



*OIC/CFM-47/2020/IPHRC/RES/FINAL*

**RESOLUTION**

**ON**

**MATTERS PERTAINING TO THE WORK OF THE  
OIC INDEPENDENT PERMANENT HUMAN RIGHTS COMMISSION**

**ADOPTED BY THE**

**47<sup>TH</sup> SESSION OF THE COUNCIL OF FOREIGN MINISTERS**

*(Session of United against Terrorism for Peace and Development)*

**NIAMEY, REPUBLIC OF NIGER  
27-28 NOVEMBER 2020  
(12-13 RABI AL THANI 1442H)**

**RESOLUTION NO. 1/47-IPHRC  
ON MATTERS PERTAINING TO THE WORK OF THE  
OIC INDEPENDENT PERMANENT HUMAN RIGHTS COMMISSION**

*The Forty-Seventh Session of the Council of Foreign Ministers of the Organization of Islamic Cooperation (United Against Terrorism for Peace and Development) held in Niamey, Republic of Niger, on 27-28 November 2020 (12-13 Rabi al Thani 1442H).*

**Recalling** articles 5 and 15 of the Charter of the Organization of Islamic Cooperation unanimously adopted by the 11<sup>th</sup> Session of the Islamic Summit Conference held at 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);

**Recalling** resolution 2/39-LEG, which endorsed the Rules of Procedure of IPHRC;

**Recalling** resolution 1/41-IPHRC, which decided to establish the IPHRC Headquarters in Jeddah, Kingdom of Saudi Arabia (KSA);

**Recalling** final communiqué of the 13<sup>th</sup> Session of the Islamic Summit Conference, held in Istanbul, Republic of Turkey on 14-15 April 2016, which reaffirmed the Member States' full support to the Commission to enable it to function in accordance with the mandate as provided in its Statute;

**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 OIC Charter and the Ten-Year Program of Action 2015-2025;

**Taking note** of the report of the Secretary General included in Document No. OIC/CFM-47/2020/IPHRC/SG-Rep;

1. **Requests** the IPHRC to continue its work towards fulfilling its objectives as stipulated in its Statute and to continue providing the CFM with its expert advisory opinion on all human rights issues of concern / interest to the OIC;
2. **Takes note** of the reports of the 15<sup>th</sup> & 16<sup>th</sup> IPHRC Regular Sessions, held at the IPHRC Secretariat Headquarters, which include Outcome Documents on the topics of (a) **“The role of human rights in promoting good governance”**; and (b) **“Climate change and Environmental Protection: A human rights perspective”**, as contained in document Nos. OIC/ IPHRC-15/2019 Rep. Final and OIC/ IPHRC-16/2019 Rep. Final respectively;
3. **Also takes note** of the detailed deliberations that took place within IPHRC's four Working Groups on Palestine, the Rights of Women and of the Child, Islamophobia and Muslim minorities, the Right to Development and the Standing Mechanism on monitoring human rights situation in the Indian Occupied Jammu and Kashmir (IOJ&K) as well as relevant outcomes of these deliberations;

4. **Recalls** the comprehensive report of OIC-IPHRC field visit to Palestine in 2016, which included first-hand information on the appalling human rights violations against innocent Palestinians, witnessed during the visit. **Urges** the Member States and the General Secretariat to incorporate relevant recommendations of this report in their *Al-Quds policy* and **requests** the Commission to closely coordinate with the OIC General Secretariat to undertake a second visit to Palestine including Gaza as soon as the security environment permits;
5. **Further recalls** the comprehensive report of IPHRC field visit to Rohingya Refugee Camps in Bangladesh in 2018, which provided first-hand information on the human rights violations committed by the Myanmar authorities with concrete recommendations to different stakeholders to alleviate the sufferings and ensure the rights of Rohingya Muslims at all levels. **Urges** the Member States and the General Secretariat to incorporate relevant recommendations of this report in their efforts to protect and promote the human rights of the Rohingya Muslims as well as to raise the issue at all relevant forums. **Appreciates** the contributions of the IPHRC to the OIC Adhoc Ministerial Committee on Accountability and Justice for Rohingya and request it to continue to assist the Committee in the ongoing legal case in the International Court of Justice. Also **requests** the Commission to continue to sensitize the international community on the human rights and humanitarian aspects of the ongoing Rohingya Muslims crisis;
6. **Welcomes** the detailed report by the UN Office of the High Commissioner for Human Rights (OHCHR) released on 14<sup>th</sup> June 2018 and its update released on 8<sup>th</sup> July 2019, which confirmed the atrocities and violence perpetrated by the Indian occupation forces, with judicial impunity through draconian laws, against innocent Kashmiri Muslims in the IOJ&K in total disregard of their human rights obligations. The OHCHR Reports as well as the report of the UK Parliament's All Parties Parliamentary Kashmiris Group have corroborated the observations of the comprehensive report of the IPHRC fact finding visit on the same subject, which was presented to the 44<sup>th</sup> CFM. Also, while endorsing the call of OHCHR for a fact finding visit to the IOJ&K, requests IPHRC to continue to impress upon the Indian Government to provide access to the OIC-IPHRC fact finding visit to IOJ&K to objectively report on the human rights situation in IOJ&K.
7. **Further** welcomes the holding of Open Discussions on IOJ&K and Occupied Palestinian Territory (OPT) during the 16<sup>th</sup> regular session of IPHRC, where the representatives of Kashmiris and Palestine briefed the participants about the worsening human rights and humanitarian situation in IOJ&K and OPT, and encourages the IPHRC to continue to hold such Open Discussions in future.
8. **Acknowledges** the successful holding of the 6<sup>th</sup> IPHRC Annual International Seminar on '*Importance of Promoting and Protecting the rights of Youth for building peaceful, democratic and sustainable development*' in Tashkent, Republic of Uzbekistan and its comprehensive Outcome Document. **Urges** the General Secretariat to coordinate with the OIC Groups in New York and Geneva to incorporate recommendations provided in this Document in particular to

