



OIC/CFM-39/2012/LEG/ RES/FINAL

**RESOLUTIONS
ON
LEGAL AFFAIRS**

ADOPTED BY

**THE 39th SESSION OF THE COUNCIL
OF FOREIGN MINISTERS**

(SESSION OF SOLIDARITY FOR SUSTAINABLE DEVELOPMENT)

DJIBOUTI, REPUBLIC OF DJIBOUTI

**1-3 Muharram 1434 H
(15-17 November 2012)**

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RESOLUTION NO.1/39-LEG

ON

**THE FOLLOW-UP AND COORDINATION
OF WORK IN THE FIELD OF HUMAN RIGHTS**

The Thirty-ninth Session of the Council of Foreign Ministers, (Session of Solidarity for Sustainable Development,), held in Djibouti, Republic of Djibouti, from 1 to 3 Muharram 1434 A.H. (15 – 17 November 2012 A.D.),

Recalling the noble motives and objectives of the glorious religion of Islam, which emphasizes the importance of human rights; and **mindful** of the universal and integral nature of Islamic laws on human rights and the prominent place of human being;

Bearing in mind the objectives of the OIC Charter of promoting and encouraging respect for human rights and fundamental freedoms for all people without distinction as to race, sex, or religion;

Recalling all relevant resolutions of the Islamic Summit and Foreign Ministers Conferences, in particular Resolution No. 49/19-Pol on the adoption of the “Cairo Declaration on Human Rights in Islam”;

Aware of the need for strengthening the existing mechanism within the OIC for exploring ways and means to promote and protect human rights through, *inter-alia*, the formulation of a set of Islamic covenants on human rights,

Recognizing the obligations and endeavors of the Member States to promote and protect internationally-recognized human rights, while taking into account the significance of their religious, national, and regional specificities and various historical and cultural backgrounds, and with due regard to the “Cairo Declaration on Human Rights in Islam”;

Mindful of the universal and integral nature of Islamic values with respect to human rights, the prominent place of Man in Islam as vicegerent of Allah on earth and hence the great importance attached by Islamic thought to the promotion, encouragement, and respect for human rights,

Recalling also the UN Commission on Human Rights and the Human Rights Council's Resolutions entitled “defamation of religions” which expressed deep concern over the negative stereotyping of religions and at the way Islam is frequently and wrongly associated with human rights violations and with terrorism, and which also express concern over the space devoted by the printed, audio-visual, and electronic media to inciting violence, xenophobia, or related intolerance and discrimination against Islam and other religions,

Reaffirming the universality, objectivity and non-selectivity of all human rights and also the need to promote and protect human rights through cooperation and consensus rather than confrontation and/or imposition of incompatible, alien and inhomogeneous values,

Expressing its deep concern over the attempts to exploit the issue of human rights to discredit the principles and rules of Islamic Shariah (laws) and to interfere in the affairs of Islamic States,

Having considered the report of the Secretary General on the matter (OIC/CFM-39/2012/LRG/SG.REP.1);

1. **Asserts** that human rights are universal in nature and must be considered in the context of dynamic and evolving process of international norm-setting, bearing in mind the significance of national and regional particularities and various historical, cultural and religious backgrounds;
2. **Emphasizes** the necessity for the international community to address the human rights issue on an objective and indivisible basis, in all states, without selectivity or discrimination;
3. **Calls for** the necessity to consider human rights in their global conception and in all their civil, political, social, economic, and cultural facets within the framework of international cooperation and solidarity;
4. **Reaffirms** the right of States to adhere to their religious, social, and cultural specificities which constitute heritage and streams of thought that contribute towards enriching the common international conceptions of human rights;
5. **Calls for** the non-use of the universality of human rights as a pretext to interfere in states' internal affairs and diminish their national sovereignty;
6. **Recalls** the rights of States, when necessary, to express reservations on the international conventions, covenants, and agreements they subscribe to, as part of their sovereign rights;
7. **Expresses its deep concern** over the frequent and erroneous association of Islam with violations of human rights and the misuse of print and audio-visual media in propagating such misconceptions which lead to the reinforcement of prejudice and discrimination against Muslims and **calls on** the Member States to undertake information activities to counter those acts;
8. **Notes with grave concern** the increasing trend of Islamophobic measures in Western countries, **stresses** the responsibility of those States to ensure full respect to Islam and all divine religions and the inadmissibility of using freedom of expression or press as a pretext to defame religions, and **calls for** refrain from imposing restrictions, in any form whatsoever, on cultural and religious rights and freedoms.
9. **Denounces** media campaigns and fabrications made by some circles in non-Member States regarding the mistreatment of non-Muslim minorities and communities in the OIC Member States under the slogan of religious freedoms and so on.

