

THE TANDEM PROJECT

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UNITED NATIONS: HUMAN RIGHTS, FREEDOM OF RELIGION OR BELIEF

DIALOGUE - THE CAIRO DECLARATION ON HUMAN RIGHTS IN ISLAM & THE 1981 U.N. DECLARATION ON FREEDOM OF RELIGION OR BELIEF

Issue: The Cairo Declaration on Human Rights in Islam; **comparisons for dialogue** on Article 18 International Covenant on Civil and Political Rights, and the 1981 U.N. Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief

For: United Nations, Governments, Religions or Beliefs, Academia, NGOs, Media, Civil Society.

Review: The *Cairo Declaration on Human Rights in Islam* was adopted and issued at the Nineteenth Islamic Conference of Foreign Ministers on 5 August 1990. The Organization of Islamic Conference (OIC) is an Inter-Governmental Organization of countries that either observes Shari'ah law, or where Islam is the majority religion. The OIC maintains Inter-governmental Permanent Observer Missions to the United Nations in New York and Geneva.

The Cairo Declaration is a statement by OIC government member states of the United Nations. The Tandem Project has placed the Preamble and twenty-five Articles of the Cairo Declaration, under the Preamble and eight Articles of the 1981 U.N. Declaration for **dialogue** on concepts, similarities and differences. The preamble and first sentence of each of the twenty-five articles of the *Cairo Declaration on Human Rights in Islam* are highlighted in this document. The complete Cairo Document can be read in full in *Religion and Human Rights Basic Documents*, published by the Center for the Study of Human Rights, Columbia University, New York, 1998.

Extracts from *The Cairo Declaration on Human Rights in Islam and United Nations Press Release* begin on the second page followed by an Issue Statement. Extracts are repeated under the *Eight Articles of the 1981 UN Declaration* and at the end of this Document.

Objective: Build understanding and support for Article 18, International Covenant on Civil and Political Rights –Everyone shall have the right to freedom of thought, conscience and religion - and the 1981 UN Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief. Encourage the United Nations, Governments, Religions or Beliefs, Academia, NGOs, Media and Civil Society to use these international human rights standards as essential for *long-term solutions* to conflicts based on religion or belief.

Challenge: In 1968 the United Nations deferred work on an International Convention on the Elimination of all Forms of Religious Intolerance, because of its apparent complexity and sensitivity. In the twenty-first century, a dramatic increase of intolerance and discrimination on grounds of religion or belief is motivating a worldwide search to find solutions to these problems. This is a challenge calling for enhanced dialogue by States and others; including consideration of an International Convention on Freedom of Religion or Belief for protection of and accountability by all religions or beliefs. The tensions in today's world inspire a question such as:

- Should the United Nations adopt an International Convention on Freedom of Religion or Belief?

Response: Is it the appropriate moment to reinstate the drafting of a legally binding international convention on freedom of religion or belief? Law making of this nature requires a minimum consensus and an environment that appeals to reason rather than emotions. At the same time we are on a learning curve as the various dimensions of the Declaration are being explored. Many academics have produced voluminous books on these questions but more ground has to be prepared before setting up of a UN working group on drafting a convention. In my opinion, we should not try to rush the elaboration of a Convention on Freedom

of Religion or Belief, especially not in times of high tensions and unpreparedness. - *UN Special Rapporteur on Freedom of Religion or Belief, Asma Jahangir, Prague 25 Year Anniversary Commemoration of the 1981 UN Declaration, 25 November 2006.*

Option: After forty years this may be the time, however complex and sensitive, for the United Nations Human Rights Council to appoint an Open-ended Working Group to draft a United Nations Convention on Freedom of Religion or Belief. The mandate of an Open-ended Working Group would have to be written in a way to assure nothing in a draft Convention would be construed as restricting or derogating from any right defined in the Universal Declaration of Human Rights, the International Covenants on Human Rights, and 1981 UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief

Concept: *Separation of Religion or Belief and State – SOROBAS.* The starting point for this concept is the First Preamble to the 1948 United Nations Universal Declaration of Human Rights; “*Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.* It suggests States recalling their history, culture and constitution adopt fair and equal human rights protection for all religions or beliefs as described in General Comment 22 on Article 18, International Covenant on Civil and Political Rights, UN Human Rights Committee, 20 July 1993 (CCPR/C/21/Rev.1/Add.4):

