



SPEECH BY
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ORGANIZATION OF THE ISLAMIC CONFERENCE
AT
THE HIGH-LEVEL SEGMENT OF THE DURBAN REVIEW CONFERENCE

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Mr. President,
Madam High Commissioner
Excellencies,
Ladies and Gentlemen:

It gives me great pleasure to address the High-Level Segment of Durban Review Conference which is dedicated to assessing the implementation of the Durban Declaration and Plan of Action (DDPA). The goal of this review conference is to evaluate the effectiveness of the existing Durban follow-up and other mechanisms dealing with the issues of racism, racial discrimination, xenophobia and related intolerance and to enhance these mechanisms, identify good practices achieved and to evolve a roadmap for the way forward.

The OIC was constructively engaged with an open and positive mindset in the preparatory process of the Conference which has been skillfully chaired by Ambassador Najat Al-Hajjaji, with a view to ensuring the very success that we all intend to achieve. The OIC Group's active role and substantive inputs, widely acknowledged during the preparatory process, reflected the commitment of its Member States to the objectives of the Conference.

It also needs to be acknowledged that discussion on some key issues during the negotiation of the outcome document was characterized by divergence of views. It must, however, be emphasized that the OIC Group never lacked the resolve to engage and work with its partners in good faith to reach a consensual outcome. In a bid to do that, the OIC Group demonstrated flexibility even on matters of major concern including defamation of religion with the intent to incitement to hatred and discrimination, as well as ascertaining the linkage of responsibility to the freedom of expression as stipulated in scores of international covenants, agreements and legal instruments. We are however disappointed to note that some countries are not present here.

Excellencies, Ladies and Gentlemen,

We, in the OIC, consider the DDPA as an important milestone in the collective struggle of mankind against the scourge of racism, racial discrimination, xenophobia and related intolerance. The collective resolve expressed by the United Nations and the international community in Durban in 2001 constituted a turning point and a benchmark in delineating the path to a world free from discrimination and intolerance.

At a time when we hoped that the implementation of DDPA will drastically reduce the manifestation of racism and intolerance, around the world, the criminal attacks of 9/11, 2001 resulted in reversing that positive trend, and unleashing of negative campaign of hatred, discrimination and racial profiling against all Muslims. The crimes of a few were generalized. It is indeed unfortunate that many Muslim communities and individuals have suffered from stigmatization and negative prejudice due to these condemnable acts of a small minority.

Today, defamation of Islam represents one of the most conspicuous demonstrations of contemporary racism, discrimination and intolerance, and constitutes a threat to harmonious and cooperative relationship between and among nations. The rising trend of Islamophobia has adversely impacted the image, the honour, the identity and the self-esteem of Muslims the world over, eroding their fundamental human rights. In that respect, desecration of the tombs of Muslims who have given their lives in defense of their adopted homelands can be cited as an example.

This phenomenon calls for a frank and open discussion to consider the ultimate aim of those who are determined to pit one culture against another, and disseminate discord and conflicts among peoples. To that end, the OIC has always been willing to engage constructively with all stakeholders in identifying problems and finding solutions.

Excellencies, Ladies and Gentlemen,

We believe that this Conference affords a valuable opportunity to discuss the contemporary plague of racism with a view to suggesting the most appropriate and

practical solutions to deal with it. In that context, it is important to note that national laws alone cannot stem the rising tide of discrimination against Muslims, on the basis of their religion. It is alarming to see this trend spreading to the grass root communities. We have to set up a framework to help us study the sources and root causes of the contemporary manifestations of racism, discrimination and intolerance in order to deal with them promptly. We need also to analyze national laws and check if they are compatible with the provisions of international laws, covenants and treaties. This could be compiled in a single “universal document” as guidelines for legislation to counter discrimination and its root causes.

The proposals presented by the Special Rapporteur on Racism, have also called for the establishment of national, regional and international monitoring bodies for racist and xenophobic acts including the proposed Observatory for racist incidents.

Excellencies, Ladies and Gentlemen,

Allow me to stress that it would be counterproductive to speak of a contradiction between freedom of religion and freedom of expression. Indeed both are complementary and mutually reinforcing. Let me reiterate that the OIC stands for defending, upholding and protecting freedom of expression in accordance with the international law. The legal limitations on this freedom are provided for International Covenants and Instruments. I am encouraged to note that this aspect has been reflected in the outcome document of this Review Conference

It is my duty as Secretary-General of the OIC and as a Muslim scholar to underline that equality, non-discrimination; freedom of expression and respect to others regardless of their beliefs constitute core values of Islam. Indeed freedom of expression, critical thinking and creativity are prerequisite for ‘Ijtehad’- a most dynamic concept-which is among the sources of Islamic jurisprudence. Ijtehad literally means creative thinking to elaborate the Islamic legal response to new and emerging issues. It demonstrates the universality and openness of Islam to cope with developments that may arise through dynamic interpretation while remaining faithful to the guiding principles. This provides

the Muslim world with the tool to promote universal human rights norms and standards with a view to providing a solution to new and contemporary challenges.

Excellencies, Ladies and Gentlemen,

In a promising demonstration of the OIC's readiness to assist in this endeavor, I am pleased to inform this august gathering of the progress towards setting up of an OIC Human Rights Commission. Following consultations by eminent human rights practitioners, governmental delegations met last week in Jeddah to discuss the outcome of these consultations and lay the first steps for the establishment of the Commission. I am confident that this Commission of independent experts will introduce a paradigm shift within OIC in the way universal human rights and freedoms flow together with Islamic values to offer a coherent and strong protection system aimed at facilitating the full enjoyment of all human rights in the Member States. The Commission's work would certainly help evolve the mainstreaming of the universal human rights values in an ongoing process at the OIC that started with the adoption of the Cairo Declaration. I wish to thank the High Commissioner for Human Rights and her office for their positive and constructive support and cooperation we are receiving in this regard.

Excellencies, Ladies and Gentlemen,

The OIC had made it quite clear that the Durban Review Process is not and should not be a politically motivated process nor should it be an anti-semitic exercise. On the contrary, we view it as being an inclusive process, where all stakeholders are accorded freedom to address the real and serious challenges of racism, racial discrimination, xenophobia and Islamophobia.

This Conference rightly has not attempted to solve the conflict in the Middle East. However, it should be underlined that military occupation, whenever it occurs, by definition creates an environment conducive to violations of human rights and discriminatory treatment.

We, in the Muslim world, believe that God has created people with diverse nations and

ethnicities. The divine wisdom has made of diversity the basic foundation of creation. We see the diversity in the universe and cosmos, as we see it, also around us in humanity as well as in nature. Cultural diversity is as essential for humankind as bio-diversity is for nature.

We also believe that man is the crown of creation and the vice-regent of God on earth. On this premise, we firmly believe that human rights are not man-given rights, they are rather sacred. This fact induces us to nurture, respect and uphold human rights. This could only be done through mutual understanding, dialogue in good faith and cooperation, with engagement to attain just and fair results. The consensual outcome at this Conference must consecrate our resolve for according primacy to multilateralism to build bridges when faced with divergent views. This consensus is a welcome augury that must lend optimism to our collective efforts to realize our common aspirations. Let us tread the path of reconciliation and cooperation, and let us make our small planet a house of cordiality, friendliness, peaceful co-existence, harmony and concord.

I thank you