- support initiation of work on a universal instrument on the Rights of Youth as well as the need for effective implementation of the OIC Youth Strategy.
9. **Urges** the Commission to continue to collaborate with UN and international entities to prevent negative stereotyping of religions and religious personalities as well as corresponding incitement to hatred, discrimination and violence based on one's religion;
  10. **Further Appreciates** the Commission's activities in the year 2019, which included (i) participation and contribution at the 1<sup>st</sup> Session of the Ministers for Social Affairs on the "Social equality and welfare for all in the Member States; Opportunities and challenges" held in Istanbul from 7-9 December 2019; (ii) participation and contribution to the Extraordinary CFM on Islamophobia in Turkey after the Christchurch shooting and preparation of the draft OIC Islamophobia Strategy in collaboration with the OIC General Secretariat for consideration by the CFM; (iii) participation in the 7<sup>th</sup> Meeting of the Istanbul Process in the Hague and contribution on how to combat incitement to hatred and discrimination at global level in accordance with HRC Res. 16/18; (iv) participation in the OIC Workshop on Validation of the Action Plan for the improvement of the well-being of the Elderly and in the Member States" in Niamey, Niger from 24-25 Jan, 2019; (v) holding of joint workshop with the Office of the High Commissioner for Human Rights on the human rights mechanisms including the sharing of best practices from OIC Member States on the follow up of recommendations from its Universal Periodic Review process in Nov 2019; (vi) participation in the joint activities with and participation in the meetings of relevant UN and regional human rights mechanisms to discuss and promote views on issues of concern to the OIC; and (vii) compilation and publication of a booklet in cooperation with SESRIC on the "Human Rights standards and institutions in the OIC" for the general benefit of both the OIC countries and the broader international community;
  11. **Takes note** of the first part of a study by IPHRC that defines the concept/parameters of the Right to Development (RtD); identifies challenges and proposes the way forward. Also **takes note** of the progress made on the 2<sup>nd</sup> part of this study that elaborates the scope of earlier study and identifies the linkages with the Sustainable Development Goals for realization of the RtD, in close cooperation with the relevant international mechanisms including the UN Special Rapporteur on RtD;
  12. **Acknowledges** the valuable contributions made by the Inter-Governmental Working Group (during the three meetings held in December 2018, May & November 2019) to finalize the revised draft of the Cairo Declaration of Human Rights in Islam, titled '*Cairo Declaration of the OIC on Human Rights*', prepared by the IPHRC, and welcomes the presentation of the finalized text to the CFM;
  13. **Further acknowledges and appreciates** the Commission's valuable work to review and finalize a revised text of the '*OIC Covenant on the Rights of the Child in Islam*' in accordance with the international human rights instruments. Also **requests** the Secretary General to convene an Intergovernmental Working Group to discuss and finalize the revised text entitled "**OIC Convention on the**

- Rights of the Child”**, prepared by the IPHRC, for consideration by the next CFM;
14. **Welcomes** the election of nine Members of the Commission (Annex-1) held during the 47<sup>th</sup> Session of CFM, for a period of three years starting from February 2021.
  15. **Welcomes** the decision of the IPHRC to include the structure of a governing body in its Statute, in line with the ‘Framework Statute for Organs of the OIC’ while preserving the independence of the Commission and its peculiar organizational characteristics. To this end, urges the Commission to formulate and present the proposal for consideration /adoption during the 48th CFM;
  16. **Urges** Member States and relevant OIC Organs, including IDB, to take full advantage of the Commission’s advisory expertise, including by enhancing interaction and exploring avenues for developing joint projects and cooperation; as well as to support the work and activities of IPHRC;
  17. **Encourages** IPHRC to establish cooperation with the parliamentary Union of the OIC Member States with a view to strengthening and enhancement of the promotion and protection of human rights in consistence with the Charter of the OIC and the Statute of IPHRC.
  18. **Expresses** its appreciation to the Government of KSA for its continued support to the IPHRC Secretariat in Jeddah, and for its provision of required logistics and services. Also **requests** all Member States to continue to extend their support to the IPHRC enabling it to conduct its mandated tasks and activities with optimum facilitation.
  19. **Expresses** its thanks to the Secretary General for his valuable efforts to facilitate the work of IPHRC and requests him to continue extending support to the Commission from the General Secretariat to enable IPHRC to carry out its mandate in an organized and efficient manner.
  20. **Requests** further the Secretary General to follow up on the implementation of this Resolution and to submit a report thereon to the 48<sup>th</sup> Session of the CFM.

