

# A Roadmap for Implementing UNHRC Resolution on Combating Religious Intolerance



(L-R) US Sec. of States Clinton, OIC SG Ihsanoglu, Turkey's Foreign Minister Davutoglu at the Ministerial Meeting in Istanbul on July 15, 2011.

By Maha Akeel

**Istanbul, Turkey** - The Organization of Islamic Cooperation (OIC) hosted a Ministerial Meeting at the OIC/IRCICA premises located at the historic Yildiz Palace in Istanbul on July 15, 2011, on the implementation of UN Human Rights Council 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". The meeting reaffirmed the commitment of the participants to the effective implementation of the measures set forth in UN Resolution 16 /18.

The meeting was co-chaired by the OIC Secretary General Ekmeleddin Ihsanoglu and US Secretary of State Hillary Clinton. Foreign Ministers and high-ranking officials of 28 countries - from OIC Member States and western countries -including international organizations as well as the EU High Representative for Foreign Affairs Catherine Ashton were invited to participate.

In his statement at the Meeting, OIC Secretary General Ihsanoglu underscored the importance of the Meeting as being both symbolic and substantive. He said that in addition to reflecting the requisite political will towards implementation of the Resolution, it should also put in place a process of sustained and structured engagement. The Secretary General proposed a three-pronged strategy to that end: (1) the launch of a structured process of conducting a series of events at multiple venues to build on the consensus reflected in Resolution 16 /18; (2) the process of technical engagement would yield alternatives and policy options to be subjected to the inter-governmental process - preferably at the UN Human Rights Council - to further the consensus with emphasis on implementation in a result-oriented fashion; and (3) the implementation will then be underwritten and monitored by the Human Rights Council through the available reporting mechanisms.

In her statement, Clinton said that the gathering and the shared commitment it represents, is vitally important. "It is one of these events that has great ramifications far beyond this room." She applauded the OIC for helping pass Resolution 16 /18 at the Human Rights Council. "Together we have begun to overcome the false divide that pits religious sensitivities against freedom of expression, and we are pursuing a new approach based on concrete steps to fight intolerance wherever it occurs. Under this resolution, the international community is taking a strong stand for freedom of expression and worship, and against discrimination and violence based upon religion or belief," said Clinton. Now is the need for implementation, she said, and that the United States intends to invite relevant experts from around the world to the first of what she hoped will be a series of meetings to discuss best practices, exchange ideas, and keep moving forward beyond the polarizing debates of the past; to build those muscles of respect and empathy and tolerance that the Secretary General referenced.

## ***OIC, US issue joint statement on the meeting***

A joint statement was issued by the Co-Chairs at the end of the meeting in which they called upon all relevant stakeholders throughout the world to take seriously the call for action set forth in resolution 16 /18, which contributes to strengthening the foundations of tolerance and respect for religious diversity as well as enhancing the promotion and protections of human rights and fundamental freedoms around the world.

The participants, resolved to go beyond mere rhetoric. They urged States to take effective measures, as set forth in Resolution 16 /18, consistent with their obligations under international human rights law, to address and combat intolerance, discrimination, and violence based on religion or belief.

The Co-Chairs of the meeting committed to working together with other interested countries and actors on

follow up and implementation of Resolution 16 /18 and to conduct further events and activities to discuss and assess implementation of the Resolution. Participants were encouraged to consider providing updates, as part of ongoing reporting to the Office of the High Commissioner for Human Rights, on steps taken at the international level on the implementation of Resolution 16/18, building also on related measures in the other resolutions adopted by consensus on freedom of religion or belief and on the elimination of religious intolerance and discrimination.

#### **Concrete follow-up**

Speaking with the *OIC Journal*, Ambassador Eileen Chamberlain Donahoe, US Representative to the Human Rights Council, said that this meeting is an important signal that the international community can find common grounds towards addressing an issue that was seemingly intractable for over a decade and find a way to support freedom of religion and freedom of expression, at the same time that we come together in fighting religious intolerance.

Ambassador Donahoe stressed that "it wasn't just going to be a landmark resolution, but there is going to be concrete follow up and this meeting was symbolic and substantive manifestation of that."

A positive aspect of Resolution 16 /18 is that it did not pit the principle of freedom of religion against freedom of expression, said Ambassador Donahoe, rather it combined them. "We believe that through free expression we are better able to combat intolerance."

