



*Permanent Observer Mission
of the Organisation of
the Islamic Conference to
The United Nations Offices in
Geneva and Vienna*



**UNIVERSAL
DECLARATION
OF HUMAN
RIGHTS**

**THE ORGANIZATION OF THE ISLAMIC
CONFERENCE TO THE UNITED NATIONS OFFICES IN
GENEVA AND VIENNA (OIC) INTER-INSTITUTIONAL
FORUM ON UNIVERSAL SHARED VALUES:
CHALLENGES AND NEW PARADIGMS**

SUMMARY RECORD

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OPENING SESSION

H.E. Mr. Arsene M. BALIHUTA (Ambassador and Permanent Representative of Uganda to the United Nations Office in Geneva and Chairman of the Geneva OIC Group) declared open the OIC Inter-institutional Forum on Universal Shared Values: Challenges and New Paradigms and extended a warm welcome to participants and guest speakers. He said that human rights were not violated by forces of nature but by humans thinking about themselves and others differently and the forum would be of utmost importance in contemplating universally shared values and the consequent challenges and new paradigms.

H.E. Mr. Babacar BA (Ambassador and Permanent Observer of the OIC to the United Nations Office in Geneva) said that the celebration of the sixtieth anniversary of the Universal Declaration of Human Rights (UDHR) in the newly-inaugurated Human Rights and Alliance of Civilizations Room, Geneva, on 12 December 2008 had been a major event taking stock of the collective commitment to lay the basis for a better world, respectful of human dignity, justice and equality. The OIC was a key player on the international stage and the forum represented its contribution to the commemoration, with many of its nationals having helped draft the United Nations Charter and its annexes.

He welcomed participants to the forum and introduced the guest speakers. He thanked the Ambassadors of Algeria, Afghanistan, the Islamic Republic of Iran, the Republic of Yemen, Turkey, Indonesia and Pakistan for providing works of art and musical entertainment for the post-forum exhibition and reception. He said that, in a world afflicted by multiple crises and questioning its future, the forum offered an opportunity to exchange views and reflect on how best to chart the path in the right direction to ensure the success of the UDHR in a spirit of cooperation and solidarity.

H.E. Mr. Babacar Carlos MBAYE (Ambassador and Permanent Representative of Senegal to the United Nations Office in Geneva), delivered the message of **H.E. Mr. Abdoulaye WADE**, President of Senegal and Chairman of the Eleventh Session of the Islamic Summit Conference of the OIC. H.E. Mr. Wade paid homage to those who worked daily to promote and defend the principles of the UDHR, some of whom had paid the price with their freedom or lives. He said that the presence at the forum of such high level participants bore witness to the interest shown in the event by the international community. It also confirmed the solid consensus on the relevance of the Declaration sixty years after its adoption and on preserving it as one of the legal underpinnings of the international human rights regime. The theme of ‘Human Rights and Cultural Diversity’ dovetailed well with the desire of the OIC to invest more visibly and effectively in the promotion and protection of human rights. He added that the principles of tolerance, equality, justice and respect for human dignity underpinned the actions of the OIC and cemented solidarity among Member States, which in turn helped guide its relations with other institutions within the international community.

He urged participants to pool their ideas and resources in order to open up a new era of fruitful dialogue and work towards the common goal of achieving full implementation of the provisions of the Declaration. Efforts must be redoubled to

improve policies relating to the promotion and protection of the rights of women and children in many Member States pursuant to internationally-agreed commitments, and he pledged his support to the OIC to help overcome the many challenges.

H.E. Mr. Sergei ORDZHONIKIDZE (Director-General of the United Nations Office in Geneva) said that the sixtieth anniversary of the landmark UDHR provided an opportunity to promote its ideals and principles. However, the promise of the Declaration remained unfulfilled for too many people across the world and efforts must be intensified to turn the international community's commitment to ensure human dignity and universally shared values for all into a reality in line with United Nations broader efforts to bring peace, stability and prosperity to all the world's peoples. He welcomed the current focus on enhancing cooperation between stakeholders and said that in July 2008 he had co-chaired the second General Meeting of the Organizations and Agencies of the United Nations system and the OIC, where it had been agreed to improve coordination and build institutional linkages.

He called for renewed emphasis on inter-cultural dialogue so as to rebuild bridges and promote tolerance to offset the polarizing effects of prejudice and mistrust. The United Nations Alliance of Civilizations (UNAOC) provided a valuable platform for such dialogue and he expressed his appreciation of the OIC's efforts to promote cultural diversity by participating in the Alliance's Group of Friends.

As economic uncertainty threatened to undo hard-won development gains and undermine efforts to meet the Millennium Development Goals (MDGs), universally shared values remained vital to international collaboration. He therefore welcomed the pledge by high-level representatives from 160 countries at the International Conference on Financing for Development in Doha in November 2008 of continued commitment to development and humanitarian assistance despite the financial crisis.