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**Election of Nine Members of the OIC Independent Permanent Human Rights Commission (IPHRC) for a Period of Three Years**

The Forty Seventh Session of the Council of the Foreign Ministers of the Organization of Islamic Cooperation (Session of United against Terrorism for Peace and Development), held in Niamey, Republic of Niger on 3-4 April 2020 (10-11 Shaban 1441H), proceeded to the election of nine Members of IPHRC for a term of three (3) years, starting from February 2021, pursuant to Article 3 of the IPHRC Statute as well as Rule 4 and 66 of the IPHRC Rules of Procedure.

The outcome of the election is the following:

**African Group:**

- Mr. Aboudou Ramanou Ali (Benin)
- Amb. Muhammad Lawal Sulaiman (Nigeria)
- Mr. Saïdo Dogon Guida (Niger)

**Arab Group:**

- Amb. Mahmoud Mostafa Afifi (Egypt)
- Mr. Abderrazak Rouwane (Morocco)
- Dr. Fahad Abdullah Alajlan (KSA)

**Asian Group:**

- Ms. Asila Wardak (Afghanistan)
- Amb. Hossein Rezvani (Iran)
- Dr. Haci ali Acikgul (Turkey)

## **OIC Convention on the Rights of the Child**

The States Parties to this Convention,

**Believing** that the values and principles constitute the system of life and the patterns of behavior of Muslim society in such a way as to realize security, stability, development and progress for the society within the family environment, which is the cornerstone of the social edifice;

**Guided** by the principles of Islam, which call for ensuring the welfare of children by granting them all their rights, including additional care for those living especially in difficult situations;

**Proceeding** from the efforts of the Member States of the Organization of Islamic Cooperation (OIC), which contributed to the development of the United Nations Convention on the Rights of the Child (UNCRC) of 1989, as well as all other universally agreed human rights instruments, in addition to the OIC Declaration on Human Rights and relevant declarations issued by the OIC Ministerial meetings on Childhood;

**Taking into account** the objectives and principles of the OIC, as provided for in its Charter and Resolutions;

**Reiterating** that all human rights are universal, indivisible and interdependent and interrelated and must be treated globally in a fair and equal manner, on the same footing, and with the same emphasis. It is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms while keeping in mind the significance of national and regional particularities and various historical, cultural and religious backgrounds;

**Aware of** the enormous responsibility towards the child in particular as the future of the Ummah;

**Recognizing** that the child occupies a unique and privileged position in the society with special needs and care that require legal protection.

**Reaffirming** the relevant principles and the provisions of universally agreed human rights instruments, in particular UNCRC, according to which every child is entitled to all the rights, freedoms and special care recognized and guaranteed therein, without distinction of any kind such as race, ethnicity, color, sex, language, religion, national/social origin, fortune, birth or other status;

**Seeking to** enhance the promotion and protection of the Rights of the Child in OIC Member States so as to adopt frameworks and mechanisms to mitigate the adverse effects of economic, social and environmental transformations; strengthen the role of the family to uphold the Islamic values and ideals, as well as to counter the harmful traditional and cultural practices;

**Considering** that children, as part of the vulnerable segments of society, bear a disproportionate burden of suffering as a result of natural and human-made disasters, such as armed conflicts, foreign occupation, famines and displacement; which, among other things, increases physical and mental disabilities; thus, needing special care and protection;

**Convinced** that the family, as the fundamental unit of society and the natural environment for the growth and well-being of all its members, particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibility within the community. The child should grow up in a family environment, in an atmosphere of compassion, care and understanding for the full and harmonious development of his/her personality;

**Recognizing** that the proper raising and development of the child shall require him/her to be acquainted with lofty ideals, ethics and universal values of Islam, to consolidate peace, dignity, tolerance, freedom, equality, fraternity and human brotherhood;

**Supporting** the plans, programs, and projects aimed at improving the conditions of childhood in the Islamic world, including the elaboration of national legislations or regimes ensuring the child's exercise of his full rights;

**Considering** that the present Convention affirms the rights of the child in the provisions of the Islamic Shari'a, taking into account the domestic laws of States and the rights of children of minorities and non-Muslim communities, in affirmation of the human rights shared by the Muslim and non-Muslim children;

**Recognising** the importance of international cooperation for improving the living conditions of children.

**Affirming** the responsibility of parents or legal guardians to guide the child in the enjoyment of the Rights and Freedoms stated in this Convention shall be respected.

Have agreed as follows:

**Article 1**  
**Definition of the Child**

For the purposes of the present Convention, a child means every human being below the age of 18 years unless, under the law applicable to the child, the majority is attained earlier.