- **Article 18:** protects *theistic, non-theistic and atheistic beliefs, as well as the right not to profess any religion or belief.* The terms belief and religion are to be broadly construed. Article 18 is not limited in its application to traditional religions or to religions and beliefs with international characteristics or practices analogous to those of traditional religions. The Committee therefore views with concern any tendency to discriminate against any religion or belief for any reasons, including the fact that they are newly established, or represent religious minorities that may be the subject of hostility by a predominant religious community. **Article 18:** permits restrictions to manifest a religion or belief only if such limitations are prescribed by law and necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others.

Dialogue & Education

Dialogue: United Nations Secretary General Ban Ki Moon, at an Alliance of Civilizations Forum said; “Never in our lifetime has there been a more desperate need for constructive and committed dialogue, among individuals, among communities, among cultures, among and between nations.” An author in another setting has said, “The warning signs are clear: unless we establish genuine dialogue within and among all kinds of belief, ranging from religious fundamentalism to secular dogmatism, the conflicts of the future will probably be even more deadly.” There are varying degrees of cooperation, competition and conflict within and between religions or beliefs. International Human Rights Standards on Freedom of Religion or Belief is international human rights law and a code of conduct to promote cooperation, regulate competition and resolve conflicts. To include the value and use of these International Standards for world peace is genuine dialogue on freedom of religion or belief

Education: Ambassador Piet de Klerk addressing the Prague 25 Year Anniversary Commemoration of the 1981 U.N. Declaration said; “Our educational systems need to provide children with a broad orientation: from the very beginning, children should be taught that their own religion is one out of many and that it is a personal choice for everyone to adhere to the religion or belief by which he or she feels most inspired, or to adhere to no religion or belief at all.” The 1981 U.N. Declaration states; “Every child shall enjoy the right to have access to education in the matter of religion or belief in accordance with the wishes of his parents, and shall not be compelled to receive teaching on religion or belief against the wishes of his parents, the best interests of the child being the guiding principle.” Given these parameters, early childhood education is the time to begin to build tolerance, understanding and respect for freedom of religion or belief

Extracts: Extracts are presented under the Eight Articles of the 1981 U.N. Declaration on the Elimination of all Forms of Intolerance and of Discrimination Based on Religion or Belief. *Examples* of Extracts are presented prior to an *Issues Statement* for each Tandem Project Review.

4. 1 All States shall take effective measures to prevent and eliminate discrimination on the grounds of religion or belief in the recognition, exercise and enjoyment of human rights and fundamental freedoms in all fields of civil, economic, political, social and cultural life.

Cairo Declaration on Human Rights in Islam

Adopted and issued at the Nineteenth Islamic
Conference of Foreign Ministers on 5 August, 1990.

The Member States of the Organization of the Islamic Conference,

Reaffirming the civilizing and historical role of the Islamic Ummah which God made the best nation that has given mankind a universal and well-balanced civilization in which harmony is established between this life and the hereafter and knowledge is combined with faith; and the role that this Ummah should play to guide a humanity confused by competing trends and ideologies and to provide solutions to the chronic problems of this materialistic civilization. – *The Cairo Declaration on Human Rights in Islam, 1990*

Article 24: All the rights and freedoms stipulated in this Declaration are subject to the Islamic Shari'ah. – *The Cairo Declaration on Human Rights in Islam, 1990*

United Nations Press Release

Geneva, 11 July 2006: The Office of the United Nations High Commissioner for Human Rights (OHCHR) and the Organization of the Islamic Conference (OIC) today signed in Rabat a memorandum of understanding on technical cooperation in the field of human rights. Both organizations will work together in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion. The memorandum spells out cooperation in the area of information sharing, inviting each other to relevant meetings and events; as well as building regional, sub-regional and national capacities for the adoption of policies and guidelines on human rights and on encouraging to ratify international human rights treaties. The signing of the memorandum of understanding took place on the opening day of the UN-OIC general periodic meeting on cooperation between the two organizations and their specialized institutions. OIC is an inter-governmental organization established in 1969 which comprises 57 Member States, with its headquarters in Jeddah, Saudi Arabia” – *United Nations Press Release, 11 July 2006.*

ISSUE STATEMENT: The Organization of Islamic Conference (OIC) is an inter-governmental organization, with Permanent Observer Mission status with the United Nations. The OIC is involved in all aspects of the work of the United Nations and its affiliated institutions. This includes a wide range of human rights activities.