In response to *OIC Journal* query on defining what would constitute incitement to hate, she clarified that in the US there is a single case where freedom of expression can be restricted or prohibited by the State, and that is when "incitement to eminent violence".

In this context, she pointed out that the President, the Secretary of State and several public officials went out on a limb to publically condemn 'Burn the Quran Day' to show that such abominable acts are not accepted. "When you have the President, the Secretary of State and public figures jointly condemning that, it will be more effective than throwing that pastor in jail. I believe the same is true for the hateful cartoons (of the Prophet). We should all be joining together in conveying our disgust with such intolerance."

Ambassador Zamir Akram, Permanent Representative of Pakistan on behalf of the OIC at the HRC, told the *OIC Journal* that both sides – the OIC countries and the western countries – made important concessions to each other to reach a compromise on the resolution. What is important for the OIC point of view is that it would not compromise on three things: anything against the Quran, anything against the Prophet (PBUH), and anything against Muslim community in terms of discrimination.

On the issue of criticism directed towards Muslim countries where minorities are sometimes discriminated against, Ambassador Akram agreed that some of the criticism is justified. "We as countries that subscribe to Islamic values, we must act in accordance with our religious duties which is to protect all minorities." However, he did not think that any country in the Muslim world is deliberately discriminating against minorities.

He added that many of the Muslim countries have strong laws against religious discrimination and the Quran itself contains strong directives. The key is in implementation.

"At the same time we are asking for protection of Muslims living in the West, we must also be prepared to give the same treatment of minorities living in Muslim countries," said Ambassador Akram.

#### **The next step is implementation of the Resolution**

Ambassador Donahoe said that three things are currently agreed on. "The US is willing to host in the fall of this year the first roll-up your sleeves hands-on meeting to discuss actions that the states can and should be taking to combat intolerance in their society." Other follow up meetings around the world will hopefully be held. In addition, the HRC High Commissioner's office will be taking input reporting from around the world on steps taken by the states to combat religious intolerance that are consistent with free speech and freedom of religion. Finally, at the HRC there will be a full-day gathering to highlight the work that has been done by leaders around the world to combat intolerance and discrimination.

At the meeting, the representative of UN High Commissioner for Human Rights Ambassador Ibrahim Salamah said that the true challenge now is indeed to give practical effect to this resolution.

He cautioned, "Implementing this resolution to the fullest will not be easy as some of the actions required may face opposition from political fractions or indeed certain pockets in society, and some of the measures will also surely require financial and human resources in a time of constantly competing budget priorities in all countries. However, we need to always bear in mind that the cost of non-action will always be even higher."

He said that the High Commissioner's Office has been undertaking numerous activities furthering some of the issues captured in resolution 16 /18 including advice on draft legislations in the sphere of racism, racial discrimination, and freedom of expression as well as training activities tailored to law enforcement officials and members of the judiciary. One particular ongoing activity focuses on the demarcation between freedom of expression and hate speech, especially in relation to religious issues, which has unfortunately come increasingly under focus and created friction among diverse communities.

Ambassador Salamah pointed to the major step in the field of human rights taken by the OIC of establishing the Independent Permanent Commission on Human Rights (IPCHR), as a principal organ of the OIC.

"I should clearly stress here that Islamic values, as mentioned in the Commission's Statute, are not and cannot be in contradiction with internationally recognized human rights norms and standards. Indeed, since time immemorial, religions have sought to express not only the human relationship with the divine, but also the values of tolerance, compassion and solidarity that should underpin human beings' interaction with each other," stressed Ambassador Salamah. The High Commissioner's Office stands ready to extend its support to the OIC and to the Commission in this new endeavor, he said.

## OPINION

### *OIC Continues Its Remaking in Astana*

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Since 2005 the Organization of Islamic Cooperation (OIC), then was called the Organization of the Islamic Conference, has embarked on a process of comprehensive change in terms of role and action in all of its fields. The 3rd Extraordinary Summit in the Holy City of Makkah Al-Mukaramah, Saudi Arabia was the virtual start by introducing an important and comprehensive document titled the Ten-Year Programme of Action with the objective of facing the challenges to all Muslims in the 21st century. Later in 2008 in Dakar, Senegal the OIC held its 11th Session of the Islamic Summit Conference under the title of Session of the Muslim Ummah in the 21st century and adopted the new Charter of OIC. These two dramatic achievements became the compass for the new vision of the OIC and a catalyst for de-traditionalizing and de-classicalization of the work of the OIC with the support of its Member States.