H.E. Mrs. Erlinda F. BASILIO (Ambassador and Permanent Representative of the Philippines to the United Nations Office in Geneva and Vice-President of the Human Rights Council) delivered the speech of **H.E. Mr. Martin Ihoeghian UHOMOIBHI**, Ambassador and Permanent Representative of Nigeria to the United Nations Office in Geneva and President of the Human Rights Council. He said that the notion of universal human rights stemmed from the philosophical view that they were inextricably linked to the preservation of human dignity for all regardless of race, gender, colour, religion or social status. The recognition of human dignity and of the equal and inalienable rights of all members of the human family was the foundation of freedom, justice and peace in the world, sentiments that were first expressed in the French Declaration on the Rights of Man and of the Citizen and echoed almost 160 years later in the preamble to the UDHR.

Yet, a shared understanding of the Declaration's core values remained illusive and the cultural relativism-based argument concluded that if there were no universal culture, there could be no universal rights. Sixty years ago the Declaration had envisaged a world in which its core values would apply to everyone, everywhere, always, with a careful balance of the common human entitlements of individual freedoms, social protection, economic opportunity and duties to the community. It was hard to imagine a society that could not prosper from observing such values but that was not presupposing that universality equated to uniformity.

He said that to assert the universality of human rights did not suggest that they should transcend all philosophical, cultural and religious differences but they should reflect the common human experience. In making an explicit link between human rights and human dignity, the preamble of the United Nations Charter recognized the common human experience but defending common standards of decency and human dignity should also allow respect for differences. Diversity could thus be a source of strength and the challenge was to fortify the universal experience with the richness of human diversity.

H.E. Mrs. Navanethem PILLAY (United Nations High Commissioner for Human Rights) said that the sixtieth anniversary of the UDHR was a powerful reminder of common humanity, inherent dignity and shared values. Emerging from the tragedy of World War II, the Declaration had highlighted the need for mutual understanding and collaboration and asserted that a common vision of respectful and peaceful coexistence could prevail over brutality, hatred and destruction. The UDHR was still relevant, promoting a world in which all could live in dignity, free from hunger, violence and discrimination, and enjoy the benefits of housing, health care, education and opportunity.

She said that, although most countries had absorbed the UDHR's principles into their constitutions and laws, serious implementation gaps remained and daunting new challenges were emerging, such as climate change, the food and financial crises, globalisation, terrorism, and new or resurgent epidemics. Doubts on the universality of rights also hampered international cooperation on human rights. She said that her own experience as a victim in apartheid South Africa, where words from religious texts were used to denigrate and incite hatred against the black population, had taught her that the right to voice one's own values, opinions and criticisms was vital in the fight against repression and discrimination. Amazingly, such abuse had disappeared almost overnight when the Mandela Government had criminalised it under national law and nurtured a human rights culture that respected the dignity of all.

Turning to cultural diversity, she said that globalisation, migration and the intersection of cultures, sharing experiences and educating others about one's traditions fostered a cross-fertilization of cultures and represented a compelling response to mounting intolerance and discrimination. Diversity should therefore be seen as both a challenge and an opportunity to promote harmonious social interactions and human rights for everyone.

She said that the Office of the High Commissioner for Human Rights (OHCHR) had recently organised a seminar on the links between freedom of expression and advocacy of religious hatred that constituted incitement to discrimination, hostility or violence. Although incitement to racial or religious hatred should be acted upon urgently, criticism of religions did not necessarily constitute incitement and each case should be assessed individually pursuant to relevant international human rights standards and protecting the rights of both religious minorities and non-believers. It was important to promote understanding of cultural diversity so that even contrasting views could be freely expressed in public. She concluded that human rights were universal and deeply rooted in all civilizations and cultures and not the product and exclusive preserve of specific doctrines and traditions.

Mrs. Tehmina JANJUA (Deputy Permanent Representative of Pakistan to the United Nations Office in Geneva and OIC Group Coordinator on Human Rights and Humanitarian Issues) said that human rights were at the heart of Islam, any infringement of which amounted to violating Divine Law. Diplomats and negotiators from Muslim countries had contributed to the preparatory work on the UDHR, in particular on religious freedom, social justice, indivisibility of rights and socio-economic rights. However, significant obstacles impeded the realisation of all human rights, such as the failure to attain the right to self determination for the people of Palestine and of Jammu and Kashmir.

She said that the Declaration's message should be disseminated to help combat racism, Islamophobia, defamation of religions, anti-Semitism and Christianophobia. She recalled that in 1998 the OIC had tabled a resolution on the defamation of religions at the Human Rights Commission, following the concern of OIC countries about aggressive anti-Muslim discourse in the media, the vilification of Islam and discriminatory practices against Muslim communities, particularly post 9/11. She said that equating Islam and the entire Muslim community with terrorism defied logic and ignored the political basis of terrorism, adding that OIC Member States had condemned all forms of terrorism.

The OIC in Geneva had been working hard to develop consensus on human rights issues and had remained actively engaged in the institutional building of the Human Rights Council. It continued to support the Universal Periodic Review (UPR) process, was participating in The Durban Review Process and the OIC working group on human rights and humanitarian issues was working closely with its partners to promote and protect human rights through the Human Rights Council and its various mechanisms. In addition, the Organization looked forward to continued dialogue and collaboration with the OHCHR. Finally, as had been reported by John Holmes at the launch of the Humanitarian Appeal 2009 in November 2008, OIC Member States were fast becoming the largest contributors to United Nations humanitarian activities.

