



OIC/CFM-40/2013/IPHRC/SG-REP

REPORT OF THE
SECRETARY-GENERAL
ON THE
OIC Independent Permanent Human Rights
Commission
(IPHRC)
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REPORT OF
THE SECRETARY GENERAL
ON
FOLLOW UP ON THE WORK OF THE
OIC INDEPENDENT PERMANENT HUMAN RIGHTS COMMISSION
(IPHRC)

INTRODUCTION:

1. Establishment of the OIC IPHRC represents a singularly significant landmark in the four decade long history of the OIC. The vision for its establishment was provided by the leadership of the OIC in the Ten-Year Programme of Action (TYPOA) adopted by the 3rd Extraordinary Islamic Summit held in Makkah Al-Mukarramah in 2005. The next Summit in Dakar (2008) accorded IPHRC a statutory status in the OIC Charter.
2. In implementation of the OIC TYPOA and of Article 5 and 15 of the OIC Charter, the 38th Session of the Council of Foreign Ministers (CFM) held in Astana, Republic of Kazakhstan, from 28-30 June 2011, adopted the Statute (CFM Res. No. 2/38-LEG) of the OIC IPHRC, and approved the election of its 18 highly qualified experts/members (CFM Res. No. 7/38-ORG). It was further decided by CFM Res. No. 2/38-LEG that the IPHRC should start its operation within the OIC General Secretariat, pending a decision on its headquarters' location to be taken at the 39th Session of the CFM.

OBJECTIVES:

3. In accordance with the statute of the OIC Charter and Statute of the IPHRC, the Commission:
 - a) shall seek to advance human rights and serve the interests of the Islamic Ummah in this domain, consolidate respect for the Islamic cultures and noble values and promote inter-civilizational dialogue, consistent with the principles and objectives of the OIC Charter;
 - b) shall support the Member States' efforts to ensure consolidation of civil, political, economic, social and cultural rights in their countries in accordance with OIC Charter;
 - c) shall monitor observance of the human rights of Muslim communities and minorities in non-Member States;
 - d) shall support the Member States' efforts in terms of policies aimed at enhancing legislation and policies in favour of advancing the rights of women, the young and those with special needs, in the economic, social, political and cultural fields as well as eliminating all forms of violence and discrimination.

IPHRC SESSIONS AND RELATED OIC MEETINGS

4. The OIC IPHRC held its *first informal (orientation) meeting*, at the OIC Headquarters in Jeddah on December 7-8, 2011. The meeting was utilized to brainstorm on the functions and mandates of the IPHRC in accordance with its Statute and the OIC Charter. The meeting was attended by all eighteen members of the Commission and useful discussions were held on different aspects of the mandated tasks.
5. The IPHRC further held its *First and Second regular sessions* respectively in Jakarta, Republic of Indonesia, on 20-24 February 2012, and in Ankara, Republic of Turkey, on 27-31 August 2012. Comprehensive and fruitful discussions were held in these sessions on different aspects of the work and functioning of the IPHRC that led to a number of conclusions and recommendations. During these sessions, in accordance with Article 25 of its Statute, IPHRC also elaborated its Rules of Procedure, for consideration and endorsement by the 39th Session of the CFM.
6. The Final Communiqué adopted at the Extra-ordinary Executive Committee Meeting held on 5 August 2012, in Jeddah requested **the OIC Independent Permanent Human Rights Commission (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 (CFM) towards addressing the issue in an effective manner. The recommendation was, subsequently, endorsed by the Resolution 3/4-EX (IS) adopted at the Fourth Extraordinary Summit held on August 14-15 in Makkah Al Mukarramah.
7. The *41st session of the Permanent Finance Committee* (PFC), held in Jeddah, on 16-18 September 2012, allocated a total amount of 1,452,000 US \$, out of the budget of the General Secretariat, to form the operating budget of the IPHRC for the year 2013.
8. The *39th Session of the CFM*, held in Djibouti, Republic of Djibouti, on 15 – 17 November, 2012, through Res. No. 2/39-LEG, took note of the conclusions and recommendations of the two IPHRC sessions held in Jakarta and Ankara and requested the Commission to continue to work towards fulfilling its objectives as stipulated in the Commission’s Statute and to offer its expert advisory opinion to Member States, notably on the issue of combating intolerance and discrimination against Muslims. The 39th CFM also endorsed the IPHRC Rules of Procedure and reaffirmed the continuation of the Commission’s work at the OIC Headquarters, pending a decision on the permanent location of its headquarters.
9. Furthermore, the *39th Session of the CFM*, through Resolution No.41/39-P on an OIC Approach for Combating Discrimination and Intolerance against Muslims, mandated the

IPHRC to consider a set of available options to adopt a unified stance on combating discrimination and intolerance against Muslims, including by consulting and interacting, according to its statute, with high-level international experts on the matter. Resolution no. 22/39- POL on negative impact of economic and financial sanctions on the full enjoyment of human rights by people of the targeted country also mandated the Commission to undertake a comprehensive study on negative impacts and consequences of economic and financial sanctions on enjoyment of all human rights by people of the OIC targeted Member States and to present accordingly an in-depth report to the Council of Foreign Ministers at its Forty Session. During the 39th CFM, the IPHRC was represented by four Member of the Commission, including Dr. Siti Ruhaini Dzuhayatin (Chairperson), Dr. Saleh Al-Khatlan, Amb. Abdul Wahab and Amb. Mohamed Ibrahim.

10. On 29- 30 December 2012, IPHRC held an inter-sessional Working Group Meeting, in Jeddah, at the OIC Headquarters, which was attended by six members namely Dr. Ruhaini Dzuhayatin (Chairperson), Amb. Mohamed Ibrahim, Amb. Abdul Wahab, Dr. Mamdouh Al-Aker, Dr. Saleh Al-Khatlan and Amb. Wael Attiya. Working Group members deliberated in detail on various aspects of IPHRC work and various recommendations in accordance with its Statute as well as mandates by the preceding CFM. The Working Group recommended that the 3rd IPHRC Session, to be held in Jeddah, be used: a) to establish contact with relevant OIC Institutions, particularly IDB, to examine areas of cooperation/joint projects, notably in relation to the agenda item on right to development; b) to have interaction with Human Rights mechanisms of the European Union and the African Union among activities for 2013, along with a visit to Palestine; and c) requested the Secretariat to send a Note Verbale to Member States requesting information on their existing legislation and policies aimed at promoting Human Rights in priority areas identified by the Commission, in accordance with its Statute.
11. The *12th Session of the Islamic Summit Conference*, held in Cairo, Arab Republic of Egypt, on 6-7 February 2013, in its Final Communiqué recognized the importance for the IPHRC and the Panel of Eminent Persons (constituted in implementation to CFM Res. 41/39-POL on an OIC approach for combating discrimination and intolerance against Muslims), to continue to work in close coordination with one another, requesting the Commission to report in this regard to the 40th Session of the CFM.
12. The *3rd Regular Session of the IPHRC* was held in Jeddah, at the OIC Headquarters, on 26-31 October 2013. The Agenda of the Session focused on three main items, namely: the Human Rights Situation in Palestine and other Occupied Arab Territories; Civil, Political, Economic, Social and Cultural rights in OIC Member States, Human Rights situations and issues on the OIC Agenda, including the issue of Discrimination and intolerance against Muslims and the issue of Rohingya Muslims in Myanmar.

