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GENERAL SECRETARIAT

ORGANISATION DE COOPERATION ISLAMIQUE
SECRETARIAT GENERAL



منظمة التعاون الإسلامي
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**REPORT
OF THE SECOND SESSION
OF THE OIC INDEPENDENT PERMANENT HUMAN RIGHTS COMMISSION
(IPHRC)**

**Ankara, Republic of Turkey
27-31 August 2012**

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- 1- The Independent Permanent Human Rights Commission (IPHRC) of the Organization of Islamic Cooperation (OIC) convened its second session on 27-31 August 2012 in Ankara, Republic of Turkey.

- 2- The meeting was attended by the following IPHRC experts:
 - Dr. Raihanah Binti ABDULLAH
 - Dr. Oumar ABOU ABBA
 - Amb. Ilham Ibrahim Mohamed AHMED
 - Amb. Mostafa ALAEI
 - Dr. Saleh Bin Mohamed AL-KHATLAN
 - Mr. Wael Mohamed ATTIYA
 - Amb. Ousmane Diao BALDÉ
 - Dr. Siti Ruhaini DZUHAYATIN
 - Dr. Ergin Ergul
 - Amb. Mohammed Kawu IBRAHIM
 - Mr. Med S.K. KAGGWA
 - Mr. Al-Bachir Ibrahim MAHAMAT
 - Mr. Mohammed RAISSOUNI
 - Mr. Mohammed Lamin TIMBO
 - Amb. Abdul WAHAB
 - Mrs. Asila WARDAK
 - Dr. Mohammad Mamduh Madhat AL-EKER (Absent with apology)
 - Mr. Adel Issa AL-MAHRY (Absent with apology)

- 3- The meeting started with the recital of verses from the Holy Quran. In her inaugural speech, Mrs. Siti Ruhaini Dzuhayatin, interim Chairperson of the Commission, referred to the significance of the establishment of the IPHRC, stressing that in addition to being the first ever cross regional human rights mechanism, it was for the first time in the history of OIC that the Organization has created a permanent body of experts as one of its principal organs hence enabling truly independent expert opinion to be submitted to the consideration of Member States through the annual CFM.
- 4- In his welcome address, the Turkish Foreign Minister, Ahmet Davutoglu, underscored the historical role played by the pioneering members of the IPHRC at a time when Islam and its followers were being falsely stigmatized, by certain hostile quarters, based on the misperception that Islamic values and civilization were opposed to universal human rights values and principles.
- 5- In his inaugural statement H.E. Dr. Emeleddin Ihsanoglu, Secretary General of the OIC noted that the establishment of IPHRC was a singularly significant accomplishment in the history of OIC. Underscoring the importance of safeguarding the independence of the Commission, the Secretary General emphasized its contribution towards mainstreaming the human rights dimension across the programme and activities of OIC.
- 6- The Secretary General and the Commissioners were received by the Speaker of the Turkish Parliament, H.E. Mr. Cemil Cicek. He congratulated the Commissioners for assuming their historical role as first ever human rights commission serving the Muslim world and assured that the Republic of Turkey was fully committed to promoting and protection human rights and would support the work and activities of the Commission in achieving its objectives and mandates.
- 7- The Commission proceeded with re-election of Mrs. Siti Ruhaini Dzuhayatin, as its interim Chairperson.
- 8- The meeting, based on priority areas identified in its first formal session held in Jakarta, Republic of Indonesia, discussed and adopted its agenda and work program. (Copies annexed)
- 9- In its first working session, the Commission took note of and commended the valuable work of the inter-sessional working group entrusted to finalize review of the IPHRC draft

rules of procedure for consideration by the meeting. The meeting adopted the rules of procedure during the same session with a view to submitting them, as per the statutory stipulation, to the forthcoming 39th session of the Council of Foreign Ministers, to be held in Djibouti for endorsement.

10- The Commission had exhaustive discussions on the different human rights aspects of items on the agenda with a view to coming up with concise and practical recommendations to the CFM. The documentation submitted by the IPHRC interim secretariat facilitated deliberations. The discussions were further enriched by the contributions of Ambassador Mohamed Abdel-Moneim Ezzuddin, who attended the meeting as a resource person in his capacity as an international human rights expert being a member of the UN Committee on Economic, Social and Cultural Rights (CESCR).