H.E. Prof. Ekmeleddin IHSANOGLU (Secretary General of the OIC), delivering his **keynote address**, said that the forum offered an opportunity to assess the implementation of the UDHR and find solutions to the new challenges to promoting human rights and cultural diversity. The Universal Declaration was more than a treaty; it was a statement of common standards and shared values, an extension of the United Nations Charter, the basis for the International Bill of Human Rights and part of international law. Having withstood the test of time, its core values applied to everyone, everywhere and always.

He said that human rights in Islam were firmly rooted in equality for all, transcending place, colour, language and social status, based on an exemplary code for human rights created fourteen centuries ago. OIC Member States had helped to develop the Declaration, especially with regard to social justice, indivisibility of human rights, right to self-determination and religious freedom. Contemporary challenges, such as incitement to religious hatred, discrimination, intolerance, demonization of Muslims and equating Islam with terrorism, called for the application of the Declaration's full import. Linking crimes committed by a few misguided individuals with Islam fuelled their objectionable deeds and the OIC was helping in

efforts to combat anti-Semitism, Christianophobia and anti-Western misperceptions as well as addressing Islamophobia.

Turning to defamation of religions, he said that, although adhering to the Islamic principles of self-questioning and allowing objective religious criticism, the OIC was concerned about extremist behaviour against the believers of a particular religion. However, it respected the right to freedom of expression and did not seek any restrictions beyond those set by articles 19 and 20 of the International Covenant on Civil and Political Rights.

He called for clarification on the fine line between religious criticism and insult or incitement to hatred. For example, was it criticism to call for the burning of the Qur'an? Likewise, was it religious criticism or an act of hatred and racism to desecrate the tombs of Muslim soldiers who had died for the flag of a European country? In Islam, there was no freedom without accountability but freedom of expression had been abused and exploited by some for political and financial gains. Practical measures to address acts of incitement to religious or racial hatred were needed at local and international levels and the OIC would continue to work with its international partners to foster dialogue between the West and the Muslim world.

In its process of self reflection on human rights, the OIC had instigated various initiatives, such as adopting the Cairo Declaration of Human Rights in Islam (CDHRI) in 2000; outlining a Ten-Year Programme of Action at the Third Extraordinary Session of the Islamic Summit Conference in Makkah in December 2005 as a road map to enhance human rights, enlarge political participation and promote equality, civil liberties and social justice in OIC Member States; and adopting the new OIC Charter during its Dakar Summit in March 2008. Furthermore, at national level OIC Member States were committed to strengthening their national laws and regulations to guarantee respect for human rights in their respective countries.

The sixtieth anniversary of the UDHR coincided with the birth of the United Nations Human Rights Council to promote and protect human rights based on the principles of universality, impartiality, objectivity and non-selectivity and cooperation. He said that OIC Member States would continue to foster constructive dialogue with the rest of the international community to ensure the success of the new Council. He also welcomed the Durban Review Conference in Geneva and working group as a follow up to the Durban Conference and supported the call of the new High Commissioner for Human Rights for the active participation of all stakeholders. The Review Conference would aim to find the most practical and efficient solutions to the scourge of racism and other obstacles and the OIC insisted that the review process should be inclusive and neither politically-motivated nor an anti-Semitic exercise.

While celebrating the sixtieth anniversary of the Declaration, the international community must also mourn some of its failures, including that of the Human Rights Council to implement its mandates and resolutions in order to combat the systematic violations of the fundamental rights of the Palestinian people over the last 45 years. The Human Rights Council had failed to gain access to investigate abuses in the Occupied Palestinian Territories and must find new ways to protect the basic human rights of the Palestinian people.

As for development issues and humanitarian assistance, he said that the OIC, with its new Charter and Ten-Year Programme of Action, had identified socio-economic problems as priority areas for joint action. The Least Developed Countries faced problems such as extreme poverty, illiteracy, hunger, endemic diseases and lack of access to health care, aggravated by the new challenges of cyclical environmental disturbances and climate change. Such developmental obstacles called for better coordination of international efforts in order to find sustainable solutions.

In his concluding remarks, he said that the year-long celebration of the sixtieth anniversary of the Declaration and the launching of the Human Rights Council gave ample opportunities to re-evaluate past performances and take concrete measures to protect and promote human rights for all and combat racism, discrimination and xenophobia. It was a global challenge requiring collective efforts and the impressive progress made in the past sixty years, despite wars, aggressions and gross violations of human rights across the world, should inspire the OIC to continue to uphold the lofty values of the Declaration for all in cooperation with the international community.

FIRST SESSION: HUMAN RIGHTS AND CULTURAL DIVERSITY – CHALLENGES AND PERSPECTIVES

H.E. Mr. Saad Eddin TAIB (Ambassador and Advisor to the OIC Secretary-General) said that the OIC was contributing fully to efforts to restore peace, harmony and security to international relations. Islam offered a message that had changed the course of history and differed from other religions in having a clear code for human rights, linked to Divine Law, which were binding and inviolable and called for equity among all human beings regardless of race, colour, gender, belief or economic or social position. In Islam, justice was the absolute standard and basis of government, demanding tolerance, compassion, mercy and respect for human dignity.

He said that diversity and pluralism were integral to the core values of Islam and deeply rooted in culture and religion. In order to safeguard the values of goodness, virtue and high ethics, moral and spiritual forces should be strengthened but there was a growing rift between the material world and spiritual values, with many people in developed countries finding themselves in a spiritual void, having abandoned their religions, beliefs and sacred texts.