Recently, the United Nations Office of High Commissioner for Human Rights (OHCHR) and the Organization of Islamic Conference (OIC) issued a joint Memorandum of Understanding on Technical Cooperation in the Field of Human Rights. “The memorandum spells out cooperation in the area of information sharing, inviting each other to relevant meetings and events; as well as building regional, sub-regional and national capacities for the **adoption** of policies and guidelines on human rights and on encouraging them to **ratify** international human rights treaties.” - *U.N. Press Release on the Memorandum of Understanding, Jeddah, Saudi Arabia, 11 July 2006.*

Note: The first sentence of each of the articles is included at the end of this word file document. Readers open this link to read the entire Cairo Declaration on Human Rights in Islam:

The Tandem Project: a non-profit, non-governmental organization established in 1986 to build understanding and respect for diversity of religion or belief, and prevent discrimination in matters relating to freedom of religion or belief. The Tandem Project has sponsored multiple conferences, curricula, reference materials and programs on Article 18 of the International Covenant on Civil and Political Rights – Everyone shall have the right to freedom of thought, conscience and religion - and the 1981 United Nations Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief. The Tandem Project initiative was launched in 1986 as the result of a co-founder representing the World Federation of United Nations Associations (WFUNA) at a 1984 United Nations Geneva Seminar, *Encouragement of Understanding, Tolerance and Respect in Matters Relating to Freedom of Religion or Belief*, called by the UN Secretariat on ways to implement the 1981 UN Declaration. In 1986, The Tandem Project organized the first NGO International Conference on the 1981 UN Declaration.

The 1948 Universal Declaration of Human Rights First Preamble reads as follows: “*Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.* The principle suggests all States recalling their history, culture and constitution, provide equal protection by law for *theistic, non-theistic and atheistic beliefs, as well as the right not to profess any religion or belief.* This is International Law under the United Nations International Covenant on Civil and Political Rights. International Human Rights Standards on Freedom of Religion or Belief are essential for *long term solutions* to conflicts based on religion or belief.

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*The Tandem Project is a UN NGO in Special Consultative Status with the
Economic and Social Council of the United Nations*

WORD DOCUMENT ATTACHED

**THE 1981 U.N. DECLARATION ON THE ELIMINATION OF ALL
FORMS OF INTOLERANCE AND OF DISCRIMINATION
BASED ON RELIGION OR BELIEF**

Proclaimed by the General Assembly of the United Nations
25 November, 1981 (Resolution: 36/55)

Considering that one of the basic principles of the Charter of the United Nations is that of the dignity and equality inherent in all human beings, and that all Member States have pledged themselves to take joint and separate action in co-operation with the Organization to promote and encourage universal respect for and observance of human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion,

Considering that the Universal Declaration of Human Rights and the International Covenants on Human Rights proclaim the principles of non-discrimination and equality before the law and the right to freedom of thought, conscience, religion or belief,

Considering that the disregard and infringement of human rights and fundamental freedoms, in particular the right to freedom of thought, conscience, religion or whatever belief, have brought, directly or indirectly, wars and great suffering to humankind, especially where they serve as a means of foreign interference in the internal affairs of other States and amount to a kindling hatred between peoples and nations,

Considering that religion or belief, for anyone who professes either, is one of the fundamental elements in his conception of life and that freedom of religion or belief should be fully respected and guaranteed,

Considering that it is essential to promote understanding, tolerance and respect in matters relating to freedom of religion or belief and to ensure that the use of religion or belief for ends inconsistent with the

Charter of the United Nations, other relevant instruments of the United Nations and the purposes and principles of the present Declaration is inadmissible,

Convinced that freedom of religion or belief should also contribute to the attainment of the goals of world peace, social justice and friendship among peoples and to the elimination of ideologies or practices of colonialism and racial discrimination,