**Article 2**  
**Objectives**

This Convention seeks to realise the following objectives:



- a. To ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child parents, legal guardians, or family members.
- b. To ensure a balanced and safe childhood, in order to develop responsible future citizens with the ability to shoulder corresponding responsibilities;
- c. To ensure the child's right to live within a family while enhancing the potential of the families by providing them with the necessary economic, social and cognitive support to enable them to raise their children better, morally, physically, psychologically and behaviorally;
- d. To provide additional care and assistance to children in difficult situations, especially the disabled, abandoned, orphan or homeless ones, whilst working on the eradication of the root causes leading to such situations;
- e. To universalise compulsory primary and secondary education, whilst ensuring it to be free of charge for low-income groups, in particular;
- f. To enhance the quality of teaching to the child by integrating thereto an appropriate education to citizenship, building on lofty ideals, ethics and universal values of Islam, in a manner that is reflected through behaviour and practice in all circumstances;
- g. To provide opportunities for the child to discover his/her talents and to recognise his/her importance and place in the society through the family and relevant institutions, as well as encourage his/her early participation in the cultural and social life of the society and inputs in the relevant development plans;
- h. To ensure that childhood issues are mainstreamed into core public policies and programs, by strengthening the principles of childcare while keeping their best interests as primary consideration at all levels, including in legislation and public policy making, judiciary and other social welfare institutions;
- i. To provide all and every possible assistance and support for children in all parts of the world, in coordination with governments, or through international and regional mechanisms.

**Article 3**  
**Principles**

To achieve the objectives contained in Article Two, it is incumbent upon States Parties to:

- a. Respect the principles of the Islamic Shari'a;
- b. Respect the objectives and principles of the OIC;
- c. Ensure that the child's best interests are the main consideration in every action concerning the promotion and protection of the rights of the child;

- d. Ensure equality of care, rights and responsibilities, and protection against all forms of discrimination among children on the grounds of religion, race, sex, color, language, disability, national or ethnic origin, social or familial status, wealth, poverty, and disability or birth;
- e. Observe the cultural and civilizational constants of the Islamic Ummah.

**Article 4**  
**Obligations of States**

States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction, without discrimination of any kind, and observe the following:

- a. Respect the rights stipulated in this Convention, and take the necessary steps to enforce them through national regulations in accordance with their obligations under international and regional Conventions.
- b. Respect the rights and responsibilities of parents, legal guardians, or other persons that are legally responsible for the child in accordance with existing domestic regulations as required by the child's best interests.
- c. Taking due account of the importance of the traditions and cultural values of each people for the protection and harmonious development of the child, and to prohibit all actions based on customs, traditions or practices that in conflict with the rights and duties stipulated in this Convention.
- d. Increase the budget allocation to child care, their education and other needs, in particular, those in difficult situations thus enabling them to exercise their economic, social and cultural rights within the limits of available national resources, especially for the abandoned, refugee and displaced children.
- e. Support parents, guardians and other persons legally responsible for the children to fulfil their duties towards them as may be required, including material assistance and support programs.
- f. Provide children with necessary means and knowledge to adapt to modern technologies, as well as to address corresponding challenges through legislative and administrative practices that may constitute threats for the child's safety and development or negatively affect his/her morals or behaviours.

**Article 5**  
**Equality**

- a. States Parties shall guarantee equality of all children as required by law to enjoy their rights and freedoms stipulated in this Convention regardless of sex, birth, race, religion, language, political affiliation, or any other consideration under the applicable law. It shall also protect the child against all forms of discrimination or

punishment on the grounds of the status, activities, expressed opinions or beliefs of his/her parents, legal guardians or members of the family.

- b. States Parties shall guarantee the child's right to protection and care deemed necessary for his/her welfare and development, taking into account the rights and duties of his/her parents, guardians or other persons legally responsible for them and, to this end, take all appropriate legislative and administrative measures for the realization of such rights.
- c. States Parties shall ensure the de-stigmatisation of groups of children, including the abandoned ones or those with one or both unknown parents. It shall ensure the right of the abandoned child and take all required measures to establish institutions and facilities of foster care for their protection and monitor the extent of their access to proper care, health and development.

**Article 6**  
**Right to Life**

- a. Every child has the right to life starting from a fetus in his /her mother's womb. Abortion should be prohibited, save under extreme necessity, warranted by the health interests of the mother, the fetus, or both of them.
- b. States Parties to the Convention shall guarantee the child's right to survival, development and protection against violence, abuses, exploitation, and deterioration of his/her living and health conditions.
- c. The death penalty shall not be inflicted on a person under 18 years of age, on a pregnant woman prior to her delivery or on a nursing mother within two years from the date on which she gave birth. Capital punishment shall also not be inflicted for crimes committed before reaching 18 years of age.

**Article 7**  
**Right to Identity**

- a. A child shall, from birth, born in or out of wedlock, have right to a good name, descent and to be immediately registered with authorities concerned, to acquire a nationality and to know his/her parents, relatives and foster mother, to the extent possible.
- b. States Parties shall safeguard the elements of the child's identity, including his/her name, nationality, and family relations in accordance with their domestic laws and shall make every effort to resolve the issue of statelessness for any child born on their territories or to any of their citizens outside their territory.
- c. The child of unknown descent shall enjoy the right to identity (including name and nationality) social and legal status, and the right to a foster family through guardianship and the right to dignity and de-stigmatisation.