Turning to Islamophobia, he said that some Muslims living in the West had become victims of discriminating bigotry, harassment and mental and physical abuse, exacerbated by freedom of expression. He said that some people still claimed that defamation of religions had nothing to do with human rights, yet a victim of Islamophobia stood to suffer from isolation and discrimination, loss of economic, social and cultural rights and even from physical threat. He cited articles 7, 12, 18 and 22 of the UDHR, which stressed the relevance between human rights and the negative consequences of defamation of religions, calling for them to be fully implemented to ensure justice was served.

He concluded that western human rights traditions, rooted in the European Enlightenment, had until recently advanced human dignity and the values of human civilization and he hoped that the obstacle of diverse views on defamation of religions

would be removed and differences settled and so usher the world into a new era of concord and harmony to the benefit of all humanity.

H.E. Dr. Hadi AZZIZADEH (Deputy Director General of the Islamic Educational, Scientific and Cultural Organization (ISESCO)) said that, even if cultural diversity meant that Muslims had a different perception of the philosophy of human rights, they shared the same universal values and the adoption of the UDHR and its integration into the constitutions of most Islamic countries demonstrated a willingness to abide by those values. The Declaration was a milestone in the history of mankind, heralding a new order in relations between human beings and States and between States and citizens. Since its adoption after the bloodiest conflict in history substantial progress had been made in protecting human rights but new challenges had emerged due to tension hotpots and widespread poverty in some areas of the world.

He said that the international community must work together to reconcile any differences due to cultural diversity and open up new avenues for human rights. The United Nations Educational, Scientific and Cultural Organization (UNESCO) had established international conventions taking into account article 27 of the UDHR that defined cultural rights. For its part, the Islamic Declaration on Cultural Diversity stressed the need to recognise cultural diversity as part of the universal heritage and called for more dialogue on civilizations, cultures and religions. The Islamic Declaration also stated that no ‘enemy’ culture or nation existed and Islamic culture advocated progress, intellectual creativity and a spirit of mutual respect and peaceful coexistence with other cultures.

He said that respect for the ‘other’ was a fundamental principle of human rights and it was important to recognise the right to difference and cultural exception. World War II had been a reminder of the enormities that could be committed by those who wrongly believed in their ethnic and cultural supremacy. Unfortunately, gains in human rights and cultural diversity were currently being undermined by the negative image of Islam held in the West and spiritual and moral aggression towards Muslims since the events of 9/11, fuelled by extremists from both sides.

Prof. Osman EL HAJJE (Jinan University Human Rights Centre, Tripoli, Lebanon, and former member of the Sub-Commission on the Promotion and Protection of Human Rights) said that Jinan University taught international law alongside human rights in a traditional Islamic setting. The forum demonstrated the OIC’s commitment to promoting human rights in line with article 2, paragraph 7 of the preamble to its Charter and offered the opportunity to reflect on the efforts of Islamic countries to live in harmony with the prescriptions of the International Covenant on Civil and Political Rights. In Islam, human rights were compatible with the universal framework, accepting the importance of national and regional specificities and historical, cultural and religious diversity while affirming the duty of States to promote and protect all human rights. Every human being deserved respect for their dignity and to humiliate another person was an affront to all humanity. Likewise, there was no justification in killing defenceless civilians and destroying the belongings of others. Islam sought reconciliation and dialogue, never warfare.

He said that throughout history there had been defenders of human rights, including philosophers, prophets and world leaders. King Abdullah of Saudi Arabia

had recently assumed the responsibility of preaching peace and harmony and taking initiatives to solve the ills of our planet, such as tracing road maps and convening meetings with distinguished world figures in an open framework of dialogue.

Turning to international law, he said that resolution 49/19 of the Cairo Declaration specified that all States must acknowledge international laws on human rights, even those they had not adopted into their national legal framework. The concept of *jus cogens* in article 53 of the Vienna Convention on the Law of Treaties (1969) provided that mandatory norms could be imposed on States, rendering paragraph 7, article 2 of the United Nations Charter on non-intervention in matters of domestic jurisdiction inoperative in the case of human rights. For example, the International Court of Justice (ICJ) had recognised *jus cogens* in the case between the Democratic Republic of the Congo and Rwanda with respect to genocide.

He concluded that guaranteeing human rights was a long term undertaking requiring considerable efforts and the OIC was trying to improve the situation in Islamic countries and to allay criticisms levelled at certain countries in respect of human rights. He had therefore requested the OHCHR to provide support and technical assistance to help address the economic, political and material considerations that were hampering OIC efforts.

Dr. Fawzia AL-ASHMAWI (Professor of Arabic Language and Islamic Civilization, University of Geneva), focusing on the rights of women, said that Islam did not prohibit Muslim women from receiving education, training or participating in professional and political activities. However, some Muslim men had sought to circumvent women's rights for their own purposes and in Islamic countries Muslim women did not fully enjoy all the rights specified in the Qur'an and by the Prophet Mohammed and his successors. The problem lay with Islamic traditions, society's patriarchal approach and rigidity on the part of some religious leaders adhering closely to sacred texts and failing to encompass developments in modern society.