13. The Commission discussed various human rights aspects of its agenda items and decided to establish four Working Groups to address these issues in an effective and sustained fashion. These Working Groups include the one on Palestine; on the Rights of Women and of the Child; on Islamophobia and Muslims Minorities; and on Right to Development. It also created an Adhoc Working Group to establish a proper framework for interaction between IPHRC and Member States' accredited national human rights institutions (NHRIs) and civil society organizations, in accordance with the Commission's Statute. Other important decisions taken by the Commission during its 3rd Session include the decision to undertake a visit to Palestine, with a view to assessing the human rights situation on the ground. Furthermore, in relation to various mandates and tasks given by the 39th Session of the CFM, as well as the 12th Islamic Summit, the Commission has prepared concise reports/recommendations, which are submitted to the 40th Session of the CFM, in annex to the IPHRC's 3rd Session Report, contained in document No. OIC/IPHRC-3/2013/REP.FINAL. (Copy enclosed)

IPHRC MEMBERS' MANDATED/RELATED ACTIVITIES:

14. On 10-14 December 2012, seven Commission Members, including Dr. Ruhaini Dzuhayatin (Chairperson), Amb. Ousman Diao Balde, Amb. Mohammed Kawu Ibrahim, Mr. Mohammed Lamin Timbo, Mr. Mohammed Raissouni, Amb. Ilham Ibrahim Ahmed and Ms. Asila Wardak participated in a weeklong consultation visit in New York. The visit included meetings with various officials of the United Nations, including Mr. Jehangir A. Khan, Deputy Director, Department of Political Affairs, Ms. Marta Santos Pais, Special Representative of the Secretary General for Violence against Children, Kate Gilmore, Assistant Secretary-General and Deputy Executive Director of the United Nations Population Fund (UNFPA) and other high officials from UNICEF, OHCHR, UNDP and UN OCHA. The program included a one day visit to Washington D.C., where Members of the Commission met with representatives from United States Senate Foreign Relations Committee and the NGO Freedom House Panel.
15. On 12-14 December 2012, Mr. Mohammed Timbo participated and represented the Commission, in the 2nd International Expert Meeting on the Follow-up of Implementation of the UN Human Rights Council (HRC) Resolution 16/18 on "Combating Intolerance, Discrimination, Incitement to Violence and Violence on the basis of Religion or Belief", held in London, Wilton Park, within the framework of the "Istanbul Process". The Commission expressed its support for a continued dialogue under the Istanbul Process and contributed to the ongoing debate on the subject.

16. The Commission represented by Amb. Wael Attiya, participated in the meeting of the Panel of Eminent Persons on Combating Discrimination and Intolerance against Muslims (mandated by CFM Resolution No 41/39-P), held at IRCICA premises in Istanbul, on 7- 8 January 2013. During this meeting the Commission expressed its views on the importance of addressing this menace through a systematic approach which brings to fore the collective force of international conscience against this practice. In that regard it was suggested that the issue be dealt in an orderly and organized manner collecting all available data on various trends and manifestations as well as existing tools (legal and political) at different levels to address these incidents in a non-politicized manner. Use of relevant expert mechanisms to address the normative and implementation gaps in existing legal obligations was also highlighted. The Commission also raised pertinent questions to Panel of Experts on the legal interpretation of the concept of defamation of religions as well as its linkage to other related issues such as anti-Semitism and incitement to hatred, discrimination and hostility etc. as well as the best way forward to deal this issue in a legal framework. (A short report of the Commission on the Subject is also attached for information). Panel of Experts dealt with this issue in detail in their report from different angles and made specific recommendations, which are given in the report of the Panel to the 12th Islamic Summit.
17. The IPHRC also participated in the 3rd Meeting of International Experts on the Implementation of HRC Resolution 16/18 on Combating Intolerance and Incitement to hatred on Religious grounds. The three day meeting, hosted by the OIC, was held in Geneva from on 19-21 June 2013 within the framework of the Istanbul Process launched by the OIC Secretary General and former US Secretary of State Hillary Clinton in July 2011. It was attended by delegations from over 60 Countries, international organizations, civil society organizations and other interested guests. The Commission represented by its Chairperson, Dr. Ruhaini Dzuhayatin, and Amb. Wael Attiya, expressed support for the 16/18 approach and emphasized that dialogue needs to concentrate on common values, such as dignity, peaceful coexistence and the respect of the rights of others. They also underscored the need for the religious leaders to reinforce the work done at the international level on this subject.
18. The Commission, represented by Amb. Mostafa Alaei, participated in a seminar on “OIC and Human Rights”, organized by the Danish Institute for Human Rights (DIHR), held in Copenhagen on September 13th, 2013. Amb. Alaei offered an overview of IPHRC’s mandates and objectives according to the Commission’s statute as well as the OIC Charter and responded to participant’s queries regarding the Commission areas of interests and focus.
19. The Commission, represented by its Chairperson, Dr. Siti Ruhaini Dzuhayatin, participated in a Side Event on “Women empowerment and participation to the public life”, jointly organized by the OIC and the African Union, held in Geneva, on September 19th 2013, on the sidelines of the 24th Session of the HRC. The event was inaugurated by the UN High

Commissioner for Human Rights, Navi Pillay, who expressed her appreciation that the IPHRC has identified the rights of women as one of its priority areas of work and called upon the Commission to build upon the work done by CEDAW and other relevant Special Procedures. The IPHRC Chairperson recalled the important steps taken by the OIC starting with the adoption of the Plan of Action for the Advancement of Women and the establishment of the OIC Women's Development Organisation in 2010 and called upon a wide range of actors, particularly States, to take all necessary measures to ensure maximum participation of women in public life.