Noting with satisfaction the adoption of several, and the coming into force of some conventions, under the aegis of the United Nations and of the specialized agencies, for the elimination of various forms of discrimination,

Concerned by manifestations of intolerance and by the existence of discrimination in matters of religion or belief still in evidence in some areas of the world,

Resolved to adopt all necessary measures for the speedy elimination of such intolerance in all its forms and manifestations and to prevent and combat discrimination on the grounds of religion or belief,

Proclaims this Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief:

Preamble to the Cairo Declaration on Human Rights in Islam

The Member States of the Organization of the Islamic Conference,

***Reaffirming* the civilizing and historical role of the Islamic Ummah which God made the best nation that has given mankind a universal and well-balanced civilization in which harmony is established between this life and the hereafter and knowledge is combined with faith; and the role that this Ummah should play to guide a humanity confused by competing trends and ideologies and to provide solutions to the chronic problems of this materialistic civilization.**

***Wishing* to contribute to the efforts of mankind to assert human rights, to protect man from exploitation and persecution, and to affirm his freedom and right to a dignified life in accordance with the Islamic Shari'ah,**

***Convinced* that mankind which has reached an advance stage in materialistic science is still, and shall remain, in dire need of faith to support its civilization and of a self-motivating force to guard its rights;**

***Believing* that fundamental rights and universal freedoms in Islam are an integral part of the Islamic religion and that no one as a matter of principle has the right to suspend them in whole or in part or violate or ignore them in as much as they are binding divine commandments, which are contained in the Revealed Books of God and were sent through the last of His Prophets to complete the preceding divine messages thereby making their observance an act of worship and their neglect or violation an abominable sin, and accordingly every person is individually responsible – and the Ummah collectively responsible – for their safeguard.**

ARTICLE 1: LEGAL DEFINITION

***1.1* Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have a religion or whatever belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practices and teaching.**

Article 1 – All human beings form one family whose members are united by submission to God and descent from Adam.

Article 25 – The Islamic Shari’ah is the only source of reference for the explanation or clarification of any of the articles of this Declaration. Cairo, 14 Muharram 141H 5 August 1990.

1. 2. No one shall be subject to coercion which would impair his freedom to have a religion or belief of his choice.

Article 10 – Islam is the religion of unspoiled nature. It is prohibited to exercise any form of compulsion on man or to exploit his poverty or ignorance in order to convert him to another religion or to atheism.

1. 3 Freedom to manifest one’s religion or belief may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, morals or the fundamental rights and freedoms of others.

Article 17 – Everyone shall have the right to live in a clean environment, away from the vice and moral corruption, an environment that would foster his self-development; and it is incumbent upon the State and society in general to afford that right.

ARTICLE 2: CLASSIFYING DISCRIMINATION

2. 1 No one shall be subject to discrimination by any State, institution, group of persons or person on the grounds of religion or other beliefs.

Article 24 – All the rights and freedoms stipulated in this Declaration are subject to the Islamic Shari’ah.

Article 12 – Every man shall have the right within the framework of Shari’ah, to free movement and to select his place of residence whether inside or outside his country and, if persecuted is entitled to seek asylum in another country.

Article 23 – Authority is a trust; and abuse or malicious exploitation thereof is absolutely prohibited, so that fundamental human rights may be guaranteed.

2. 2 For the purposes of the present Declaration, the expression ‘intolerance and discrimination based on religion or belief’ means any distinction, exclusion, restriction, or preference based on religion or belief and having as its purpose or as its effect nullification or impairment of the recognition, enjoyment or exercise of human rights and fundamental freedoms on an equal basis.

Article 25 – The Islamic Shari’ah is the only source of reference for the explanation or clarification of any of the articles of this Declaration.

Article 14 – Everyone shall have the right to legitimate gains without monopolization, deceit or harm to oneself or to others. Usury (riba) is absolutely prohibited.

ARTICLE 3: LINK TO OTHER RIGHTS

3. 1 Discrimination between human beings on grounds of religion or belief constitutes an affront to human dignity and a disavowal of the principles of the Charter of the United Nations, and shall be condemned as a violation of the human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights and enunciated in detail in the International Covenants on Human Rights, and as an obstacle to friendly and peaceful relations between nations.