She said that if human rights were implemented according to the Qur'an and the Prophet Mohammed, all human rights enshrined in the 30 articles of the UDHR would be enjoyed by both men and women. However, in practice, 27 of the articles of the Declaration were in conformity under Islam and three were incompatible. Article 2 of the UDHR stipulated that all human beings were equal in law regardless of gender but in Islam men had a degree of pre-eminence over women to reflect the hierarchy of the family with the man as the head of the family. Article 16 specified the right of men and women to choose their spouse freely but in Islam a Muslim woman could only marry a Muslim man, while a man was entitled to choose a non-Muslim wife. Article 18 guaranteed the right to choose and change one's religion but Islam did not permit a person to change their faith after conversion to Islam, as that would be considered as reversion, for Islam was seen as the last religion following Judaism and Christianity.

She concluded that Islam had always advocated the principles of equality, fraternity and social justice as well as eliminating all forms of discrimination based on race, gender, nationality, colour, tribe or ethnicity. The Islamic perception of human rights for men and women was compatible with the fundamental principles of human

rights as specified in the UDHR, which should apply to all human beings in all nations of the world.

H.E. Mrs. Khadija Rachida EL-MASRI (Ambassador and Permanent Observer of the African Union in Geneva) said that the two major challenges to ensuring harmony between cultural diversity and human rights were how to reconcile cultural diversity and specificity and globalisation.

She said that cultural diversity and the universality of human rights were well anchored in the different human rights instruments, stemming from which was the fundamental principle of international law that all forms of discrimination based on race, colour, gender, language, religion, political opinion and status were illegal. Cultural relativism meant that human rights were not universal but varied according to cultural specificities and differences, so that the promotion, protection and application of human rights would depend on the different cultural, ethnic and religious traditions and values. Africa, for example, had three distinct Muslim, western and animist traditions, with the predominance of the community over the individual. Other cultural-specific examples were female genital mutilation, the specificities of indigenous populations, historical and contemporary slavery, child exploitation, abortion and traditional forms of contraception. Thus, the chief difficulty lay in overcoming the opposition between universal human rights and cultural relativism.

Turning to the effect of globalisation on cultural diversity and human rights, she said that new forms of inequalities between cultural groups had emerged, in particular in respect of access to the labour market and education. In some parts of the world there was tension between cultures rather than cultural pluralism and, although technological developments had facilitated the transnational flow of ideas, images and resources, they had also made it easy to disseminate politicised messages giving a negative perception of cultures.

H.E. Mr. Libère BARARUNYERETSE (Ambassador and Permanent Observer of the Organisation Internationale de la Francophonie (International Organization of la Francophonie - OIF)) said that the francophone community was based on respect for cultural diversity through dialogue, tolerance and mutual respect for differences and complementarity. With 70 Member States (20 in common with the OIC) in developing and industrialised countries and some of the wealthiest and poorest areas of the world, diversity of language, culture and economic activity provided the very essence and richness of the francophone community.

He said that differences should not be considered as incompatible with the universality of human rights; they should instead be a source of mutual enrichment. He welcomed the recently-established Human Rights Council, which would work towards ensuring that human rights were approached in a spirit of openness, respect and cooperation. He hoped that the sixtieth anniversary of the UDHR would encourage the international community to look beyond cultural differences and affirm the unity of human beings and their common destiny.

H.E. Mgr. Silvano TOMASI (Permanent Observer of the Holy See) said that the cultural diversity of the 55 Member States of the United Nations in 1948 had prevented a consensus on the ideal principles to be included in the UDHR, although

there had been agreement on the inherent dignity of every human being. It was therefore decided to list the practical principles only, such as the right to life, to seek asylum and to freedom of religion and practice. He said that cultural differences continued to affect the understanding, practice and respect of human rights. On the one hand, in post-modern society priority was given to individual life choices, which had weakened the premise that every right implied a corresponding duty. In other societies, on the other hand, a culture of community supported collective rights, which at times stifled or violated individual rights. There was a double risk of either falling into cultural relativism, with the consequent difficulty of establishing a common ethical basis to support rights, or into cultural uniformity, leading to the destruction of differences and diminishing the value of the person.

He said that globalisation was pushing people together and it was imperative to find a middle road where shared universal values could serve as a bridge between religions and cultures. Certain values were universal beyond the circumstances defined by religion or nature and should become the basis of dialogue. Diversity should be a source of enrichment for all but genuine dialogue could only take place in a context of freedom and was necessary before any theological implications could be reasonably addressed.

SECOND SESSION: INSTITUTIONAL DIALOGUE ON DEVELOPMENT ISSUES AND HUMANITARIAN ASSISTANCE

Mr. Nicholas VAN PRAAG (Director, Division of External Relations, United Nations High Commission for Refugees (UNHCR)) noted that many Eritrean refugees had remained in camps in Eastern Sudan for over 25 years, from the time of his first field job there for UNHCR. He had seen the other side of the equation on moving to the World Bank for 17 years before coming back to the UNHCR. He was therefore a kind of human bridge between humanitarian assistance and development and he underlined the importance of the link between the two. Their different approaches gave the impression that humanitarians were from Mars and development experts from Venus, given that humanitarian assistance required immediate, short-term and flexible relief, whereas development entailed long-term sustainable aid. Bridging the gap was the only way to end the exile of so many refugees and displaced people and there was a new political will afoot to try to address the situation. The UNHCR was working closely with the OIC, in particular on discussing migratory flows and how to distinguish between refugees and migrants, and an international conference at the ministerial level to look at the issue of refugees and displacement, originally scheduled for 2007, should take place in early 2009.