20. During this visit, the Chair of IPHRC also had a bilateral meeting with the High Commissioner Pillay and discussed issues of mutual interest. During their meeting, held in Palais Wilson, Ms Pillay reiterated her support for the work of the IPHRC as being one of the major achievements of the OIC as well as the youngest human rights expert body operating within an intergovernmental framework. She also encouraged the IPHRC to continue interacting with relevant regional and international bodies with a view to ensuring fruitful collaboration in the area of promoting human rights. She also expressed hope that Member States will help transform the true potential of the IPHRC into tangible results, notably by facilitating inputs by civil society organizations and providing the Commission with required human and financial resources. Dr. Ruhaini at her end assured that IPHRC looks forward to a fruitful and mutually respectful interaction with OHCHR.
21. The Commission, represented by Amb. Ilham Ibrahim Ahmed, participated in a Workshop convened by the United Nations Working Group on Discrimination against Women in Law and in Practice of the HRC, held in Geneva, on October 1st 2013. During the workshop, which gathered representatives from various regional human rights mechanisms dealing with the issue of women's rights, the Commission offered a comprehensive view of OIC's activities and involvement in the area of promoting women's rights as well as on IPHRC's planned approach in this regard. The prospects of interaction between IPHRC and other regional and international, including the CEDAW Committee were also discussed.

ADMINISTRATIVE/PROCEDURAL MATTERS

22. In accordance with the Statute requirement, the Secretary General appointed Mr. Marghoob Saleem Butt as the Administrative/Executive Director of the IPHRC Interim Secretariat as of 24 September, 2013. To ensure the smooth functioning of the Interim Secretariat, the Secretary General also designated two human rights officers/professionals i.e. Mr. Raouf Salama and Mr. Abdulla Manafi to assist the Executive Director as dedicated staff of IPHRC. Pending a decision on the permanent headquarters of the IPHRC and allocation of full staff for IPHRC Secretariat, this decision comes as bare minimum requirement to provide

essential secretarial support to the IPHRC in the performance of its ever-growing mandated activities and workload.

23. During the 3rd Session of the IPHRC, the Commission also elected by consensus its first formal Bureau, which included Amb Mohammed Kawu Ibrahim (Chairperson), Amb Ilham Ibrahim Mohamed Ahmed (Vice President), and Amb. Abdul Wahab (Vice President Rapporteur).
24. Pursuant to Rule 66 of the IPHRC Rules of Procedure at the end of Members' first term of office, nine (9) Members, three from each of the constituent geographical groups, shall exceptionally be re-elected for eighteen (18) months in order to ensure the continuity of Commission's work and expertise, without prejudice to their right to be re-elected for a second term in accordance with Article 3 of the Statute. In line with these provisions, the 40th Session of the CFM is expected to re-elect nine (9) Members through a drawing of lots, for an exceptional additional term of 18 months, with effect from the end of Members' first term of office, which in this case would start from February 2015.
25. With a view to ensuring predictability regarding the dates of holding regular sessions of the IPHRC, the Commission decided that its regular bi-annual Sessions should be held on fixed periods during the months of April and October.
26. In accordance with Article 24 of the IPHRC Statute, the Executive Director presented the draft Budget for the 2014 activities of the IPHRC (as part of the overall budget of the OIC General Secretariat), which was approved during its 3rd Session. This draft is being circulated to Member States, for consideration by the forty- second session of the PFC, to be held in Jeddah, on 10-12 November 2013.



OIC/IPHRC-3/2013/REP.FINAL

**REPORT
OF THE THIRD SESSION
OF THE OIC INDEPENDENT PERMANENT HUMAN RIGHTS COMMISSION
(IPHRC)**

**Jeddah, Kingdom of Saudi Arabia
26-31 October 2013**

REPORT
OF THE THIRD REGULAR SESSION
OF THE OIC INDEPENDENT PERMANENT HUMAN RIGHTS COMMISSION
(IPHRC)

26-31 October
2013

- 1- The Independent Permanent Human Rights Commission (IPHRC) of the Organization of Islamic Cooperation (OIC) convened its third regular session on 26-31 October 2013 in Jeddah, Kingdom of Saudi Arabia, at the OIC General Secretariat.

- 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. Mohammad Mamduh Madhat AL-ACKER
 - Dr. Saleh Bin Mohamed AL-KHATLAN
 - Amb. Wael Mohamed ATTIYA
 - Amb. Ousmane Diao BALDÉ
 - Dr. Siti Ruhaini DZUHAYATIN
 - Dr. Ergin Ergul
 - Amb. Mohammed Kawu IBRAHIM
 - Mr. Mahamad Al-Bachir IBRAHIM
 - Mr. Mohammed Lamin TIMBO
 - Amb. Abdul WAHAB
 - Mrs. Asila WARDAK
 - Mr. Adel Issa AL-MAHRY (Absent with apologies)
 - Mr. Med S.K. KAGGWA (Absent with apologies)
 - Mr. Mohammed RAISSOUNI (Absent with apologies)

❖ INAUGURAL SESSION

- 3- The meeting started with the recital of verses from the Holy Quran. In her opening remarks, Dr. Siti Ruhaini Dzuhayatin, interim Chairperson of the Commission, thanked the Kingdom of Saudi Arabia for hosting the 3rd IPHRC Session, as well as the OIC Secretary General for his continued help and support. Dr. Ruhaini further conveyed that following informal consultations, IPHRC agreed to elect its first bureau comprising Amb. Mohammed Kawu Ibrahim; Amb. Ilham Ibrahim Mohamed Ahmed and Amb. Abdul Wahab. The decision was adopted by consensus and Dr. Ruhaini handed over the Chair to Amb. Mohammed Kawu Ibrahim.
- 4- In his remarks, the newly elected IPHRC Chairperson, Amb. Mohammed Kawu Ibrahim highlighted the importance of the Commission both in terms of promoting and consolidating human rights in OIC Member States and in restoring the true image of Islam, the essence of which calls for the respect of human dignity and rights. IPHRC Chairperson also offered an overview of Commission's achievements to date, including the adoption of its rules of procedure and its focus on specific priority areas. It was also emphasized that in order for the Commission to fulfil its objectives, as stipulated in its Statute, including mandates given by the OIC Summit and Council of Foreign Ministers (CFM), the IPHRC need to rely on the continued support of all Member States.
- 5- The meeting was also attended by Amb. Mohammed Al-Taib, Director General of the Ministry of Foreign Affairs Makkah Region, in his capacity as the representative of host country. In his statement Amb. Al-Taib underscored the importance of IPHRC work, as being crucial to achieving desired objectives set out by the Ten Year Programme of Action and the OIC Charter in the field of human rights. He expressed the commitment of Saudi Arabia to the work of this Commission and stressed the need for continued support from all OIC member states for IPHRC. Amb. Al-Taib also reiterated the desire of Saudi Arabia for early establishment of IPHRC Headquarters in Jeddah and holding of its regular meetings at the OIC Headquarters. It was also informed that the Kingdom of Saudi Arabia covered the cost of holding the 3rd IPHRC Session and, together with other Member States, would continue to contribute to its future activities.
- 6- In his inaugural statement Prof. Ekmeleddin Ihsanoglu, Secretary General of the OIC noted that the establishment of IPHRC was a singularly significant accomplishment in the history of OIC as the first body of experts entrusted to mainstream the human rights

