

OIC/CFM-36/2009/LEG/RES/FINAL

**RESOLUTIONS**  
**ON**  
**LEGAL AFFAIRS**  
**ADOPTED BY**  
**THE 36<sup>TH</sup> SESSION OF THE**  
**COUNCIL OF FOREIGN MINISTERS**  
***(For Enhancing Islamic Solidarity)***

**DAMASCUS, SYRIAN ARAB REPUBLIC**

**28 JUMADAL AWAL -1 JUMADA THANI 1430H**  
**(23-25 MAY 2009)**

## INDEX

1.	RES. NO. 1/36-LEG ON THE SIGNING/RATIFICATION OF (ACCESSION TO) THE AGREEMENTS CONCLUDED IN THE FRAMEWORK OF THE ORGANIZATION OF THE ISLAMIC CONFERENCE	1
2.	<b>RESOLUTION NO.2/36-LEG ON FOLLOW UP AND COORDINATION OF WORK ON HUMAN RIGHTS</b>	2
3.	<b>RESOLUTION No. 3/36-LEG ON THE ESTABLISHMENT OF THE ORGANIZATION OF THE ISLAMIC CONFERENCE INDEPENDENT PERMANENT COMMISSION ON HUMAN RIGHTS</b>	6
4.	<b>RES. NO.4 /36-LEG ON COOPERATION AGREEMENT BETWEEN THE OIC AND THE AFRICAN UNION</b>	8

**RESOLUTION NO. 1/36-LEG  
ON THE  
SIGNING/RATIFICATION OF (ACCESSION TO) THE  
AGREEMENTS CONCLUDED IN THE FRAMEWORK OF  
THE ORGANIZATION OF THE ISLAMIC CONFERENCE**

*The Thirty-sixth Session of the Council of Foreign Ministers  
(For Enhancing Islamic Solidarity), held in Damascus, Syrian Arab Republic  
from 29 Jumadal Awal – 1 Jumadal Thani 1430H, (23 -25 May, 2009);*

**Having considered** the signing, ratification and accession status of the agreements concluded in the framework of the Organization of the Islamic Conference,

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

**Taking note** of the Report of the OIC Secretary General contained in (Doc. No. OIC/CFM-36/2009/LEG/SG-REP),

1. **Urges** Member States again to, as soon as possible, sign/ratify the various agreements concluded in the framework of the Organization of the Islamic Conference.
2. **Requests** the Secretary General to implement this resolution and to report thereon to the 37<sup>th</sup> Session of the Council of Foreign Ministers.

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**RESOLUTION NO.2/36-LEG**  
**ON**  
**FOLLOW UP AND COORDINATION OF**  
**WORK ON HUMAN RIGHTS**

*The Thirty-sixth Session of the Council of Foreign Ministers (For Enhancing Islamic Solidarity), held in Damascus, Syrian Arab Republic from 29 Jumadal Awal -1 Jumadal Thani 1430 H, (23 -25 May, 2009);*

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

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

**Recalling** all relevant resolutions of the Islamic Summit and Foreign Ministers Conferences, in particular Resolution No. 49/19-P by virtue of which the “Cairo Declaration on Human Rights in Islam” has been adopted;

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

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

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

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

**Reaffirming** the universality, objectivity and non-selectivity of all human rights and also the importance of promotion and protection of human rights through cooperation and consensus and not through confrontation and the imposition of incompatible, alien and inhomogeneous values;

**Expressing its deep concern** over the attempts to exploit the issue of Human Rights to discredit the principles and rules of Islamic Shariah and to interfere in the affairs of Islamic States;