Since over half of refugees worldwide were in Islamic countries and Islam lay at the foundation of many precepts of human rights that underpinned the work of the UNHCR, the organization was carrying out a comparative study of asylum in Islam and in international law. The UNHCR was also working with ISESCO to provide educational courses for refugee children and adults and to set up self reliance projects.

Mr. Gerhard PUTMAN-CRAMER (Chief, Emergency Services Branch, Organization for the Coordination of Humanitarian Affairs (OCHA)) said that fundamental human rights could only be strengthened by all concerned working together. Humanitarianism was a universal concept that applied to all people,

irrespective of nationality, ethnicity, politics, religion or culture. OCHA was working closely with the OIC to ensure that the most effective assistance possible was provided in order to save lives and alleviate suffering.

He said that the major challenges to humanitarian effort were climate change and the ensuing natural disasters, continuing conflicts, the food price crisis and the economic crisis. Rising food prices were partly to blame for adding 75 million people to the ranks of the world's hungry, lifting the global figure to over 900 million and making hunger and malnutrition the world's number one health risk. In addition, the economic crisis would increase the number of people needing humanitarian assistance and force major traditional donors to tighten their purse strings. As highlighted at the recent World Economic Forum, the four main areas of focus should be policy reform, bridging the resource gap, strengthening partnerships and investing in prevention of conflicts and natural disasters.

Focusing on partnership, he said that too many actors and too little money made coordination crucial to ensuring the optimal use of available resources and OCHA was playing an increasing role in facilitating dialogue and collaboration between governments and the private sector. He said that humanitarian assistance was often incorrectly perceived as a western effort and greater international recognition should be given to the significant efforts of Muslim NGOs and OIC Member States. He welcomed the new Jeddah-based International Cooperation and Humanitarian Affairs Department (ICHAD) and said that OCHA was working with the OIC to deliver training modules in New York and Geneva for ICHAD staff and to provide support and information for meetings with NGOs from Islamic countries. The OIC and OCHA would also sign a Memorandum of Understanding in 2009 to formalise cooperation between the two organizations.

H.E. Mr. Atta Manane BAKHIT (Moderator) expressed alarm at the current food crisis figures and said that the main challenge was to limit the repercussions of the global financial crisis on humanitarian assistance. He agreed that Muslim NGOs deserved more recognition for their important role in humanitarian assistance and development and said that the OIC was working with OCHA to create a body to help protect those NGOs, particularly from the negative impact of being unjustly labelled following the 9/11 terrorist attack.

Mr. Salvano BRICENO (Director of the Secretariat, United Nations International Strategy for Disaster Reduction (UNISDR)) said that OIC Member States, such as Bangladesh and Pakistan, had been most affected by disasters but even countries previously untouched had been hit in recent times, such as Oman by cyclone Gonu in 2007. Disaster risk reduction was becoming more urgent due to the effects of climate change and governments had adopted the Hyogo Framework for Action 2005-2015 as a global blueprint offering guiding principles for action to reduce risks.

The ISDR was a partnership to address the specific challenges of reducing risks covered by the Hyogo Framework. Although partner organizations such as OCHA, the United Nations Development Programme (UNDP), the World Bank and the World Meteorological Organization (WMO) played a major role, the final responsibility lay with individual States and governments. The second session of the Global Platform for Disaster Risk Reduction in Geneva, June 2009, would review

progress made on the Hyogo Framework and he warned that many institutions, especially NGOs, were preparing to challenge governments on the matter and so it was important to be well prepared. He was reassured that UNISDR regional offices had organised conferences to discuss important issues prior to the Global Platform.

He said that the first report on disaster risk reduction, called the 'Global Assessment Report on Disaster Risk Reduction', would be launched in Bahrain in May 2009 and would be based on data on vulnerability trends for the first time, which would pinpoint areas that were most vulnerable to disasters.

He highlighted the need to strengthen collaboration with the OIC and said that he had recently held productive discussions with H.E. Prof. Ihsanoglu and H.E. Mr. Bakhit in Jeddah with a view to signing a Memorandum of Understanding to enhance cooperation and provide the best possible support to governments, thus facilitating implementation of the Hyogo Framework. He concurred with Mr. Putnam-Cramer that investing in prevention was the most effective way to reduce disasters.

H.E. Mr. Atta Manane BAKHIT (Moderator) pledged the OIC's support for the Hyogo Framework, which he said was an unprecedented document that had been introduced coincidentally after the Tsunami disaster.

Dr. Philip SPOERRI (Director, International Law and Cooperation, International Committee of the Red Cross (ICRC)) said that, although the ICRC would normally be expected to speak on the Geneva Convention rather than on the UDHR, there was a link as the Geneva Convention would also celebrate its sixtieth anniversary in May 2009. They were two distinct bodies of law, inspired by the horrors of World War II, but with similarities in language, as some of the drafters of the Declaration were the same experts who later worked on the Convention.