dimension across the programmes and activities of OIC. In order to consolidate the capacity of IPHRC, the Secretary General informed of the appointment of the Director of IPHRC Interim Secretariat, as well as assignment of dedicated staff. The Secretary General also offered his vision for the Commission's future work and reiterated the five guiding principles of complementarity, introspection; prioritization, incremental approach and credibility. In terms of methods of work, the Commission was encouraged to work through Working Groups, including during the inter-sessional periods, to prepare relevant studies/reports on given mandates, including items on IPHRC agenda.

❖ **ADOPTION OF THE AGENDA AND PROGRAMME OF WORK**

- 7- Based on priority areas identified in its two previous sessions held in Jakarta and Ankara, as well as mandates given by the 39th Session of the CFM and the 12th Islamic Summit, the Commission discussed and adopted its agenda and programme of work during its first formal meeting on 27th October 2013. (Copy enclosed – Annex 1)

❖ **ELECTION OF BUREAU**

- 8- The Commission then proceeded with formalizing other aspects of the election of its Bureau, by consensus, as follows:
 - Amb. Mohammed Kawu Ibrahim (Chairperson);
 - Amb. Ilham Ibrahim Mohamed Ahmed (Vice- Chairperson); and,
 - Amb. Abdul Wahab (Vice- Chairperson Rapporteur).
- 9- It was agreed that the Bureau is elected for a period of three years, with offices rotating on a yearly basis between its members in accordance with Rule 8 of the IPHRC Rules of Procedure. It was further agreed to apply the rule of alphabetical order with respect to the rotation of offices of the Bureau between the three OIC geographical groups.

❖ **PROCEDURAL MATTERS**

- 10- In accordance with Rule 7 of the IPHRC Rules of Procedure, the Commission held a solemn declaration ceremony, whereby Commission members jointly declared that they shall discharge their duties with professionalism, truthfulness, independence, impartiality and integrity, free from any kind of extraneous influence.

- 11- The IPHRC discussed the question of re-election of nine (9) Members of the Commission, pursuant to Rule 66 of the IPHRC Rules of Procedure, and agreed that the forthcoming 40th Session of the CFM should proceed with the said re-election through a drawing of lots, for an exceptional additional term of eighteen (18) months, which would start from the end of Commissioners' first term of office, i.e. February 2015.
- 12- The Commission discussed the question of its representation in CFM preparatory meetings, specifically the Senior Officials Meeting (SOM) and the Permanent Finance Committee (PFC), and decided that it may consider participation in these meetings as and when invited or required.
- 13- With a view to ensuring predictability regarding the dates of holding regular sessions of the IPHRC, the Commission decided that its regular bi-annual meetings shall be held on fixed periods during the months of April and October.
- 14- With a view to increasing its visibility, the IPHRC requested Secretariat to expedite the Development and maintenance of a regularly updated website with information on IPHRC activities, statements and other relevant material, to be launched after approval of the Commission.
- 15- As the Commission could not hold its 4th Session in 2013, it was decided to ask the General Secretariat to reserve the amount of this year's pending session to be utilized early next year.

❖ **WORKING GROUPS**

- 16- In accordance with Rule 41 of the IPHRC Rules of Procedure, the Commission decided to establish four open-ended Working Groups to address issues on the IPHRC agenda and its priority areas in an effective and sustained fashion.

- 17- Given below is the composition of these working groups:

Working Group on Palestine

- Dr. Mamdouh Al-Acker;
- Ms. Asila Wardak;
- Amb. Abdul Wahab;

Working Group on the Rights of Women and of the Child

- Ms. Asila Wardak;
- Dr. Raihanah Abdullah;
- Mr. Mahamad Al-Bashir Ibrahim;

- Dr. Siti Ruhaini Dzuhayatin;
- Amb. Ilham Mohammed Ahmed;
- Mr. Mohammed Lamin Timbo;
- Dr. Ergin Ergul.

- Mr. Abou Abba;
- Amb. Mostafa Alaei;
- Amb. Ilham Mohammed Ahmed;
- Amb. Ousmane Diao Balde;
- Amb. Abdul Wahab;
- Mr. Mohammed Raissouni.

Working Group on Islamophobia and Muslims Minorities

- Amb. Abdul Wahab;
- Dr. Siti Ruhaini Dzuhayatin;
- Amb. Mostafa Alaei;
- Dr. Ergin Ergul;
- Mr. Mohammed Lamin Timbo;
- Dr. Saleh AL- Khatlan;
- Amb. Wael Attiya.
- Mr. Mohammed Raissouni.

Working Group on Right to Development

- Amb. Abdul Wahab;
- Amb. Ilham Mohammed Ahmed;
- Mr. Abou Abba;
- Dr. Mamdouh Al- Acker
- Mr. Mahamad Al-Bashir Ibrahim
- Mr. Med S.K. Kaggwa.

18- It was also decided that Members absent during the 3rd IPHRC Session were welcome to join any of the Working Groups, at their discretion. Each working group is expected to designate a coordinator, from among its members, with a view to facilitating communication with Secretariat and keeping Chairperson informed of progress made on their work. It was further agreed that human rights education, being a cross cutting issue, would be addressed by each of the Working Groups.

