

RESOLUTION NO. 2/38-LEG
ON
THE ESTABLISHMENT OF THE OIC INDEPENDENT PERMANENT
HUMAN RIGHTS COMMISSION

The Thirty-eighth Session of the Council of Foreign Ministers, (Session of Peace, Cooperation and Development), held in Astana, Republic of Kazakhstan, from 26 to 28 Rajab 1432 A.H. (28-30 June 2011 A.D.),

Mindful of the need to empower the Organization of the Islamic Conference with a mechanism to strengthen and protect human rights in the Member States,

Recalling the Ten-Year Programme of Actions adopted by the 3rd Extraordinary Islamic Summit Conference held in Makkah Al Mukarramah in December 2005 which called for considering the establishment of an independent permanent commission to promote human rights in the Member States,

Seeking to implement articles 5 and 15 of the Charter of the Organization of the Islamic Conference, unanimously adopted by the 11th session of the Islamic Summit Conference held at Dakar, Republic of Senegal on 13-14 March 2008, which consider the Independent Permanent Commission on Human Rights as a key OIC organ,

Having considered the report of the meeting of the Intergovernmental Group of Experts on the Establishment of the OIC Independent Permanent Commission on Human Rights at the OIC headquarters in Jeddah, Saudi Arabia from 1 – 3 Rabiul Awwal 1431H (15 – 17 February 2010), and the Draft Statute of the OIC Independent Permanent Commission on Human Rights, attached as Annex 1 Ref. OIC/IPCHHR/2010/DR.STATUTE.

1. **Expresses** its thanks and appreciation to the Secretary General for his efforts in preparing the necessary documents for the establishment of the Independent Permanent Commission on Human Rights, and to the Intergovernmental Group of Experts on the establishment of the Commission for their diligent work in preparing the Commission's draft statute;
2. **Adopts** the draft statute of the Independent Permanent Human Rights Commission as per document No. (OIC/IPHRC/2010/DR.STATUTE);
3. **Decides** that the IPHRC should start its operation within the OIC General Secretariat, until a decision on its headquarters' location is taken at the 39th Session of the CFM, and **requests** the Secretary General to provide secretarial services to the IPHRC within the adopted budget of the General Secretariat.
4. **Requests** the Secretary General to follow up the implementation of this resolution and to present a report thereon to the 39th session of the CFM.

**Statute of
The OIC Independent Permanent
Human Rights Commission**

**Statute
of the
OIC Independent Permanent Commission on Human Rights**

Preamble:

Taking into account the Islamic values and principles on human rights which call for the need to respect human rights and dignity,

Pursuant to the provisions of article 5 and article 15 of the Charter which stipulate that: "The Independent Permanent Commission on Human Rights shall promote the civil, political, social and economic rights enshrined in the Organisation's covenants and declarations and in universally agreed human rights instruments, in conformity with Islamic values,"

Pursuant to the provisions of the Ten-Year Programme of Action adopted by the Third Extraordinary Session of the Islamic Summit Conference held in Makkah Al Mukarramah in December 2005, which called for consideration of the possibility of establishing an independent permanent body to promote human rights in Member States,

Recalling the Cairo Declaration on Human Rights in Islam adopted in 1990,

Pursuant to relevant international instruments, charters and conventions,

Member States agreed on the statute of the Independent Permanent Commission on Human Rights as follows:

CHAPTER I

DEFINITIONS

Article 1:

Wherever they appear in the present Statute, the following terms shall be interpreted as indicated below:

CHARTER: Charter of the Organization of the Islamic Conference.

ORGANIZATION: Organization of the Islamic Conference (OIC)

COMMISSION: Independent Permanent Human Rights Commission of the Organization of the Islamic Conference.

SUMMIT: Islamic Summit Conference.

COUNCIL: Council of Foreign Minister.

SECRETARY GENERAL: OIC Secretary General.

MEMBER STATES: OIC Member States.

GENERAL SECRETARIAT: OIC General Secretariat.

EXPERTS: Experts nominated for the membership of the Independent Permanent Human Rights Commission.

MEMBER: Member of the OIC Independent Permanent Human Rights Commission.

STATUTE: Statute of the OIC Independent Permanent Human Rights Commission.

CHAPTER II

COMPOSITION AND MEMBERSHIP OF THE COMMISSION

Article 2:

There shall be established within the Organization of the Islamic Conference a commission called the OIC Independent Permanent Human Rights Commission.

Article 3:

The Commission shall be composed of 18 members nominated by the Member States' governments among experts of established distinction in the area of human rights and elected by the Council of Foreign Ministers for a three-year period renewable once.