Article 4 – Every human being is entitled to inviolability and the protection of his good name and honour during his life and after his death.

Article 6 – Woman is equal to man in human dignity, and has rights to enjoy as well as duties to perform; she has her own civil entity and financial independence, and the right to retain her name and lineage.

Article 7 – As of the moment of birth, every child has rights due from the parents, society and the state to be accorded proper nursing, education and material hygienic and moral care.

Article 8 – Every human being has the right to enjoy his legal capacity in terms of both obligation and commitment.

Article 9 – The quest for knowledge is an obligation, and the provision of education is a duty for society and the State.

Article 11 – Human beings are born free, and no one has the right to enslave, humiliate, oppress or exploit them, and there can be no subjugation but to God the Most-High.

Article 12 – Every man shall have the right within the framework of Shari’ah, to free movement and to select his place of residence whether inside or outside his country and, if persecuted is entitled to seek asylum in another country.

Article 13 – Work is a right guaranteed by the State and Society for each person able to work.

Article 15 – Everyone shall have the right to own property acquired in a legitimate way, and shall be entitled to the rights of ownership, without prejudice to oneself, others or to society in general.

Article 16 – Everyone shall have the right to enjoy the fruits of his scientific, literary, artistic or technical production and the right to protect the moral and material interests stemming therefrom, provided that such production is not contrary to the principles of Shari’ah.

Article 18 – Everyone shall have the right to live in security for himself, his religion, his dependents his honour and his property.

Article 21 – Taking hostages under any form or for any purpose is expressly forbidden.

Article 22 – Everyone shall have the right to express his opinion freely in such manner as would not be contrary to the principles of the Shari’ah. [First sentence of article 22]

ARTICLE 4: EFFECTIVE MEASURES

4. 1 All States shall take effective measures to prevent and eliminate discrimination on the grounds of religion or belief in the recognition, exercise and enjoyment of human rights and fundamental freedoms in all fields of civil, economic, political, social and cultural life.

Cairo Declaration on Human Rights in Islam

Adopted and issued at the Nineteenth Islamic
Conference of Foreign Ministers on 5 August, 1990.

The Member States of the Organization of the Islamic Conference,

Reaffirming the civilizing and historical role of the Islamic Ummah which God made the best nation that has given mankind a universal and well-balanced civilization in which harmony is established between this life and the hereafter and knowledge is combined with faith; and the role that this Ummah should play to guide a humanity confused by competing trends and ideologies and to provide solutions to the chronic problems of this materialistic civilization. – The Cairo Declaration on Human Rights in Islam; From *Religion and Human Rights: Basic Documents*; Center for the Study of Human Rights Columbia, University, 1998.

4. 2 *All States shall make all efforts to enact or rescind legislation where necessary to prohibit any such discrimination, and to take all appropriate measures to combat intolerance on the grounds of religion or other beliefs in this matter.*

This Article encourages OIC countries to withdraw reservations to the *Universal Declaration of Human Rights*, to be in compliance with The Memorandum of Understanding which “spells out cooperation in the area of information sharing, inviting each other to relevant meetings and events; as well as building regional, sub-regional and national capacities for the adoption of policies and guidelines on human rights and on encouraging them to ratify international human rights treaties.”

Article 24: All the rights and freedoms stipulated in this Declaration are subject to the Islamic Shari’ah. – *The Cairo Declaration on Human Rights in Islam, 1990*

Article 25: The Islamic Shari’ah is the only source of reference for the explanation or clarification of any of the articles of this Declaration. – *The Cairo Declaration on Human Rights in Islam, 1990*

ARTICLE 5: PARENTS, CHILDREN, STATE

5. 1 *The parents or, as the case may be, the legal guardians of the child have the right to organize the life within the family in accordance with their religion or belief and bearing in mind the moral education in which they believe the child should be brought up.*

Article 5 – The family is the foundation of society, and marriage is the basis of its formation.

5. 2 *Every child shall enjoy the right to have access to education in the matter of religion or belief in accordance with the wishes of his parents or, as the case may be, legal guardians, and shall not be compelled to receive teaching on religion or belief against the wishes of his parents or legal guardians; the best interests of the child being the guiding principle.*

Article 7 – As of the moment of birth, every child has rights due from the parents, society and the state to be accorded proper nursing, education and material hygienic and moral care.