19- The Commission further decided to establish an *ad hoc* Working Group to come up with a framework for interaction between IPHRC and Member States' accredited national human rights institutions (NHRIs) and civil society organizations. It was also agreed, in line with the decision taken by the Ankara Session, that Commissioners whose countries have established NHRIs will get in touch with these institutions; seek their views and suggestions with respect to possible collaboration with the IPHRC, and convey the same to the *ad hoc* Working Group, which will prepare a report on the subject for consideration during the next session of the Commission.

❖ HUMAN RIGHTS SITUATION IN PALESTINE AND OTHER OCCUPIED ARAB TERRITORIES

- 20- Following a detailed briefing by Commissioner Dr. Mamdouh Al-Acker, under this agenda item, the IPHRC held exhaustive discussions on the whole range of civil, political, economic, social and cultural rights of the Palestinian people, including the question of illegal settlements, extra-judicial killings, arbitrary arrests, freedom of movement and other instances of gross human rights violations. It was also emphasized that the competent authorities in Palestine should also be held accountable in case of human rights violations.
- 21- The Commission reiterated its unanimous position that Israeli occupation is the primary cause of human rights violations in Palestine, specifically in terms of people's right to self-determination, consequently impeding the full enjoyment of all other human rights.
- 22- The Commission strongly condemned the continuing human rights violations perpetrated by Israel, with particular reference to the policy of settlements and requested the Working Group on Palestine to examine the human rights situation of Palestinian people with a view to suggesting concrete and feasible measures. The need to work with OIC bodies and funds and focus on specific projects aiming at empowering Palestinian people, notably in terms of access to health and education, was also emphasized.
- 23- The Commission further 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 mandated the Working Group on Palestine to take necessary action in this regard.
- 24- The Commission decided to undertake a visit to Palestine (both the Gaza strip and the West Bank), to ascertain the human rights situation on the ground with a view to making appropriate recommendations to the CFM.
- 25- The IPHRC recommended UN development and aid agencies, as well as donor countries; to immunize the projects aiming at supporting economic, social and cultural rights of the Palestinian people from any budget cut, despite financial constraints, given the exceptional vulnerability of the Palestinian people under occupation since 1967. It was

also emphasized that Member States should consider sanctions on companies undertaking projects supporting illegal settlement activities of Israel. The Commission also stressed the importance of cooperation with the Islamic Development Bank to ascertain different projects for the welfare of Palestinians, including in the areas of health and education.

26- The Commission appreciated the comprehensive and objective reports by the UN Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, and recommended OIC Member States to provide him with their full support in carrying out his mandate, including by inviting him to OIC Ministerial meetings. The IPHRC also considered inviting Special Rapporteur to one of its sessions to enable direct interaction and exchange of views.

27- The Commission urged international community to ensure that Israel must implement all the recommendations made during its Universal Periodical Review (UPR), with respect to both the individual and collective rights of the Palestinian people. The Commission further urged the international community, while admitting the need for continued diplomatic efforts to reach a just and lasting political settlement, not to compromise on the human rights of the Palestinian people by tolerating gross and systematic violations by Israel as well as impunity of the perpetrators.

❖ AGENDA ITEM ON CIVIL, POLITICAL, ECONOMIC, SOCIAL AND CULTURAL RIGHTS IN OIC MEMBER STATES

28- 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 and human rights education. The documentation submitted by the IPHRC interim secretariat facilitated deliberations.

29- The Commission took note with appreciation of the information provided by Member State on their human rights legislative, institutional and policy frameworks related to items under consideration, with a view to drawing up a list of best practices and facilitating their exchange between Member States.

30- The IPHRC requested Member States who had not provided the Commission with relevant information to send their reply to enable the IPHRC to establish a compendium of good practices to be shared with Member States as the earliest possible opportunity.

31- The IPHRC decided to use regular thematic statements on international days on relevant human rights related issues as an opportunity to progressively project enlightened and constructive Islamic perspectives thus contributing regularly to the international human rights discourse.

Rights of women and of the child

32- The Commission reiterated that the womens' rights are fully protected under Islamic law and that discriminatory practices compromising the rights of women should not be attributed to Islam.

33- The Commission requested the Working Group on the rights of women to prioritize the issue and consider preparing short publications and studies, such as training manuals for womens' empowerment, based on leassons learned from both government and civil society initiatives within OIC Member States. The Commission futher requested the Working Group to dedicate special attention to civil society initiaves within the Muslim world with a view to illustrating the Islamic cultural principles and values.

34- The Commission also agreed on the importance of addressing all aspects of women's rights, particularly the question of discrimination and violence against women in different sectors of the society. The importance of engagement with Muslim scholars and intellectual and other civil society actors in this context was also highlighted. In this respect, the Commission requested the relevant Working Group to consider organizing a symposium/workshop on women's rights in one of the OIC Member States focusing on the issues affecting the lives of women.

35- The Commission also emphasized the importance of strengthening the institution of family as the basic unit of society by OIC Member States. The Commission will further elaborate on the issue within the present agenda item.

36- The IPHRC took note with appreciation of the work done at the level of the Ministerial Conferences on Women and referred to importance of implementing the OIC Plan of Action for the Advancement of Women (OPAAW). In this regard, the Commission encouraged Member States to provide information on steps taken towards implementation of OPAAW. It was also pointed out that many Member States had yet to implement the relevant international human rights instruments, including CEDAW.

- 37- Commissioner Ruhaini Dzuhayatin briefed the Commission on her visit to Geneva where she presented a paper on “Women as Key Role Player in Public life and Decision Making Process”, on behalf of IPHRC at an OIC/AU Joint Side Event on Women Empowerment and participation to public life, held on 19 September 2013. The Event was attended by UN High Commissioner for Human Rights, Ms. Navi Pillay, who extended her profound support to the IPHRC in her remarks.
- 38- Commissioner Ilham I. Ahmed also briefed the Commission on her visit to Geneva where she presented a paper entitled “Plans of IPHRC in Relation to Women’s Rights”, on behalf of the Commission, at the First meeting of the Regional Human Rights Mechanisms on Women’s Rights, convened by the Working Group on Discrimination against women in law and in practice of the UN Human Rights Council, in Geneva, on 1st October 2013.