Article 4:

The General Secretariat collects nominations and coordinates with the Member States on the list of candidates which it then circulates prior to its submission to the Council of Foreign Ministers.

Article 5:

In the event of any expert's incapacity to continue his functions, his State shall appoint an alternate expert to complete his term in line with the standards and procedures laid out in this Statute.

Article 6:

The Member States shall encourage the nomination of women to the membership of the Commission.

Article 7:

In the election of the experts due consideration shall be given to equitable geographical distribution among Member States.

CHAPTER III OBJECTIVES OF THE COMMISSION

Article 8:

The Commission 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.

Article 9:

The Commission shall support the Member States' efforts to consolidate civil, political, economic, social and cultural rights.

Article 10:

The Commission shall cooperate with the Member States to ensure consolidation of civil, political, economic, social and cultural rights in the Member States in accordance with the OIC Charter, and to monitor observance of the human rights of Muslim communities and minorities.

Article 11:

The Commission 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.

CHAPTER IV**MANDATE OF THE COMMISSION****Article 12:**

The Commission shall carry out consultative tasks for the Council and submit recommendations to it. It shall also carry out other tasks as may be assigned to it by the Summit or the Council.

Article 13:

The Commission shall support the OIC's position on human rights at the international level and consolidate cooperation among the Member States in the area of human rights.

Article 14:

The Commission shall provide technical cooperation in the field of human rights and awareness-raising about these rights in the Member States, and offer approving Member States consultancy on human rights issues.

Article 15:

The Commission shall promote and support the role of Member State-accredited national institutions and civil society organizations active in the area of human rights in accordance with the OIC Charter and work procedures, in addition to enhancing cooperation between the Organization and other international and regional human rights organizations.

Article 16:

The Commission shall conduct studies and research on priority human rights issues, including those issues referred to it by the Council, and coordinate efforts and information exchange with Member States' working groups on human rights issues in international fora.

Article 17:

The Commission may cooperate with Member States, at their request, in the elaboration of human rights instruments. It may also submit recommendations on refinement of OIC human rights declarations and covenants as well as suggest ratification of human rights covenants and instruments within the OIC framework and in harmony with Islamic values and agreed international standards.

CHAPTER V

PROCEDURAL PROVISIONS

Article 18:

The headquarters of the Commission shall be in one of the OIC Member States and the Commission shall convene bi-annually in ordinary meetings. It may also hold extraordinary meetings at the request of any Member State or of the Secretary General with the approval of the Member States' simple majority.

Article 19:

Two thirds of the Commission's members shall constitute the quorum for its meetings.

Article 20:

The Commission adopts its recommendations by consensus and if not possible, by a two-third majority of the voting members present.

Article 21:

Upon the host country's consent and the approval of all its members the Commission may invite, as guests, OIC subsidiary organs and specialized and affiliated institutions relevant OIC accredited governmental and non-governmental organizations, and national human rights institution. Member States and OIC observers may also participate in the Commission's meetings as non-voting observers, in accordance with OIC standards.

Article 22:

The Commission shall be assisted in the performance of its duties by a Secretariat headed by an Administrative Director appointed by the Secretary-General in consultation with the Member States. The Secretariat shall be governed by the OIC Personnel Regulations.

Article 23:

The Secretary General shall appoint the Commission's staff from a list of Member State nominees submitted by the Administrative Director. He shall also avail the Commission of the services necessary for it to assume its duties effectively.

Article 24:

The Commission submits its draft annual operating budgets to the OIC Permanent Finance Committee. The budgets are adopted by the Council and governed by the OIC financial regulations.

CHAPTER VI

TRANSITIONAL PROVISIONS

Article 25:

Mindful of the provisions in this present Statute, the Commission shall temporarily apply the rules and procedures of OIC meetings pending its elaborating of its own procedural rules and their adoption by the Council, within a year from the entry in force of the present Statute.

CHAPTER VII

FINAL PROVISIONS

Article 26:

The Commission's headquarters State and the States hosting the Commission's meetings shall provide the necessary facilities, privileges and immunities for the Commission to perform its functions. The provisions of the OIC Agreement on privileges and immunities apply to the Commission.

Article 27:

The Commission's languages are Arabic, English and French.

Article 28:

The present Statute may be amended by a decision from the Council, based on a request from any Member State. Amendments are approved by a decision from the Council.

Article 29:

The present Statute shall enter into force upon its adoption by the Council of Foreign Ministers.