**Article 8**  
**Family Cohesion**

- a. The family is the natural and fundamental unit of society. It shall enjoy the protection and support of the State for its establishment and development.
- b. States Parties shall undertake all legal, economic, social, moral and educational measures to strengthen the cohesion of the family as well as to provide its members with the necessary care and protection to address the causes of family weaknesses and disintegration.
- c. To ensure that the child remains under the custody of his/her family, which shall continue to be responsible for him/her. The child should not be separated from his/her family, save under extreme necessity, guided by the best interests of the child, in accordance with domestic laws and judicial procedures, where the opportunity is provided for both the child, one or both parents, or a family member to make their views known. In this case, the child shall not be denied the right to continue his/her links with his/her parents and exchange visits with them, according to legal procedures.
- d. In cases where a child is deprived of his/her family, for whatever reason it may be, he/she shall be entitled to be received in a foster family to take care of him/her, while encouraging people to provide foster care to orphaned and abandoned children. When considering alternative family care, due regard shall be paid to the desirability of continuity in a child's upbringing and the child's ethnic, religious or linguistic background.
- e. The child should be permitted to leave his/her country with his/her parents, except in cases where he had been separated from them, in accordance with applicable laws and procedures or imposed legal restrictions on his/her departure.
- f. States Parties shall ensure that a child separated from one of his parents enters or departs from a State Party for the purpose of family reunification, ensuring that it does not entail any harmful consequences for the child or members of his/her family.
- g. In case where the child parents living in two different States, States Parties shall have right to maintain personal relations and direct contact with both parents, save exceptional circumstances.
- h. States Parties shall take appropriate steps and measures to combat the illegal transfer and non-return of children abroad.

**Article 9**  
**Freedoms of Expression and Opinion**

- a. Every child has the right to respect for his/her private life and to protect his/her image against any exploitation.
- b. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of

the child being given due weight in accordance with the age and maturity of the child, subject to such restrictions as are prescribed by law.

- c. The right to freedom of expression shall include the right to information, generating, seeking and disclosure of views, either orally, in writing, or through any other lawful means, in a manner which shall not be in contradictory to the societal morals, ethics or lawful restrictions to safeguard public order, including public health and respect for others rights and reputation;
- d. The child shall be allowed to express his/her opinion in any judicial and administrative proceedings involving him/her, whether directly or through a representative or a qualified body, in compliance with the applicable rules of the domestic legal system;
- e. States Parties shall ensure that the media plays its legitimate role, in disseminating the information and material of social and cultural benefits to the child, enabling him/her to access information in particular, of such a nature as may contribute to his / her intellectual development, physical and mental health, social, spiritual, moral and linguistic well-being, and to this end, shall guide and take all and any appropriate measures to protect the child against the negative impacts of such pieces of information and materials which may be harmful to his/her interests or morality.

#### **Article 10**

#### **Right to Freedom of Peaceful Assembly**

- a. Every child shall have the right to form and join any peaceful, civilian gathering in accordance with legal and statutory provisions of his/her State and in a way that is compatible with his/her age and does not affect his/her behavior, health or heritage, family, identity or citizenship, with strict compliance with the requirements of national security, safety, public order, public health and others rights and freedoms.
- b. For the exercise of his/her liberty, the child, his/her family, residence, honour, reputation or correspondence shall not be subjected to any arbitrary or unlawful treatment. The child shall be protected against such exposures by law.

#### **Article 11**

#### **Upbringing**

- a. A sound upbringing is a right of the child and shall be the primary responsibility of his/her parents or legal guardian, as the case may be. States Parties shall render appropriate assistance to parents and legal guardians in the performance of this responsibility and shall ensure the development of institutions, facilities and services for the care of children while keeping the best interests of the child as the basic concern.
- b. Appropriate measures shall also be taken by States Parties to ensure that child-care services and facilities are provided to children of working parents and the eligible working parents shall have the right to benefit from such amenities.

- c. The upbringing of the child shall aim at the following objectives:
- i. to develop the personality, religious and moral values, sense of citizenship, Islamic and human solidarity of the child, as well as to instill in him/her a spirit of understanding, dialogue, tolerance, and friendship among peoples.
  - ii. to encourage the child to acquire skills and capabilities to face and address new situations and challenges, including harmful cultural and traditional practices, through scientific and objective reasoning.
  - iii. to prepare the child to positively embrace the digital age “Information Communication Technologies” to contribute constructively for the betterment of society.

**Article 12**  
**Education and Culture**

- a. Every child has a right to free compulsory basic education, including learning the principles of Islamic teachings, while ensuring quality, and equal opportunity. States Parties shall provide as much as possible, the necessary means for the development of mental, psychological and physical abilities of the child, thus building his/her cultural and ideological identity, in such a manner as to enable him/her to be open to the universally shared principles of humanity.
- b. For the full and progressive achievement of this right, States Parties shall in particular:
  - i. ensure compulsory, free primary education for all children on an equal footing, regardless of age criterion, and provide support to the needy families;
  - ii. ensure compulsory free secondary education, in its various forms, including vocational training, with financial assistance where appropriate;
  - iii. provide, ethical, behavioural, professional and modern education materials to all children, whilst ensuring respect for their dignity;
  - iv. recognise the students’ right to wear dresses compatible with their religious beliefs, without prejudice to provisions of public order, morality, modesty and decency.
  - v. taking care of children with disabilities and special needs, by providing them with facilities which are necessary for their education, training, preparation for employment, rehabilitation and recreational opportunities in a manner conducive to achieving the fullest possible integration and individual development as well as their cultural and moral development.
  - vi. mainstream Human Rights Education (HRE) at all levels, enabling children to respect human rights and fundamental freedoms, as well as principles embodied in the present Convention;