11- The Commission, conscious of the complex nature of the Palestinian problem, recognized the need to address it on a purely rights based approach rather than addressing other issues in the political discourse. The Commission reiterated its unanimous position that Israeli occupation continued to pose the greatest impediment to the full enjoyment of civil, political, economic social and cultural rights of the Palestinian people.

12- Emphasizing that the ongoing Israeli occupation was the main source of violation of the whole range of human rights of the Palestinian People, the Commission recognized the importance of documenting the historical, social and legal aspects related to the Palestinian issue. It was also acknowledged that the OIC, as a forum, enjoyed the comparative advantage of recognizing the State of Palestine as full Member State, which enabled adoption of strong resolutions. The Commission further stressed that efforts should be undertaken to ensure that Palestine is given full membership at the UN, which would involve additional legal implications, under international law and help improve the human rights situation.

13- Under its permanent agenda item on “Civil, political, economic, social and cultural rights in OIC Member States”, the IPHRC discussed the sub- agenda items on women’s rights, rights of the child, the right to development, human rights education and networking among OIC member States and with other international and regional organization.

14- The Commission also took note of the human rights situations and issues on OIC agenda, and more specifically the issue of combating Islamophobia and incitement to religious

hatred and violence as well as the human rights situations related to Syria, Mali and the Rohingya Muslims in Myanmar. In this connection the Commission took note of the outcome documents adopted by the 4th Extraordinary Islamic Summit, held in Makkah Al- Mukkaramah, kingdom of Saudi Arabia, on 14-15 August 2012. The Commission also took note of the final communiqué of the Executive Committee Meeting, held on 5th August 2012, through which the Member States had mandated the IPHRC to “(...) *examine the situation of Rohingya Muslim minority in Myanmar as a priority issue on its agenda requiring immediate attention and action while presenting concrete recommendations to the Council of Foreign Ministers (...)*”.

15- Commissioner Wael Attiya expressed his disapproval of Rule 5 (4)(5) of the Draft Rules of Procedure concerning the substitution by Member States of Experts that did not complete their tenure, as adopted by the Commission on the basis that the said rule appeared to be in contradiction with article 5 of the Statute in its original Arabic language.

16- The Commission welcomed the information conveyed by Dr. Saleh Al-Khatlan that the Kingdom of Saudi Arabia may be willing to host the next session of the IPHRC.

Conclusion and Recommendations

17- The Commission adopted its Draft Rules of Procedure for endorsement by the 39th Session of the Council of Foreign Ministers, to be held in Djibouti, on 15-17 November 2012.

18- The Commission expressed concern at the discrepancies between the English and Arabic versions of the IPHRC Statute, and requested that necessary procedural measures be taken to harmonize the document in the three official languages based on the original text in Arabic.

19- With a view to establishing a proper context for its work, the Commission requested the Secretariat to send a Note verbale to Member States soliciting: a) information about human rights legislative, institutional and policy frameworks in place with particular reference to the priority areas defined in the IPHRC agenda; b) Member States

expectations and suggestions so as to refine the IPHRC's future work in the priority areas.

20- The Commission strongly condemned the continuing human rights violations perpetrated by Israel, being the occupying power, in Palestine and other Arab territories with particular reference to the policy of settlements in terms of its implications towards the whole range of human rights of the Palestinian people as well as international efforts towards durable peace in the Middle East.

21- The Commission decided to establish contact and open channels of communication with Palestinian human rights institutions and organizations with a view to introducing the Commission and inquiring about the latter's expectations and possible means by which the IPHRC could support their work. The Commission authorized the Chairperson to initiate the necessary contacts to that end and decided to establish a Working Group during the inter-sessional period to deal with this permanent item on the agenda.

22- The Commission appreciated the recent admittance of Palestine as member of the UNSECO and expressed its strong support for granting full membership to Palestine at the United Nations as an important step towards protection of human rights of the Palestinian people urging Member States to undertake all necessary efforts in this regard.

23- The Commission decided to establish an inter-sessional Working Group on agenda item 3 with a view to defining approaches and elaborating concrete action plans with regard to the sub-items while taking into account the written proposals made by the Commissioners as well as the deliberations at the two sessions.

24- The Commission recommended the relevant organs of the OIC in particular the IDB, ISESCO, IIFA, IRCICA and ICCI to organize or finance workshops/training programs for advancement of Muslim women in coordination with the Secretariat.

25- The Commission recommended that Member States should share good practices in the field of promotion and protection of human rights.

