthermore, the tens of thousands of Rohingya who remain in Rakhine are severely restricted in their ability to work, travel or avail basic facilities such as education and health services. After detailed deliberations on the subject, the Commission decided to continue following the human rights situation of the Rohingya Muslims both to raise awareness as well as to advocate for enhanced international pressure to force the Government of Myanmar to ensure the well-being of its Rohingya Muslim minority in particular their civil, political, social, economic and cultural rights in accordance with its obligations under international human rights law. The Commission also stressed the importance of ensuring early yet dignified repatriation of Rohingya refugees to their homeland with guaranteed security and access to their lands and livelihood.

The Commission also reviewed the worsening human rights situation of Muslims in the Central African Republic (CAR). It noted that despite the important political and peacekeeping efforts by the UN and African Union-led Initiative for Peace and Reconciliation Agreement, not much has been realized on the ground. The security and humanitarian situation in CAR remains worrisome and continues to adversely impact on the state of human rights in the country. The Commission considering different ways to help the Muslim minority in CAR including by reaching out to various human rights bodies for joint awareness raising on the prevailing grave human rights and humanitarian situation. IPHRC also considered undertaking another field visit to CAR in cooperation with the OIC General Secretariat to carry out an evaluation of the human rights situation. The Commission also urged the international Community, especially the UNSC to act quickly 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 as well as to hold the perpetrators of repetitive violence to account by expanding the sanctions list to include those identified behind the crimes committed against the Muslim minority in CAR.

In its interaction with the OIC Observatory on Islamophobia, the Commission stressed that the situation of Islamophobia remains worrying and needed concerted and continued efforts on part of the OIC at different levels. While expressing concerns on the continued popularity of far-right parties and groups in Europe, who continue to thrive on vitriolic propaganda against Muslims, the Commission noted that, unfortunately, the trend of Islamophobia is spreading in other parts of the world such as Asia and Africa. Increased and multiple incidents of incitement to hatred, discrimination and violence including killing of Muslims have been witnessed in Myanmar, Sri Lanka, India and Central African Republic. The Commission urged the OIC Observatory to cooperate with other observatory centers, both religious and otherwise, including civil society across the world, and to campaign to legislate laws that criminalize all forms of hate speech, incitement to hatred and discrimination including Islamophobia.

The Commission’s Working Group on Right to Development (RtD) had an in-depth discussion on various aspects of the RtD to identify conceptual and implementation gaps of this right. The Commission reaffirmed that States have obligations at three levels for effective implementation of RtD: (a) internally, through the formulation of national development policies and programs affecting persons within their jurisdictions; (b) internationally, through the adoption and implementation of policies extending beyond their jurisdictions; and (c) collectively, through global and regional partnerships. The Commission also decided to continue exploring opportunities to establish cooperative relationship and promote exchange of knowledge on the subject with the UN Special Rapporteur on the Right to Development.

In its deliberations on the rights of women and children, the Commission affirmed the importance of women empowerment as a key factor for the sustainable development of any society, which is also in line with the Islamic teachings and values. It also stressed the importance of addressing all forms of violence and discrimination against women both at the policy and implementation levels and expressed its interest in working with relevant UN and OIC entities to promote their rights. It also affirmed the importance of the Family as the fundamental unit of society and the need for protecting and preserving the institutions of family and marriage, while condemning all moves to redefine the institution of marriage and concept on the basis of legally, morally and socially distorted notions of Sexual Orientation.

Besides the regular proceedings of the 13<sup>th</sup> Session, IPHRC Secretariat, in collaboration with the UN Counter-terrorism Office organized a short workshop for the OIC Member and Observer States to share best practices on the topic of “Importance of Mainstreaming Human Rights in Counter Terrorism policies and initiatives”. Well rounded presentations were made by the relevant UN and OIC Experts both on the normative framework, available best practices and additional efforts needed to counter extremist ideologies and to ensure protection of human rights in the counterterrorism policies.

In his concluding remarks, IPHRC Chairperson, Dr. Rashid Al Balushi 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 reaffirmed 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 OIC countries.

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