**Having considered** the relevant report of the Secretary General;

1. **Asserts** that human rights are universal in nature and must be considered in the context of dynamic and evolving process of international norm-setting, bearing in mind the significance of national and regional particularities and various historical, cultural and religious backgrounds.
2. **Emphasizes** the necessity for the international community to address the human rights issue on an objective and indivisible basis, as far as all states are concerned, without selectivity or discrimination.
3. **Calls for** the necessity to consider human rights in their global conception and in all their civil, political, social, economic, and cultural facets within the framework of international cooperation and solidarity.
4. **Reaffirms** the right of States to adhere to their religious, social, and cultural specificities which constitute a heritage and streams of thought that contribute towards enriching the common international conceptions of human rights.
5. **Calls for** abstaining from using the universality of human rights as a pretext to Interfere in the states' internal affairs and undermine their national sovereignty.
6. **Recalls** the "States' Right to Reserve", where necessary, the right to express reservations on the international conventions, covenants, and agreements they subscribe to, as part of their sovereign rights.
7. **Expresses its deep concern** over the frequent and erroneous association of Islam with violations of human rights and the misuse of the print and audio-visual media in propagating such misconceptions which lead to the reinforcement of prejudice and discrimination against Muslims and calls on the Member States to undertake information activities to counter these activities.

8. **Strongly condemns** the increasing trend of Islamophobic measures in the Western countries and lays emphasis on the responsibility of those States to ensure full respect to Islam and all divine religions and the inapplicability of using freedom of expression or press as a pretext to defame religions, and to refrain from imposing restrictions, in any form whatsoever, on the cultural and religious rights and freedoms of people.
9. **Denounces** media campaigns and fabrications made by some quarters in non-Member States regarding the treatment of non-Muslim minorities and communities in the OIC Member States under the slogan of religious freedoms and so on.
10. **Expresses** the need to pursue, as a matter of priority, a common policy aimed at preventing defamation of Islam perpetrated under the pretext and justification of the freedom of expression in particular through media and Internet.
11. **Commends** the valuable efforts of the Secretary General during his visit to Geneva and his speech to the Human Rights Council as well as the intensive consultations with senior officials of States and International Organizations regarding human rights and the valuable contribution of the Open-ended Working Group on Human Rights and Humanitarian Issues at the United Nations Office in Geneva towards safeguarding the interests of the Islamic countries and decides to establish a similar working group at the United Nations headquarters in New York and **encourages** the OIC Member States to study the possibility of establishing regional arrangements in the field of Islamic human rights to boost their regional cooperation in this regard.
12. **Expresses** deep concern over any activities which may be carried out by certain Governmental and Nongovernmental Organizations which are supported by governments that use them to attack OIC Member States for political purposes and to further their foreign policy objectives in international forums.
13. **Exhorts all states** to take all appropriate measures, in the context of their national legislations and in line with international human rights instruments, to promote understanding, tolerance, and respect in matters connected with freedom of religion or creed.

14. **Calls upon** Member States to continue their active coordination and cooperation in the field of human rights particularly in the relevant international forums in order to strengthen Islamic solidarity against any initiative that may lead to the use of human rights as a means of political pressure on any Member State, in particular for enhancement of their participation in formulation and codification of international human rights instruments based on Islamic Sharia.

15. **Decides** that the General Secretariat and the Member States shall undertake to follow up Member States' missions with the relevant international organizations, in particular, at the UN headquarters in New York and Geneva, and to hold meetings on appropriate occasions, to consider and discuss human rights issues with a view to adopting a unified position among Member States vis-à-vis campaigns and draft resolutions that target OIC Member States in relevant international fora.

16. **Requests** the Member States to sign and ratify the Covenant on the Rights of the Child in Islam as soon as possible.

17. **Expresses** appreciation for the Secretary General's efforts in preparing for the establishment of the Independent Permanent Body on Human Rights, for convening an unofficial consultative meeting of international law and human rights experts from 15 and 16 February 2009 to prepare a draft of envisaged framework and principles of the body, and for inviting the Intergovernmental Expert Group to discuss the subject; **expresses** appreciation for the work of the Intergovernmental Expert Group on the Follow-up of the Cairo Declaration on Human Rights in Islam in its meeting on 12 and 13 April 2009; and **invites** it and its sub-committee to expeditiously continue their activities, in particular by holding several meetings to finalize the establishment of this body which would supervise the preparation of the "Islamic Charter on Human Rights", "Covenant on the Rights of the Women in Islam", and to continue the drafting of the "Islamic Covenant against Racial Discrimination" in accordance with the resolutions of the Third Extraordinary Session of the Islamic Summit Conference in Makkah in 2005, so that, once established, the new body can supervise the drafting of the above-mentioned human rights covenants.