Right to Development

- 39- The Commission emphasized the need to address economic and social rights in the OIC Member States, notably the Right to Development (RtD), which was clearly acknowledged as a priority area during the first IPHRC session, held in Jakarta. It was emphasized that poverty was the root causes of most human rights violations, thus the imperative to realize the right to development as a tool to create a human rights friendly world. The IPHRC stressed that the right to development was fundamental for the realization of all other rights with the ability of reinforcing the indivisibility and universality of human rights, as well the sustainability of equitable economic growth.
- 40- The Commission further noted the comparative advantage derived from lack of politicization of RtD within OIC Member States, which facilitates the prospect of operationalizing it through a workable model with a view to elaborating an OIC program of Action on RtD, based on the UN RtD General Assembly declaration of 1986, and on the premise of south-south cooperation as well as Islamic teaching and values.
- 41- The IPHRC stressed the need of utilizing the potential of other institutions within the OIC system as important factors that may assist the Commission in making concrete proposals and recommendations to be pursued by OIC Member States within specified time lines. In this regards, the Commission requested the Working Group on RtD to explore possible synergies and interaction with relevant OIC institutions, including the Islamic

Development Bank (IDB), which has long experience and already existing programs in the field of poverty alleviation as well as other institutionalized arrangements of financial assistance in the Member States.

Negative Impact of Economic and Financial Sanctions

42- The Commission took note of the mandate given to it by CFM Res. no. 22/39-POL on negative impact of economic and financial sanctions on the full enjoyment of human rights by people of the targeted country, which called on the IPHRC to undertake a comprehensive study on the matter. The Commission also prepared an interim report on the subject for the CFM. (Copy enclosed – Annex 4)

❖ AGENDA ITEM ON HUMAN RIGHTS SITUATIONS AND ISSUES ON OIC AGENDA

43- Under its permanent agenda item on “human rights situations and issues on the OIC agenda”, the Commission addressed the issue of combating Islamophobia and incitement to religious hatred and violence as well as the human rights situation of the Rohingya Muslims in Myanmar.

Combating Islamophobia and incitement to hatred and violence

44- On the question of combating Islamophobia and incitement to hatred and violence, the Commission took note of the conclusions and recommendations of the Panel of Eminent Persons on Combating Discrimination and Intolerance against Muslims (mandated by CFM Resolution No 41/39-P), held in Istanbul, on 7- 8 January 2013. The Commission further requested the Working Group on Islamophobia and Muslim minorities to devise means for interaction and coordination of work with the Panel of Eminent Persons, in accordance with the mandate by the 12th Islamic Summit.

45- The Commission reaffirmed that denigration of religious symbols and personalities should be addressed in the broader context of the issue of discrimination and religious intolerance.

46- The Commission also took note of the proceeding of the 3rd Meeting of International Experts on the Implementation of HRC 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”, hosted by the OIC in Geneva, on 19-21 June 2013. The Commission recognized the importance of the Istanbul process, noting, however, that one of its primary aims should be to shed light on the question of limitations on freedom of expression pursuant to relevant international law provisions, including articles 19 & 20 ICCPR.

47- The Commission also identified the need to enhance implementation of HRC Resolution 16/18 by providing Member States support in their reporting requirement under this resolution. In this regard, the IPHRC stressed the need to keep regular channels of communication with the OIC Groups in Geneva and New York, with a view to consolidating the OIC position on legally sound basis, and tasked the Working Group to work in this regard.

48- The Commission emphasized the need to cooperate with international centres dealing with the question of intercultural and intercivilizational dialogue, such as the King Abdullah bin Abdulaziz International Centre for Interreligious and Intercultural Dialogue (KAICIID), the Doha International Center for Interfaith Dialogue (DICID) and other relevant bodies or centres.

49- Pursuant to CFM Res. No. 41/39-POL, and Para. 105 of the 12th Islamic Summit requesting the IPHRC to consider a set of available options to adopt a unified stance on combating discrimination and intolerance against Muslims, the Commission prepared a report containing concise recommendations for consideration by the 40th Session of the CFM. (Copy enclosed – Annex 2)

Rohingya Muslims

50- On the question of Muslim Rohingyas, the Commission took note of the briefing papers submitted on latest actions undertaken by the OIC, including progress made by the Ministerial Contact Group. The Commission also benefited from a briefing by the Department of Minority Affairs, of the OIC General Secretariat, on the latest developments on the issue.

51- The Commission noted with grave concern the continued human rights violations against Rohingya Muslims in Myanmar, notably in terms of existing discriminatory legislation denying Rohingyas’ basic right to citizenship despite well-documented historical ties

between this community and their homeland. IPHRC further expressed grave concern that intolerance and hatred in Myanmar and some other countries of the region tends to shift from ethnic to religious considerations, which could seriously impact enjoyment of human rights by the Muslim communities in these countries.

52- 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 Muslim community. The Commission urged neighbouring OIC Member States to facilitate entry into their country(ies) of Muslim Rohingya fleeing for their lives.

53- The IPHRC noted with appreciation the efforts undertaken by the OIC Groups in Geneva and New York on the issue of highlighting the discrimination against Rohingya Muslim minority, including the possibility for the OIC Groups to table a specific resolution in this regard. The Commission further recommended organizing an event on the subject at the side lines of the next session of HRC, to highlight its human rights dimensions and the need to encourage relevant international mechanisms to be seized of the matter.

54- The Commission appreciated the work of the UN Special Rapporteur on the situation of human rights in Myanmar and took note of his latest reports presented to the HRC. Consideration was also given to invite the UN Special Rapporteur to an upcoming session of the IPHRC.

55- The Commission recommended the Working Group on Islamophobia and Muslim Minorities to consider organizing a seminar/workshop on interfaith dialogue regrouping Buddhist and Muslim religious leaders. In this regard, the representative of the Republic of Turkey expressed his government's readiness to host such an event.

56- The Commission expressed the importance of sending a fact-finding mission to Myanmar to collect first hand information regarding the situation on the ground. In this regard, the Commission welcomed the recent approval of the government of Myanmar to allow a visit of the OIC Ministerial contact group, including the OIC Secretary General.

57- Pursuant to Resolution 3/4-EX (IS), of the 4th Extraordinary Summit, held in Makkah Al-Mukaramah, requesting the IPHRC to examine the situation of the Rohingya Muslim minority in Myanmar as a priority issue on its agenda requiring immediate attention and

action, the Commission has prepared concrete recommendations to the 40th Session of the CFM. (Copy enclosed – Annex 3)

❖ **2014 IPHRC BUDGET**

58- The Commission finalized its proposed budget and plan of activities for the year 2014 that includes among others important activities such as a visit to Occupied Palestinian Territories, as well as interaction with the European and African Human Rights Institutions. The Commission also decided to hold three regular sessions and two inter-sessional working group meetings, besides attending the sessions of the HRC and the General Assembly. It was also decided that the Commission will invite IDB, ISESCO and *Fiqh* academy to its next sessions with a view to have an informed discussion on related human rights aspects of its mandated activities.