In Astana, the capital of Kazakhstan, the Council of Foreign Ministers (CFM) held its 38th Session in 28 June 2011 and adopted several resolutions and positions, which translate the above documents into concrete measures and actions, just like all previous CFMs since 2005. However, the CFM meeting in Astana went further by adopting several resolutions that deserve our special attention. Some of which are associated with new developments in the Muslim World. Others are associated with the new general direction of the politics of OIC in accordance with its new platform.

First, the CFM in Astana, in the presence of H.E. Nursultan Nazarbayev, President of the Republic of Kazakhstan and the Secretary General of the Organization of Islamic Cooperation H.E. Professor Ekmeleddin Ihsanoglu, witnessed the consensus of Member States to change the logo of the Organization of the Islamic Conference and its name to becoming the Organization of Islamic Cooperation (OIC). This resolution reflected a qualitative shift in the performance of OIC and the enormous enhancement of its effectiveness as an international organization as active in diverse areas of politics, economy, culture and society.

In his opening speech, President Nazarbayev commended the OIC's key role describing it as the "United Nations of the Muslims." The President made a number of recommendations reflecting his strong belief in OIC's performance and latent capacity. He called for new economic ideas that support medium and small scale enterprises and strengthen the Islamic financial system. He also proposed increased representation of the Muslim world in the G20 to enable it to defend its positions on important global issues.

Second, the CFM meeting adopted the OIC Action Plan for more Cooperation with Central Asia. During a high-level meeting in the first day of the session, the CFM adopted the Plan, which

aims to increase cooperation and coordination between countries of Central Asia and the rest of the OIC Member States, especially in the economic, scientific research, health, and cultural fields.

Third, the CFM adopted the Statute of the Independent Permanent Human Rights Commission and elected 18 members. This represented a key development that indicates the OIC is actually involved in the defence of human rights values, principles and practice in response to the requirements of the current phase and the aspirations of the Muslim peoples.

Fourth, the CFM meeting condemned terrorism in all its forms and manifestations and reaffirmed that terrorism should never be linked to any religion, race, faith, values, culture or society. However, the CFM noted that terrorism cannot be effectively addressed purely through the security perspective or military means. It stressed that combating terrorism must be dealt with through providing proper education and better social and economic conditions for impoverished people and job opportunities for youth and would yield far better results by the eradication of its root causes.

Fifth, the CFM meeting reaffirmed the importance of increased efforts to promote inter-religious, inter-ethnic and inter-cultural dialogue within and between states in order to protect the rights of every individual, prevent conflict, foster social harmony, preserve identity and celebrate diversity.

Sixth, the CFM meeting called for tolerance and condemned Islamophobia and discrimination against Muslims. It commended the continued initiatives by the OIC Secretary General to effectively counter Islamophobia in various international fora, called upon the international community to take effective measures to combat the defamation of religions and stereotyping of people on the basis of religion, faith or race.

Seventh, the CFM meeting sent a clear message to the international community calling for the recognition of the State of Palestine within the 1967 border, with Jerusalem as its capital. This particular CFM session was important because it was held at a historic juncture since it was the latest such event to take place before the coming session of the UN General Assembly in mid September 2011, which is expected to consider the issue of recognizing the State of Palestine.

Finally, the CFM acknowledged the key role that socio-economic development plays for the stability of OIC societies. Therefore, the CFM pledged to strengthen development, reduce vulnerability and to unleash the potential of Muslim peoples and economies. It confirmed the determination to enhance trade and aid among Muslim countries, and to promote education and innovation in order to modernize Muslim societies, cope with demographic changes and create new opportunities, especially for youth and women.

It is safe to say that the dire need for economic, social and developmental workshops in the Muslim world has been more reflective in the CFM meeting in Astana. The ever-changing Muslim world especially after the outbreak of several revolutions and uprisings in some OIC member states, indicate that the real challenges for all Muslim countries are mainly economic, educational, and developmental.

The OIC has been aware of these challenges particularly since 2005 and practically began to shift its work and reorient itself with the new but different environments within the Muslim World. The coming months and years are critical for both the OIC and its Member States as there will be urgency to transform the visions and resolutions into concrete actions in order to help the OIC's World complete its process of remaking into the 21st century.