18. **Requests** the Secretary General to follow up the implementation of this resolution and submit a progressive report thereon to the 37<sup>th</sup> Session of the Council of Foreign Ministers.

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**RESOLUTION No. 3/36-LEG**  
**ON THE**  
**ESTABLISHMENT OF THE**  
**ORGANIZATION OF THE ISLAMIC CONFERENCE**  
**INDEPENDENT PERMANENT COMMISSION ON HUMAN RIGHTS**

*The Thirty-sixth Session of the Council of Foreign Ministers (For Enhancing Islamic Solidarity), held in Damascus, Syrian Arab Republic from 28 Rabiul Thani -1 Jamadal Awwal 1430 H (23 -25 May, 2009);*

**Aware** of the need to provide the Organization of the Islamic Conference with a mechanism to promote and protect human rights in Member States;

**Recalling** the mandates of the Ten-Year Programme of Action adopted by the 3<sup>rd</sup> Extra-ordinary Islamic Summit Conference held in Makkah Al Mukarramah in December 2005, calling for consideration of the possibility of establishing an independent permanent human rights body to promote human rights in the Member States;

**Pursuant** to articles 15 and 16 of the Charter of the Organization of the Islamic Conference, adopted by consensus by the 11<sup>th</sup> Islamic Summit Conference held in Dakar, Republic of Senegal on 13 and 14 March 2008, regarding the Independent Permanent Commission on Human Rights as one of the major organs of the Organization of the Islamic Conference;

**Having** considered the report of the meeting of the Intergovernmental Group of Experts on the Establishment of the Independent Permanent Commission on Human Rights held at the OIC Headquarters in Jeddah on 16 and 17 Rabiul Thani 1430H, corresponding to 12 and 13 April 2009, annex 1 (OIC/IGGE-IPCHR/2009/REP.DR.STATUTE) under report and document no. OIC/IGCE-IPCHR/2009/REP.FINAL;

1. **Expresses** its gratitude and appreciation to the Secretary General for his efforts towards preparing the documents necessary for the establishment of the Independent Permanent Commission on Human Rights, and expresses its thanks to the Intergovernmental Group of Experts on the Establishment of the Independent Permanent Commission on Human Rights for the excellent work it did in preparing the draft statute of the Commission.



2. **Mandate** the Secretary General to hold additional meetings of inter-governmental Experts in order to deepen discussion and finalize the draft Statutes of the Permanent Independent Commission of Human Rights by the date of the holding of the 37<sup>th</sup> Session of CFM.
3. **Requests** the Secretary General to follow up the implementation of this resolution and to submit a report thereon to the 37<sup>th</sup> session of the Council of Foreign Ministers.

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**RESOLUTION No. 4 /36-LEG**  
**ON**  
**COOPERTATION AGREEMENT BETWEEN THE OIC AND**  
**THE AFRICAN UNION**

*The Thirty-sixth Session of the Council of Foreign Ministers (Session of Enhancing Islamic Solidarity), held in Damascus, Syrian Arab Republic from 29 Jumadiul Awaal to 1 Jumadiul Thani 1430 H (23-25 May, 2009),*

**Recalling** the objectives and principles set forth in the OIC Charter, the POA and relevant Resolutions of the Islamic Summit Conferences and Council of Foreign Ministers, as well as the existing cooperation agreements, friendly relations and constructive cooperation between the OIC and international and regional organizations and groupings;

**Emphasizing the need** for the importance of the establishment, maintenance and strengthening close relations and fruitful cooperation between the OIC and international and regional organizations and groupings, particularly those with shared membership with the OIC, in their common search for solving international problems and serving their common interests;

1. **Mandates** the OIC Secretary General to consult with the Member States in order to reinforce cooperation with the African Union, in accordance with the relevant OIC resolutions.
2. **Requests** the Secretary General to follow up the implementation of this resolution and submit a report thereon to the 37<sup>th</sup> CFM.

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