❖ **IPHRC HEADQUARTERS**

59- It was decided to request the CFM to take an early decision on the location of the permanent headquarters of the IPHRC as well as the Secretary General to appoint remaining dedicated staff for IPHRC secretariat in order to ensure smooth functioning of the commission's work and implementation of mandated activities. The Chairperson was asked to write a letter, on behalf of IPHRC, to the Secretary General on this subject.

❖ **CLOSING SESSION**

60- In his concluding remarks, Amb. Mohammed Ibrahim, the IPHRC Chairperson, on behalf of the Commission, expressed gratitude to the Kingdom of Saudi Arabia for hosting the 3rd Regular Session of IPHRC in Jeddah and thanked all OIC Member States for their consistent support to the Commission.



Agenda

3rd Session of the OIC Independent Permanent Human Rights Commission (IPHRC)

Jeddah, Kingdom of Saudi Arabia
26 – 31 October 2013

- Item 1:** Election of the IPHRC Bureau and Adoption of the Agenda
- Item 2:** Human Rights Situation in Palestine and other occupied Arab territories
- Item 3:** Civil, political, economic, social and cultural rights in OIC Member States
- Sub item a: Rights of Women
 - Sub item b: Rights of the Child
 - Sub item c: Right to Development
 - Sub item d: Human rights education
- Item 4:** Human Rights situations and issues on the OIC Agenda
- Sub item a: Combating Islamophobia and incitement to hatred and violence
 - Sub item b: Situation in the OIC Member States
 - Sub item c: human rights Situation of Muslim minorities and communities in non- member States
 - Situation of Muslim Rohingyas in Myanmar
- Item 5:** IPHRC Budget Proposal for 2014, discussion on administrative and logistical matters
- Item 6:** Report of the Session and Provisional Agenda for next Session

Item 7:

Any other business

- Sub item a: IPHRC website
- Sub item b: Establishing contact with OIC NHRIs
- Sub item c: Human rights research and studies
- Sub item d: Networking with Member States and with other international and regional organizations
- Sub item e: Discussion on the future role of Bureau to streamline the communication process within IPHRC and with the Secretariat
- Sub item f: Discussion on mandates and working methods
- Sub item g: Proposal for fixed dates for IPHRC Session in 2014

**IPHRC Interim Report on Islamophobia and Intolerance
against Muslims pursuant to CFM Resolution No 41/39-POL and Para. 105 of
the Final Communiqué of the 12th Islamic Summit**

1. In paragraph 105 of the Cairo Final Communiqué, the twelfth session of the Islamic Summit Conference recognized “... *the need for the Eminent Persons Panel (EPP) on Combating Intolerance and Discrimination against Muslims to continue its work in close coordination with the Independent Permanent Human Rights Commission to address the malaise of Islamophobia.*” It also requested the Commission to “*report in this regard to the next meeting of the Council of Foreign Ministers.*” This current interim report is thus submitted by the Commission to the fortieth session of the Council of Foreign Ministers.
2. The Commission placed the issue of Islamophobia and intolerance against Muslim minorities as a standing item on its agenda, and addressed it accordingly at its first and second regular sessions, held in 2012 in Jakarta and Ankara respectively. The conclusions of the discussions were reflected in the Commission’s reports to the thirty-ninth session of the Council of Foreign Ministers (OIC/IPHRC-2/2012/REP.FINAL).
3. The Commission was represented at the EPP meeting in Istanbul, on 7-8 January 2013 by Commissioner Wael M. Attiya. It was also represented by its Interim Chairperson, Commissioner Dr. Siti Ruhaini Dzuhayatin, and Commissioner Attiya in the third meeting of the Istanbul process to follow up on the implementation of Human Rights Council resolution 16/18, held in Geneva on 19-21 June 2013.
4. At its third regular session, held in Jeddah, from 26 to 31 October 2013, the Commission established four working groups, among which is the Working Group on Islamophobia and Muslim Minorities (WGIMM), so as to allow for due focus on the matter and enable itself to formulate concrete proposals.
5. Through its deliberations on the matter, the Commission regrettably noted that, in recent years, there is a growing number of instances of misuse of the right to freedom of expression, the exercise of which carries with it special duties and responsibilities and

may be subject to certain limitations, according to Article 19 of the International Covenant on Civil and Political Rights (ICCPR). The Commission also underlined the urgency for all States to fully uphold their obligations under Article 20 of ICCPR to prohibit any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence, and highlighted the need to reconcile differences at the international level as regards the scope of implementations of these obligations.

6. Such malicious acts aim not only at hurting the feelings of and provoking Muslims around the world, but also at distorting the true image of Islam, thus giving rise to widespread manifestations of derogatory stereotyping, negative profiling, intolerance and incitement to religious hatred and violence. Considering that religion is one of the fundamental elements in one's conception of life and identity, denigration of religions for many of their followers becomes a direct assault on their own selves. The main concern is that if this campaign is to continue unchecked, it would lend more ground to normalizing the growing intolerance towards Muslims, and to legitimatizing the imposition of discriminatory restrictive legislative and administrative measures on their right to observe their religion in many parts of the world.
7. The Commission is also of the view that intimidation motivated by extremism, be it religious or otherwise, serves to stigmatize groups and people belonging to certain religions and constitutes clear expressions of incitement to hatred. As a result, denigration of religions may create more than psychological barriers that impede the ability to observe, practice and manifest one's religion freely for fear of coercion, violence or reprisal, hence impairing the enjoyment of the right to freedom of thought, conscience and religion. Apathy and inaction vis-à-vis such provocations and discrimination cannot be justified under whatever pretext, be they against Islam and Muslims or any other religion and its followers.
8. The Commission is concerned that such acts serve to erode the positive momentum being generated by the ongoing activities under various governmental and non-governmental initiatives, including the Alliance of Civilizations, aiming to correct misconceptions and to promote understanding and respect of and among cultures and civilization. It is thus an imperative to renew the international commitment to promote tolerance, dialogue and understanding at all levels.