5. 3 *The child shall be protected from any form of discrimination on the grounds of religion or belief. He shall be brought up in a spirit of understanding, tolerance, friendship among peoples, peace and universal brotherhood, respect for the freedom of religion or belief of others and in full consciousness that his energy and talents should be devoted to the service of his fellow men.*

5. 4 *In the case of a child who is not under the care either of his parents or of legal guardians, due account shall be taken of their expressed wishes or of any other proof of their wishes in the matter of religion or belief, the best interests of the child being the guiding principle.*

5. 5 *Practices of a religion or belief in which a child is brought up must not be injurious to his physical or*

mental health or to his full development, taking into account Article 1, paragraph 3, of the present Declaration.

ARTICLE 6: NINE SPECIFIC RIGHTS

In accordance with Article 1 of the present Declaration, and subject to the provisions of Article 1, paragraph 3, the right to freedom of thought, conscience, religion or belief shall include, inter alia, the following freedoms:

6. 1 *To worship or assemble in connection with a religion or belief, and to establish and maintain places for these purposes;*

6. 2 *To establish and maintain appropriate charitable or humanitarian institutions;*

6. 3 *To make, acquire and use to an adequate extent the necessary articles and materials related to the rites and customs of a religion or belief;*

6. 4 *To write issue and disseminate relevant publications in these areas;*

6. 5 *To teach a religion or belief in places suitable for these purposes;*

6. 6 *To solicit and receive voluntary financial and other contributions from individuals and institutions;*

6. 7 *To train, appoint, elect or designate by succession appropriate leaders called for by the requirements and standards of any religion or belief;*

6. 8 *To observe days of rest and to celebrate holidays and ceremonies in accordance with the precepts of one's religion or belief;*

6. 9 *To establish and maintain communications with individuals and communities in matters of religion or belief at the national and international levels.*

ARTICLE 7: NATIONAL LEGISLATION

7. 1 *The rights and freedoms set forth in the present Declaration shall be accorded in national legislation in such a manner that everyone shall be able to avail himself of such rights and freedoms in practice.*

Article 19 – All individuals are equal before the law, without distinction between the ruler and the ruled.

Article 8 – Every human being has the right to enjoy his legal capacity in terms of both obligation and commitment.

ARTICLE 8: EXISTING PROTECTIONS

8. 1 *Nothing in the present Declaration shall be construed as restricting or derogating from any right defined in the Universal Declaration of Human Rights and the International Covenants on Human Rights.*

Article 24: All the rights and freedoms stipulated in this Declaration are subject to the Islamic Shari'ah. – The Cairo Declaration on Human Rights in Islam, 1990

Article 25: The Islamic Shari'ah is the only source of reference for the explanation or clarification of any of the articles of this Declaration. – The Cairo Declaration on Human Rights in Islam, 1990

THE CAIRO DECLARATION ON HUMAN RIGHTS IN ISLAM

The Member States of the Organization of the Islamic Conference,

Reaffirming the civilizing and historical role of the Islamic Ummah which God made the best nation that has given mankind a universal and well-balanced civilization in which harmony is established between this life and the hereafter and knowledge is combined with faith; and the role that this Ummah should play to guide a humanity confused by competing trends and ideologies and to provide solutions to the chronic problems of this materialistic civilization.

Wishing to contribute to the efforts of mankind to assert human rights, to protect man from exploitation and persecution, and to affirm his freedom and right to a dignified life in accordance with the Islamic Shari'ah,

Convinced that mankind which has reached an advance stage in materialistic science is still, and shall remain, in dire need of faith to support its civilization and of a self-motivating force to guard its rights;

Believing that fundamental rights and universal freedoms in Islam are an integral part of the Islamic religion and that no one as a matter of principle has the right to suspend them in whole or in part or violate or ignore them in as much as they are binding divine commandments, which are contained in the Revealed Books of God and were sent through the last of His Prophets to complete the preceding divine messages thereby making their observance an act of worship and their neglect or violation an abominable sin, and accordingly every person is individually responsible – and the Ummah collectively responsible – for their safeguard.

Declare the following:

Article 1 – All human beings form one family whose members are united by submission to God and descent from Adam.