- vii. educate the child to respect his/her identity, language, cultural and national values, as well as to develop a spirit of understanding, peace, tolerance, equality and respect for other civilisations and cultures;
- viii. educate him/her to respect and conserve the natural environment, through his/her behaviour and practice, and to preserve his/her country's potentials and natural resources.
- c. To take necessary steps to provide education and guidance material on sexual health, in accordance with the moral norms, taking into account the child's age and evolving capacities.
- d. States Parties shall endeavour to eradicate illiteracy, including the functional illiteracy, facilitate scientific and technical knowledge and promote international cooperation on matters relating to education and literacy.
- e. In countries where ethnic, religious or linguistic minorities exist, governments shall ensure the promotion of the rights of children belonging to those minorities to enable them to exercise their cultural and religious practices, including the use of their own language, without any prejudice to the national unity and the cohesion of his/her nation.

**Article 13**  
**Right to Rest and Leisure**

- a. The child is entitled to times for rest and leisure, and to engage in play and recreational activities that are suitable to his/her age during his/her free time.
- b. States Parties shall facilitate the right of the child to participate in cultural and artistic spheres and shall promote the provision of adequate infrastructure and fair opportunities for cultural and artistic activities.
- c. Parents or legal guardians shall have the right to oversee the child during these activities, to such an extent as may be required by law and moral values.

**Article 14**  
**Right to an Adequate Standard of Living**

- a. Every child is entitled to a standard of living adequate for his physical, mental, spiritual, moral and social development. The parents or one of them or legal guardians of the child, within the limits of available financial means, shall have the duty to secure the living conditions required for his/her proper development.
- b. Every child is entitled to custody and maintenance due to his/her inability to preserve and maintain himself/herself.
- c. States Parties shall take the necessary legal and procedural measures to ensure that child maintenance is collected from those who are bound by it, be it within or outside the country.

- d. States Parties shall establish funds for social solidarity for the maintenance of orphans and abandoned children. It shall also establish family solidarity funds to provide support for children, especially in cases where those who are legally bound to maintain them become insolvent or cannot be found.
- e. The child shall be entitled to social security, including social insurance, in accordance with the laws and procedures of the country.

**Article 15**  
**Right to the Enjoyment of the Highest Attainable Standard of Health**

- a. States Parties recognise the right of the child to the enjoyment of the highest attainable standard of health and to strive to ensure that no child is deprived of his/her right of access to required health care services.
- b. States Parties shall ensure the full realisation of this right by undertaking the necessary measures to:
  - i. enable the child to enjoy the right to health care, including when he/she is a fetus, by providing proper prenatal and postnatal care to reduce infant, child and maternal mortality and morbidity.
  - ii. Sensitise the entire community, especially prospective couples, pregnant women, parents and children to the benefits of health conditions and balanced nutrition, breastfeeding and environmental hygiene, prevention of accidents and inclusion of necessary education programs, aimed at providing the required health information about all those elements. Medical examination for prospective couples may be made compulsory to ensure the absence of the causes of hereditary or contagious diseases which portend danger for the child.
  - iii. develop national prevention and counselling programs for parents, including education to family planning and prevention of diseases, accidents and environmental hazards.
  - iv. combat diseases, including infectious and communicable ones, and malnutrition, even within the framework of the primary health care, by applying available technologies while taking into account all the risks associated with the environmental pollution and hazards.
  - v. provide basic immunisation free of charge, and make it compulsory for every child.
- c. States Parties shall undertake all effective and appropriate measures to eradicate unhealthy practices, such as Female Genital Mutilation/Cutting-FGM, unsafe male circumcision, and dangerous traditional methods of treatment.
- d. States Parties shall take appropriate measures to protect children against drugs, intoxicants and other harmful substances.



**Article 16**  
**Rights of Children with Disabilities and Special Needs**

- a. A physically or mentally disabled child, or one with special needs, is entitled to receive special care that guarantees his/her full rights and is commensurate with his/her case and the conditions of his/her parents or of his/her legal guardian, within their available capabilities.
- b. States Parties recognizing the special needs and entitlements of a disabled child or one with special needs, in accordance with paragraph (a) of the present article, shall provide required care/assistance free of charge, whenever possible, taking into account the financial resources of the parents or others caring for the child, to ensure that the disabled child has effective access to and receives education, training, health care services, rehabilitation services, preparation for employment and recreation opportunities in a manner conducive to the child's achieving the fullest possible social integration and individual development, including his or her cultural and spiritual development.
- c. States Parties shall promote, in the spirit of international cooperation, the exchange of appropriate information in the field of preventive health care and of medical, psychological and functional treatment of disabled children, including dissemination of and access to information concerning methods of rehabilitation, education and vocational services, with the aim of enabling States Parties to improve their capabilities and skills and to widen their experience in these areas. In this regard, particular account shall be taken of the needs of developing countries.

**Article 17**  
**Child Protection**

- a. Parent or legal guardians of the child and the State shall protect him/her against harmful, social, intellectual or cultural dangers, hazards and traditions, or against whatsoever negatively affects his/her dignity, health, character or development, and shall endeavor to protect him/her against any discrimination based on sex, color, religion, social status or otherwise, within the framework of public order and legal rules, as well.
- b. States Parties shall take all necessary legislative, administrative, social and educational measures to protect the child from:
  - i. illegal use of drugs, intoxicants and harmful substances, or participation in their production, promotion, or trafficking.
  - ii. all forms of torture or other cruel inhuman or degrading treatment in all circumstances and conditions, including all forms of physical or mental violence, injury or abuse, neglect, maltreatment or exploitation.
  - iii. abduction, smuggling, kidnapping, sale of, or trafficking for any exploitative purpose or in any form, by any person including parents or legal guardians.