He pointed out that among the ten largest ICRC operations for 2009 were Sudan, Iraq, Afghanistan, Israel and the Occupied Territories, Somalia, Chad and Pakistan, all OIC countries. In terms of coordination and cooperation, partners followed similar principles but he agreed with Mr. van Praag of the UNHCR that humanitarian and development workers operated differently. Coordination was therefore vital and priority should be given to the quality of dialogue in the field in order to enhance credibility and ensure that humanitarian work was accepted.

He said that securing access to populations in conflict zones was the main obstacle to ICRC's work but there was also growing concern for the safety of humanitarian workers, some of whom had been killed recently in Afghanistan, Sudan and Somalia. Attacks were becoming so numerous that humanitarian action in general was under threat, exacerbated by the global financial crisis and climate change.

On the question of humanitarian assistance versus development, distinctions were often blurred in areas where protracted conflict made sustainable assistance more appropriate than short-term relief. Recent United Nation reforms to improve coordination and cooperation had borne fruit and in order to move forward diversity must be maintained within the humanitarian community.

Mr. Assane DIOP (Executive Director, Social Protection Sector, International Labour Organization (ILO)) said that the ILO's mandate was closely linked to the UDHR, with many of its principles applicable to workers' rights. Yet, the aims and aspirations of the Declaration remained unattainable for millions of workers and the current economic crisis made it even more necessary to monitor human rights. The ILO's 2008 campaign 'Gender equality at the heart of decent work' underscored the progress achieved in the world of work but also highlighted the many obstacles to securing equal rights and opportunities. The decent work agenda provided a response to those obstacles and the adoption of the 2008 ILO Declaration on Social Justice for a Fair Globalization crystallized the four interdependent aims of job creation and development of enterprise, social protection, social dialogue and rights at work.

As the United Nations agency responsible for the promotion of labour standards, the ILO had a long-established series of conventions to try to ensure that human rights were respected in the workplace. For example, ILO Conventions No. 87 on Freedom of Association and Protection of the Right to Organize (1948) and No. 111 on Discrimination in respect of Employment and Occupation (1958) were core conventions, although full ratification had yet to be achieved, especially regarding freedom of association and collective bargaining, with workers still excluded from the protection provided. Likewise, the right to social security was a fundamental right for all and ILO Convention No.102 (1952) constituted the main reference for interpreting and providing guiding principles for the implementation of that right. ILO Convention No. 100 (1951) provided that each Member should ensure and encourage the application of the principle of equal remuneration for men and women workers for work of equal value, which had later been echoed in United Nations instruments such as the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). The ILO would continue to encourage Member States to ratify, implement and integrate the relevant conventions into their national legal frameworks.

Health and safety at work were also prerequisites for respecting human rights and the ILO's theme for the 2009 World Day for Health and Safety at Work would be 'Health at Work: a Fundamental Right', adopted under the Seoul Declaration at the 2008 World Summit on Health and Safety at Work.

The ILO also looked after issues of protection and equal treatment for migrant workers and had been the first to alert the world to an expected loss of 20 million jobs globally due to the financial crisis, with migrant workers being the first victims. The International Trade Union Confederation (ITUC) was putting pressure on governments to integrate the rights of migrant workers into regional and national agreements, which could then be harmonised at international level.

H.E. Mr. Atta Manane BAKHIT (Ambassador and Assistant Secretary General of the OIC), speaking about the International Cooperation and Humanitarian Affairs Department (ICHAD), said that from its inception the OIC had envisaged playing an active role in humanitarian activities. The Islamic Development Bank (IDB), a specialised institution of the OIC, and the Islamic Solidarity Fund (ISF), a subsidiary organ of the OIC, had been working for some time with NGOs in OIC Member States but a milestone had been reached in 2005 when the Third Extraordinary Session of the Islamic Summit Conference in Makkah had approved a

Ten-year Programme Action for 2005-2015. As a result, ICHAD was created in 2008 to coordinate humanitarian activities with NGOs in Muslim countries in the three main areas of relief and peace building, capacity building among Muslim NGOs and cooperation with regional and international organizations.

The OIC had been working for over three years on peace building activities in Afghanistan, Sierra Leone, Bosnia and Herzegovina and Indonesia, four major disaster and war-stricken countries. Regional offices had been set up in those countries and comprehensive humanitarian programmes launched. In Indonesia, a project to look after the many thousands of orphan victims of the Tsunami was being jointly administered by the OIC, the IDB and partner NGOs with the sponsorship of businesses, philanthropists and financial institutions. In Sierra Leone, Afghanistan and Bosnia and Herzegovina, the OIC was involved in a range of activities and its success had led to other OIC countries requesting ICHAD to intervene in situations of humanitarian need. For example, Niger had approached the OIC after suffering drought in 2006-2007, following which an international donor conference had been organised in collaboration with the UNDP in Qatar, which had secured pledges of US\$380,000 million. ICHAD had also established relief programmes in cooperation with OIC Member States and NGOs, for example to cope with the recent floods in Yemen and Mozambique and the current dramatic situation in Gaza.