Article 2 – Life is a God given gift and the right to life is guaranteed to every human being.

Article 3 – In the event of the use of force and in case of armed conflict, it is not permitted to kill non-belligerents such as old men, women and children.

Article 4 – Every human being is entitled to inviolability and the protection of his good name and honour during his life and after his death.

Article 5 – The family is the foundation of society, and marriage is the basis of its formation.

Article 6 – Woman is equal to man in human dignity, and has rights to enjoy as well as duties to perform; she has her own civil entity and financial independence, and the right to retain her name and lineage.

Article 7 – As of the moment of birth, every child has rights due from the parents, society and the state to be accorded proper nursing, education and material hygienic and moral care.

Article 8 – Every human being has the right to enjoy his legal capacity in terms of both obligation and commitment.

Article 9 – The quest for knowledge is an obligation, and the provision of education is a duty for

society and the State.

Article 10 – Islam is the religion of unspoiled nature. It is prohibited to exercise any form of compulsion on man or to exploit his poverty or ignorance in order to convert him to another religion or to atheism.

Article 11 – Human beings are born free, and no one has the right to enslave, humiliate, oppress or exploit them, and there can be no subjugation but to God the Most-High.

Article 12 – Every man shall have the right within the framework of Shari’ah, to free movement and to select his place of residence whether inside or outside his country and, if persecuted is entitled to seek asylum in another country.

Article 13 – Work is a right guaranteed by the State and Society for each person able to work.

Article 14 – Everyone shall have the right to legitimate gains without monopolization, deceit or harm to oneself or to others. Usury (riba) is absolutely prohibited.

Article 15 – Everyone shall have the right to own property acquired in a legitimate way, and shall be entitled to the rights of ownership, without prejudice to oneself, others or to society in general.

Article 16 – Everyone shall have the right to enjoy the fruits of his scientific, literary, artistic or technical production and the right to protect the moral and material interests stemming therefrom, provided that such production is not contrary to the principles of Shari’ah.

Article 17 – Everyone shall have the right to live in a clean environment, away from the vice and moral corruption, an environment that would foster his self-development; and it is incumbent upon the State and society in general to afford that right.

Article 18 – Everyone shall have the right to live in security for himself, his religion, his dependents his honour and his property.

Article 19 – All individuals are equal before the law, without distinction between the ruler and the ruled.

Article 20 – It is not permitted without legitimate reason to arrest an individual, or restrict his freedom, to exile or to punish him.

Article 21 – Taking hostages under any form or for any purpose is expressly forbidden.

Article 22 – Everyone shall have the right to express his opinion freely in such manner as would not be contrary to the principles of the Shari’ah.

Article 23 – Authority is a trust; and abuse or malicious exploitation thereof is absolutely prohibited, so that fundamental human rights may be guaranteed.

Article 24 – All the rights and freedoms stipulated in this Declaration are subject to the Islamic Shari’ah.

Article 25 – The Islamic Shari’ah is the only source of reference for the explanation or clarification of any of the articles of this Declaration.

Cairo, 14 Muharram 141H 5 August 1990.

**THE U.N. OFFICE OF HIGH COMMISSIONER FOR HUMAN RIGHTS (OHCHR)
AND THE ORGANIZATION OF ISLAMIC CONFERENCE (OIC): MEMORANDUM OF
UNDERSTANDING ON TECHNICAL COOPERATION IN THE FIELD OF HUMAN RIGHTS**

Geneva, 11 July 2006: The Office of the United Nations High Commissioner for Human Rights (OHCHR) and the Organization of the Islamic Conference (OIC) today signed in Rabat a memorandum of understanding on technical cooperation in the field of human rights. Both organizations will work together in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion. The memorandum spells out cooperation in the area of information sharing, inviting each other to relevant meetings and events; as well as building regional, sub-regional and national capacities for the adoption of policies and guidelines on human rights and on encouraging to ratify international human rights treaties. The signing of the memorandum of understanding took place on the opening day of the UN-OIC general periodic meeting on cooperation between the two organizations and their specialized institutions. OIC is an inter-governmental organization established in 1969 which comprises 57 Member States, with its headquarters in Jeddah, Saudi Arabia” – United Nations Press Release