- iv. all forms of sexual exploitation and abuse, including the use of children in prostitution, sexual performances including pornography, and to engage in other sexual activities.
- v. cultural, ideological, information and communication influences, which contradict the Islamic teachings or the national interests of State Parties.
- vi. separation from his/her parents against the wish of the child except for the purpose of his/her education and welfare or in the exercise of a judicial determination.
- vii. child marriage before attaining majority, as defined by applicable laws.

**Article 18**  
**Protection of Children during Armed Conflicts**

- a. States Parties to this Convention shall undertake to respect and ensure respect for rules of international humanitarian law applicable in armed conflicts which affect the child.
- b. States Parties to the present Convention shall take all necessary measures to ensure that no child shall take a direct part in hostilities and refrain in particular, from recruiting any child.
- c. States Parties to the present Convention shall, in accordance with their obligations under international humanitarian law, protect the civilian population in armed conflicts and shall take all feasible measures to ensure the protection and care of children who are affected by armed conflicts. Such rules shall also apply to children in situations of internal armed conflicts, tension and strife.

**Article 19**  
**Child Labor**

- a. Every child shall be protected from all forms of economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's physical, mental, spiritual, moral, or social development, or which may deny him/her the right to education and training.
- b. States Parties shall take all appropriate legislative and administrative measures to ensure the full implementation of this Article which covers both the formal and informal sectors of employment and having regard to the relevant provisions of other international instruments. States Parties shall in particular:
  - i. fix a minimum working age, working conditions and hours for children's admission to employment;
  - ii. promote the dissemination of information on the hazards of child labour and provide appropriate education and training to counter child labour;

- iii. provide for appropriate penalties or other sanctions to ensure the effective enforcement of this Article;
- c. States Parties shall take effective measures to ensure the prohibition and elimination of the worst forms of child labour.

**Article 20**  
**Judicial Protection of Children**

- a. No child shall be deprived of his/her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be made in conformity with the law and shall be only as a measure of last resort and for the shortest appropriate period.
- b. The child right to a fair trial shall be respected, in accordance with the law and the legal procedures in force. A child deprived of his/her freedom shall be treated in a way consistent with dignity, respect for human rights and basic freedoms. Needs of persons of his/her age shall be observed.
- c. States Parties to the Convention shall ensure the following:
  - i. a child shall be brought before a specialised judicial organ (juvenile court), and shall not appear before the court at the same hearings when other adults are being prosecuted. Juvenile cases must be considered expeditiously.
  - ii. a child shall be informed immediately and directly about the charges against him/her upon his/her summoning or apprehension, and his/her parents, guardian or lawyer shall be invited to be present with him/her.
  - iii. a child shall be provided with legal and humanitarian assistance where needed including access to a lawyer and an interpreter, if necessary.
  - iv. Juvenile offenders shall be kept separated from adults in special places meant for delinquent children.
  - v. no child is subjected to torture or other cruel, inhuman or degrading treatment or punishment. Neither capital punishment nor life imprisonment without the possibility of release shall be imposed for offences committed by the child.
  - vi. respect for the child's privacy, no hearing related to a child's trial shall be public, including undue press coverage and public presence during all stages of the lawsuit.
  - vii. no child shall be compelled to plead guilty or to offer testimony.
  - viii. punishment shall be considered as a means of reform and care in order to rehabilitate and reintegrate the child into society.
  - ix. a minimum age under which the child may not be tried shall be determined.
- d. No child shall be subject to arbitrary or unlawful interference with his privacy, family home or correspondence, or to the attacks upon his honour or reputation, provided

that parents or legal guardians shall have the right to exercise reasonable supervision over the conduct of their children. The child has the right to the protection of the law against such interference or attacks.

#### **Article 21**

#### **Parents Responsibility to Protect the Child from Detrimental Practices**

- a. Parents or legal guardians shall be obliged to provide good education and upbringing for the child.
- b. Parents or legal guardians and States Parties shall protect the child from practices and traditions which are socially or culturally detrimental or harmful to the health, and from practices which have negative effects on his/her welfare, dignity or growth, as well as those leading to discrimination between children on basis of sex or other grounds in accordance with the national laws and without prejudice to Islamic teachings.
- c. Parents or legal guardians shall have the primary responsibility for the child's upbringing and development, and shall have the duty:
  - i. to ensure that the best interests of the child are their basic concern at all times;
  - ii. to secure, within their abilities and financial capacities, conditions of living necessary to the child's development; and
  - iii. to ensure that domestic discipline is administered humanely and, in a manner, consistent with the inherent dignity of the child.

#### **Article 22**

#### **Responsibilities of the Child**

Every child shall have responsibilities towards his/her family and society, the State and other legally recognized communities and the international community. The child, subject to his/her age and ability, and such limitations as may be contained in the present Convention, shall:

- a. work for the cohesion of the family, to respect his parents and elders at all times and to assist them in case of need;
- b. serve community by placing his/her physical and intellectual abilities at its service;
- c. preserve and strengthen Islamic cultural values in his/her relations with other members of the society, in the spirit of tolerance, dialogue and consultation and to contribute to the well-being of society.