As for capacity building among NGOs in Muslim countries, the OIC was playing an important role worldwide to help counteract setbacks affecting humanitarian work and to raise the capacities of NGOs in order to maximise their impact on the ground. In particular, after 9/11 many NGOs had been illegally accused of terrorism and they had encountered many problems in both OIC and non-OIC countries. Two decisions had been made at the Thirty-fourth Session of the Islamic Conference of Foreign Ministers in Islamabad in May 2007; one was to give NGOs consultative status within the OIC and the other was to set up a council of NGOs to provide an official forum to meet, discuss ideas and coordinate action for large-scale disasters. The first meeting was organised by OCHA in Dakar in March 2008 and was a fruitful exchange attended by almost 64 NGOs from 27 Muslim countries, with a second meeting scheduled for March 2009.

He said that cooperation with specialist regional and international humanitarian organizations was a priority for the OIC, as the global enemies of poverty and natural disasters could not be faced alone. Individual organizations could not afford long-term intervention and so joint efforts would ensure more financial resources, available for longer. The OIC had already signed or was negotiating Memoranda of Understanding with several United Nations organizations to establish a legal backdrop for cooperation. More activities were planned for 2009, such as organising an international conference in Saudi Arabia in early 2009 in conjunction with the IDB to discuss ways to alleviate the humanitarian situation in Darfur and instigate a rebuilding programme. The OIC was also helping to mobilise partners to address the humanitarian situation in Somalia.

The **Representative of Sudan** said that Sudan was one of the main recipients of humanitarian aid, with US\$2.2 billion pledged for 2009. She concurred with the views expressed on the importance of strengthening partnerships and said that Sudan was cooperating with 250 NGOs and more than 16,000 humanitarian workers, 2,050

of whom were foreigners. Mechanisms had been put in place to deal with humanitarian workers and NGOs working in Sudan, which had helped maximise progress in the field. She called for the gap between emergency assistance and early recovery and development to be bridged in order to guarantee peace building and sustainability and to avoid the likelihood of returnees becoming refugees again. Finally, she echoed the comments of H.E. Mr. Bakhit on capacity building, adding that a strong partnership between international and national NGOs would ensure delivery at grass roots level and overcome traditional barriers to humanitarian assistance.

The **Representative of Senegal** said that coordination was vital for Senegal because the current lack of resources could seriously jeopardise humanitarian assistance and development programmes. It was therefore important to consider ways in which the various actors in the field could cooperate effectively to ensure that hopes were not dashed at a time of crisis. He asked whether any of the institutions represented at the forum were assessing the impact of the current crisis on humanitarian assistance and development.

The **Representative of Azerbaijan**) said that the forum had proved that human rights were deeply rooted in Islamic values, such as the right to asylum and women's rights. As for defamation of religions, although agreeing that freedom of expression formed the keystone of democracy, he said that there should be a clear distinction between criticism and insult and the OIC should continue to help those suffering from discrimination. No-one could claim to have a perfect human rights record and there was always room for improvement. He paid particular tribute to OIC efforts to build bridges between different cultures and civilizations and he highlighted the importance of dialogue so as to avoid misperception, mutual suspicion and fear and provide better protection for all regardless of ethnicity, race, and religion.

Mr. Gerhard PUTMAN-CRAMER (Chief, Emergency Services Branch, Organization for the Coordination of Humanitarian Affairs (OCHA)) agreed with Sudan that coordination and partnerships were important, especially given the high number of NGOs and humanitarian workers in the country. He also agreed that it was important to ensure an adequate link between humanitarian assistance and early recovery and development, which fell within OCHA's mandate and was therefore one of its prime concerns. Likewise, capacity building and partnerships at community level were vital and he invited participants to consider attending the sixth Dubai International Humanitarian Aid and Development Conference (DIHAD) in April 2009 on the theme of 'Empowering Communities: From Disasters to Development'.

He also supported the comments of Senegal and the ICRC concerning the importance of coordination and diversity. In response to Senegal's query regarding assessing the impact of the financial crisis on humanitarian activities, he said that OCHA was currently carrying out a study and was optimistic that its findings would indicate that humanitarian assistance would not suffer from the global crisis.

He echoed the views expressed by Azerbaijan on the importance of dialogue and said it was the first step towards partnership, which in turn was the first step towards collaboration and coordination, both of which were essential to success.

Mr. Salvano BRICENO (Director of the Secretariat, United Nations International Strategy for Disaster Reduction (UNISDR)) called for coordinated effort between governments and international organizations to address the challenge of building bridges between humanitarian assistance and development, which were currently handled separately at national and international levels.

Furthermore, reducing risk and vulnerability to disasters were both humanitarian and developmental tasks and only by building capacity for development would humanitarian work be effective at the community level. Such a difficult task required government support and the more bridges that could be built between partner agencies and governments the better. OCHA and ICRC were coordination agencies, working actively with other agencies in the field to build those bridges, such as the UNDP, the World Bank, the United Nations Children's Fund (UNICEF) and the International Federation of Red Cross and Red Crescent Societies (IFRCRCS).

CLOSURE OF THE SESSION

H.E. Mr. Atta Manane BAKHIT (Moderator) closed the forum by saying that humanitarian assistance and development were an integral part of human rights and more collaboration between regional and international actors in the field was needed to face the challenges of beating poverty, underdevelopment and natural disasters worldwide. Muslim countries were facing serious challenges in the humanitarian field but effective cooperation could have a real impact on reconstruction and development in those areas of world.

The meeting rose at 5.30 p.m.