26- The Commission encouraged the IDB and other relevant institutions in the Member States to contribute to the funds of the IPHRC's human rights activities and requested the Secretariat to make the necessary contacts to that end.

- 27- The Commission requested Commissioners whose countries have established NHRIs to get in touch with these institutions; seek their views and suggestions with respect to possible collaboration with the IPHRC, and report to the next session of the IPHRC on this matter.
- 28- The Commission expressed concern at the increasing trend of Islamophobia and incitement to hatred and violence on religious grounds, emphasizing human rights framework being the a concrete basis for the international community's efforts to address the issue with a view to seeking consensual solutions.
- 29- The Commission identified the need to streamline the Human Rights Council Resolution 16/18 on "*Combating intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against, persons based on religion or belief*" by providing the Member States, particularly OIC Groups in Geneva and New York, with the benefit of the Commission's expert advice submitting concrete recommendation with a view to consolidating the OIC position on legally sound basis. The Commission decided to establish an inter-sessional Working Group in this regard
- 30- The Commission urged the OIC Ambassadorial groups in all relevant capitals to actively raise the issue of Islamophobia highlighting its importance towards peace, security and stability in the regional as well as the global context.
- 31- The Commission stressed the importance of monitoring the rising trend and manifestations of Islamophobia, and called upon the OIC General Secretariat to continue to enhance the visibility and consolidate the work of the OIC Islamophobia Observatory.
- 32- The Commission expressed serious and grave concern at the reported human rights violations, committed by both sides in the ongoing crisis in Syria.
- 33- The Commission emphasized the primarily responsibility of the state towards maintaining law and order and ensuring protection of human rights.
- 34- The Commission called for a humanitarian pause in the armed conflict with a view to facilitating needs assessment with particular reference to the human rights perspective.

- 35- The Commission expressed grave concern at the reported human rights violations against Rohingya Muslims in Myanmar. The Commission urged the government of Myanmar to consider reviewing its legislation with a view to amending any laws and regulations that have discriminatory effect of the denial of citizenship right to the Rohingya community Muslim.
- 36- The Commission decided to send a fact-finding mission for an on ground assessment of the situation of Rohingya Muslims and requested the Chairperson to contact the government of Myanmar to that end.
- 37- The Commission requested the Secretariat to prepare a report on actions undertaken by the other relevant international and regional human rights mechanism on the issue of Rohingya Muslim.
- 38- The Commission requested the Secretariat to prepare a study identifying the main Muslim minorities and communities across the world analyzing the challenges which confronting them in the human rights domain with a view to defining possible contributions of the IPHRC in this respect.
- 39- The Commission expressed concern at human rights violations perpetrated by terrorist groups against unarmed civilians in Mali and the destruction of sites classified by UNESCO as world cultural heritage requesting the CFM to take the necessary steps towards facilitating a peaceful solution of the crisis.
- 40- Commission emphasized the importance and need for concerted efforts by the international community towards finding political solutions to the situations in Syria, Mali and that of Rohingya Muslims in Myanmar with particular reference to an early repatriation of refugees in the neighboring countries.
- 41- The Commission requested the Secretariat to prepare a code of conduct/relevant guidelines to which Commissioners should conform when undertaking needs assessment missions and other country visits so as to ensure respect of minimum applicable standards as well as safety of all Commissioners.
- 42- The Commission stressed the need to seek external funding of part of its activities, particularly in the field of research and studies, and requested the Secretariat to prepare

guidelines/policies laying down the conditions for receiving donation while ensuring full independence of the Commission's work.

43- The Commission recommended the CFM to establish an annual OIC human rights award for significant achievements, writings, and actions by individuals or institutions in the service of human rights across the Muslim world.

44- The Commission reiterated its request to the CFM to ensure provision of adequate financial, infrastructural and human resource support for optimal discharge of its functions under the Statute including grant of such privileges and immunities as may be necessary for independent functioning of this important subsidiary organ in the OIC system.

45- The Commission expressed the view that representation of the OIC Observer mission to the United Nations in Geneva should be reinforced with a view to updating the Commission with information and analysis of current issues and trends at the level of international human rights mechanism.

46- The Commission stressed the need to identify and enforce better time management methodology, including strict speaking time-limits, and referral of complex and delicate issues to informal meetings or parallel working groups outside the formal meeting time so as to ensure smooth progress while respecting all views and achieving the largest possible agreement among members of the IPHRC.