10. **Expresses** the need to pursue, as a matter of priority, a common policy aimed at preventing defamation of Islam perpetrated under the pretext and justification of the freedom of expression in particular through media and Internet.
11. **Commends** the valuable efforts of the Secretary General during his visit to Geneva and his speech at the Meeting of the Human Rights Council as well as his intensive consultations with senior officials of States and International Organizations regarding human rights and the valuable contribution of the OIC Open-ended Working Group on Human Rights and Humanitarian Issues at the United Nations Office in Geneva towards safeguarding the interests of Islamic countries and **urges** OIC Member States to consider the possibility of establishing regional arrangements in the field of human rights in Islam to boost their regional cooperation in this regard.
12. **Expresses** deep concern over any activities which may be carried out by certain Governmental and Nongovernmental Organizations, supported by governments, in order to attack OIC Member States for political purposes and to further their foreign policy objectives in international fora.
13. **Exhorts all states** to take, in line with their national laws and in consonance with international human rights instruments, all appropriate measures to encourage understanding, tolerance, and respect in matters connected with freedom of religion or creed.
14. **Calls upon** Member States to continue their active coordination and cooperation in the field of human rights particularly in the relevant international fora in order to strengthen Islamic solidarity to confront any initiative that may lead to the use of human rights as a means of exercising political pressure on any Member State.
15. **Decides** that the General Secretariat and the Member States shall undertake to follow up Member States' missions with relevant international organizations, in particular, at the UN Headquarters in New York and Geneva, and to hold meetings on appropriate occasions, to consider and discuss human rights issues with a view to adopting a unified position among Member States vis-à-vis campaigns and resolutions that target OIC Member States at relevant international fora.
16. **Requests** Member States to sign and ratify the Covenant on the Rights of the Child in Islam as soon as possible.
17. **Requests** the Secretary General to follow up on the implementation of this resolution and submit a report thereon to the 40th Session of the Council of Foreign Ministers.

RESOLUTION No. 2/39-LEG

ON

MATTERS PERTAINING TO THE WORK OF THE OIC INDEPENDENT
PERMANENT HUMAN RIGHTS COMMISSION (IPHRC)

The Thirty-ninth Session of the Council of Foreign Ministers, (Session of Solidarity for Sustainable Development), held in Djibouti, Republic of Djibouti, from 1-3 Muharram 1434H (15-17 November 2012),

Recalling articles 5 and 15 of the Revised Charter of the Organization of Islamic Cooperation unanimously adopted by the 11th session of the Islamic Summit Conference held in Dakar, Republic of Senegal on 13-14 March 2008,

Recalling Resolution 2/38-LEG, which adopted the statute of the Independent Permanent Human Rights Commission (IPHRC),

Cognizant of the importance of promoting human rights and fundamental freedoms, good governance, rule of law, democracy and accountability in Member States, in accordance with the Revised Charter and the Ten Year Programme of Action (TYPOA),

Taking note of the report of the Secretary General included in Document No. (OIC/CFM-39/2012/IPHRC/SG-REP),

1. **Endorses** the Rules of Procedure, as amended by the Commission and contained in Document No. OIC/CFM-39/2012/IPHRC/SG-REP, in accordance with the provisions of IPHRC Statute;
2. **Approves**, in accordance with the provisions of the IPHRC Statute, the election of Dr. Ergin Ergul to replace Dr. Zuhtu Arslan at the Commission;
3. **Takes note** of the conclusions and recommendations of the two IPHRC sessions held in Jakarta and Ankara as contained in Documents No. OIC/IPHRC-1/2012/REP.FINAL and OIC/IPHRC-2/2012/REP.FINAL;
4. **Exhorts** Member States, relevant institutions in the Member States and relevant OIC Organs, including IDB, to make voluntary contributions –within their available means- to the budget of the IPHRC;
5. **Requests** the IPHRC to continue its work towards fulfilling its objectives as stipulated in the Statute, including promoting the civil, political, economic, social and cultural rights enshrined in the Organization's covenants and declarations, universally agreed human rights instruments as well as decisions and resolutions by the Islamic Summits and the Councils of Foreign Ministers;
6. **Requests** the IPHRC to continue implementing its mandate towards realizing its true potential in providing the CFM with its advisory opinion with a view to contributing towards strengthening the human rights content of the whole range

of issues on the OIC agenda, including provision of its expert advisory opinion to Member States on combating intolerance and discrimination against Muslims;

7. **Reaffirms** continuation of IPHRC's work at the OIC Headquarters with the General Secretariat providing secretarial services pending a decision on the permanent location of its headquarters;
8. **Requests** the Secretary General to follow up on the implementation of this Resolution and to submit a report thereon to the 40th Session of the Council of Foreign Ministers.

RESOLUTION NO. 3/39-LEG
ON
THE SIGNING/RATIFICATION OF (ACCESSION TO)
THE CHARTER AND THE AGREEMENTS CONCLUDED
UNDER THE ORGANIZATION OF ISLAMIC COOPERATION

The Thirty-ninth Session of the Council of Foreign Ministers, (Session of Solidarity for Sustainable Development), held in Djibouti, Republic of Djibouti, from 1 to 3 Muharram 1434 A.H. (15 – 17 November 2012 A.D.),

Having considered the signing, ratification and accession status of the agreements concluded under the Organization of Islamic Cooperation,

Noting that the minimum number of ratifications by Member States required for the entry into force of some of these agreements has not been reached as required by their provisions, and the importance of accelerating the ratification in order to support the role of the Organization and widen the scope of cooperation among Member States,

Taking note of the Report of the OIC Secretary General contained in Document No. (OIC/CFM-39/2012/LEG/SG-REP.2),

1. *Urges* Member States again to sign, ratify or accede to, as soon as possible, the various agreements concluded within the framework of the Organization of Islamic Cooperation;
2. *Requests* the Secretary General to follow up on the implementation of this resolution and to report thereon to the 40th Session of the Council of Foreign Ministers.