9. During its third session, the Commission took note with appreciation of EPP's legal advice and conclusions. It entrusted WGIMM to work in close coordination with EPP in the intersessional period, and decided to invite EPP to participate in its future deliberations on the issue in future sessions.
10. The Commission also noted that paragraph 105 of the Cairo Final Communiqué mandated the General Secretariat to commission the studies recommended in the EPP report as a matter of priority. The Commission acknowledged that the early conclusion of the recommended study on national laws that deal with limitations on the freedom of expression would place OIC on a much stronger footing when advocating particular measures designed to accomplish the same objectives as those that can be found in national legislation. It further emphasized that where there is a wide agreement on a certain measure in national laws, which is not derived from an obligation under a legally binding instrument, that in itself could be revealing of an established rule in international customary law.
11. In this vein, the Commission at its third session impressed upon the General Secretariat to contract a specialized legal studies center to carry out a comprehensive study on all national laws that deal with hate speech, incitement to violence and other limitations on freedom of expression, including the European Union members, the United States, Canada, New Zealand and Australia.
12. The Commission's initial recommendations on the issue of Islamophobia and intolerance against Muslims were clearly reflected in its statement of 19 September 2012, which include the following:
 - a. The need for all States to fully implement the steps identified in Human Rights Council resolution 22/31 and United Nations General Assembly resolution 67/178;
 - b. The need to reinvigorate the efforts to articulate an international code of conduct for media and social media to disallow the dissemination of incitement material, which are in violation of Article 19 of the International Covenant on Civil and Political Rights and Article 4 of the International Convention on the Elimination of Racial Discrimination;
 - c. The immediate revival of an intergovernmental process to elaborate complementary standards to address implementation gaps;
 - d. The need for the Office of the United Nations High Commissioner for Human Rights to establish as a matter of priority an international observatory to monitor acts of

incitement to discrimination, hostility or violence throughout the world, so as to serve as an early warning mechanism to assist States to adequately fulfill their obligations under Article 20 of the International Covenant on Civil and Political Rights.

13. The Commission believes that Islamophobia is a multifaceted issue that has to be dealt with from different angles, a matter that necessitates the cooperation of all OIC Member States, organs and agencies. While the Commission will mainly focus for the time being on the human rights aspects of Islamophobia under existing international law, it remains ready to cooperate with OIC Member States, organs and agencies in addressing the malaise of this burgeoning phenomenon. The Commission also intends to cooperate with King Abdullah Bin Abdulaziz International Centre for Interreligious and Intercultural Dialogue (KAICIID), as well as other relevant bodies, in furthering tolerance and combating all forms of religious hatred.

14. As it continues to tackle the issue of Islamophobia and intolerance against Muslims from all aspects, and in close coordination with EPP, the Commission will carry on reflecting its deliberations on the matter and progress in the reports of its forthcoming regular sessions. It may also present further interim reports when necessary, pending the submission by the General Secretariat of the recommended studies and the elaboration of the Commission's recommendations in a comprehensive manner.

Recommendations of the IPHRC regarding the Rohingya Muslim Minority of Myanmar pursuant to Resolution 3/4-EX (IS)

Pursuant to Resolution 3/4-EX (IS), of the 4th Extraordinary Summit, held in Makkah Al-Mukaramah, requesting the IPHRC to examine the situation of the Rohingya Muslim minority in Myanmar as a priority issue on its agenda requiring immediate attention and action, the Commission has prepared the following concrete recommendations to the 40th Session of the Council of Foreign Ministers;

- 1- The Commissioners noted that their last statement regarding the Rohingya Muslim minority of Myanmar which was adopted by their last meeting in Ankara August 2012 supported the OIC Member States' efforts in Geneva and New York to bring this issue to the agenda of the United Nations and the international community.
- 2- The Commission recalled that in its Ankara report (para. 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.”* Therefore, it expressed the importance of sending their own fact-finding mission to Myanmar to fulfill their mandate by collecting first hand information regarding the situation on the ground. This mission shall be independent of the OIC Contact Group visit to Myanmar.
- 3- The Commission expressed the need to conduct a study on the legal aspect of the Myanmar Citizenship law 1982 which discriminates against the Rohingya minority by excluding them from the ethnic groups of Myanmar.
- 4- The Commissioners noted that the ongoing discrimination towards Muslims in Myanmar is taking place across ethnic lines affected all members of the Muslim community.
- 5- The Commission expressed concern over reports that neighbouring countries to Myanmar have not provided all those in need with safe haven, adequate medical attention, or humanitarian aid. The meeting urged all neighbouring OIC countries to provide all the

necessary assistance to those fleeing from the violence and communal tensions in their homeland until a peaceful situation can be maintained in their country of origin.

- 6- The Commission emphasized the need for OIC Member States to urge the Myanmar government to uphold their responsibilities towards the international human rights conventions.
- 7- The Commission welcomed the coordination with the OIC General Secretariat and looked forward to increasing and strengthening that cooperation in the future.

IPHRC interim report on negative impact of economic and financial sanctions pursuant to CFM Resolution No. 22/39-POL

The Independent Permanent Human Rights Commission (IPHRC) considered the recommendation made by the 39th CFM (Res. no. 22/39-POL) on negative impact of economic and financial sanctions on the full enjoyment of human rights by people of the targeted country with utmost care and interest.

In fact, international law is increasingly taking on humanitarian and humane dimensions. Militarism is no more the only factor involved in security. Respect of fundamental human rights is a general rule of humanity in all circumstances, including situations applicable to Article 41 of the Charter of the United Nations prescribing for “measures”.

In this context, all measures including in economic and social spheres, should be bound by international law and the UN Charter. Economic sanctions, including “unilateral coercive measures” in many circumstances lower the standards of living, create social and health problems or show no respect for, and observance of human rights. These constitute clear breaches to article 55 of the UN Charter and are contrary to Paragraph 31 of the Vienna Declaration and Program of Action (DDPA) according to which States are: “to refrain from any unilateral measures not in accordance with international law and the charter of the United Nations that create obstacles to trade relations among States and impedes the full realization of the human rights set forth in the Universal Declaration of Human Rights (UDHR) and international human rights instruments, in particular the right of everyone to a standard of living adequate for their health and well being, including food and medical care, housing and the necessary social services.” Even legitimate economic sanctions under the UN Charter will be illegitimate when they do not comply with the criteria of respecting fundamental Human Rights.

The Commission will further elaborate on this issue and initiate researches and studies on the negative impact of economic and financial sanctions on the full enjoyment of human rights by people of the targeted country.