**Article 23**  
**Protection of Children in the events of Displacement and Refuge**

- a. States Parties shall ensure, as much as possible, that refugee children, or those legally assimilated to this status, enjoy the rights provided for in this Convention within their national jurisdiction.
- b. States Parties shall undertake to:
  - i. all appropriate measures to ensure that a child who is seeking refugee status or who is considered a refugee in accordance with applicable international or domestic laws shall, whether unaccompanied or accompanied by parents or a legal guardian, receive appropriate protection and humanitarian assistance in the enjoyment of the rights set forth in this Convention and other international human rights and humanitarian instruments to which each State is a party to;
  - ii. cooperate with relevant international organizations in their efforts to protect and assist child refugees;
  - iii. provide the same protection for refugee children, found without parents or a legal guardian, as accorded to any other child permanently or temporarily deprived of his/her family environment for any reason, as well as to trace his/her parents or other close relatives to obtain information necessary for reunification with the family;
- c. The provisions of this Article apply mutatis mutandis to internally displaced children, whether through natural disaster, internal armed conflicts, civil strife, breakdown of economic and social order or a similar situation.

**Article 24**  
**Rehabilitation of Children**

- a. A child who has been victim of any form of neglect, exploitation or abuse, torture or other kinds of cruel, inhuman or degrading treatment or punishment, or armed conflict shall be guaranteed the right to physical and psychological rehabilitation and social reintegration.
- b. States Parties shall take appropriate measures, in accordance with their available means and capabilities, to rehabilitate the child within an environment suitable for the promotion of his/her health, self-respect and dignity, in such a manner as may be required to facilitate his/her reintegration into life.

**Article 25:**  
**National Mechanism on the Rights of the Child**

States Parties, in accordance with their system of organisation, shall designate one or more focal points within government for matters relating to the implementation of the present Convention, and shall give due consideration to the establishment or designation of a coordination mechanism within government to facilitate related action in different

sectors and at different levels. NHRIs and civil society shall also be involved in the monitoring of its implementation process.

**Article 26**  
**Signing, ratification and or accession to the Convention**

- a. The present Convention shall be open for signature by all Member States of the OIC.
- b. The ratification and accession to the present Convention shall be open for all Member States.
- c. The instruments of ratification shall be deposited with the Secretary General of the OIC.

**Article 27**  
**The Convention's Entry in force**

- a. The present Convention shall enter into force on the thirtieth day following the date of deposit with the Secretary General of the OIC of the twentieth instrument of ratification.
- b. For each State ratifying or acceding to this Convention, after the deposit of the twentieth instrument of ratification, the Convention shall enter into force on the thirtieth day after the deposit by such State of its instrument of accession.

**Article 28**  
**Implementation Mechanism of the Convention**

- a. States Parties to the present Convention agree to establish an OIC Committee on the Rights of the Child.
- b. The Committee shall be composed of independent experts elected by States Parties to the present Convention and shall meet in two sessions every year, starting from the date of entry into force of this Convention, at the headquarters of the Organization of the Islamic Conference, to examine the progress made in the implementation of this Convention.
- c. The proceedings of the meeting, for which two-thirds of the States Parties shall constitute a quorum, shall be governed by the rules of procedure for the meeting of the conferences of the Organization of Islamic Conference.
- d. States Parties shall submit to the Committee on the Rights of the Child, through the Secretary General of the OIC, their own reports on the measures that they have adopted to enforce the rights set out in the present Convention, as well as on the progress made for the effective enjoyment of the said rights by children. Where necessary, the reports may indicate any reasons and difficulties which may have prevented the achievement of such goal.

- e. The Committee shall, upon request, provide technical advice or assistance to any concerned State Party. It may make suggestions and general recommendations based on the available information, in line with the implementation process of this Convention.
- f. The Committee may also consult with the OIC Independent Permanent Human Rights Commission (IPHRC) for suggestions and recommendations to the OIC General Secretariat.

**Article 29**  
**Reservation, withdrawal and Amendment**

- a. Member States shall have the right to make reservation to a provision of this Convention, provided such reservation shall not be contrary to its aims and purposes.
- b. Reservation may be withdrawn at any time through notification to the Secretary General of the OIC, who shall then inform all the Member States. Such notification shall be effective as of date of its receipt by the Secretary General.
- c. Any State Party may denounce the present Convention by written notification to the Secretary General of the OIC. The denunciation shall be effective on the thirtieth day from the date of receipt by the Secretary General of such notification.
- d. A State Party may apply for an amendment to the present Convention through written notification to the Secretary General of the OIC. The Secretary General shall then inform the States Parties of the proposed amendment. The amendment shall become effective only with the support of a two-thirds majority of the States Parties.

**Article 30**  
**Official Languages and Registration**

- a. The present Convention has been drafted in Arabic, English and French languages, authentic copies in these three languages shall be deposited with the Secretary General of the OIC.
- b. States Parties shall undertake to disseminate widely the principles and provisions of the Convention through appropriate and effective means, among adults and children.

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