

OIC OPENS PERMANENT OBSERVER MISSION TO THE EU: ASSESSMENT AND IMPLICATIONS FOR OIC AGENDA ON HUMAN RIGHTS

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BACKGROUND

OIC as the Legitimate Voice of the Muslim World. Established in 1969 as the Organization of the Islamic Conference, the OIC officially changed its name to the Organization of Islamic Cooperation at its 38th Ministerial Meeting in 2011, and the organization currently includes 57 member-states made up of nearly 1.6 billion Muslims spread over four continents. The 2011 name-change was not a semantic exercise, but instead, indicated the unwavering adherence of the OIC leadership to the goal of establishing the organization as the sole, legitimate voice of “the Muslim world” in world affairs. Therefore, the name-change, from “conference” to “cooperation,” signaled a deliberate move, beyond dialogue and consultation to “enhance and strengthen the bond of unity and solidarity among Muslim peoples and Member States,” to a policy of action and engagement with key governments, international organizations and multilateral structures (e.g. UN, OSCE, NATO), institutions of global governance, and non-governmental organizations. The name-change was a branding move, designed to consolidate the OIC as the sole institutional arbiter of “the vital interests of the (sic) Muslims” and in “safeguarding the true values of Islam and the (sic) Muslims.”

OIC Mission to the EU. The OIC inaugurated its Permanent Observer Mission to the European Union (EU) in Brussels on 25 June 2013, thereby augmenting the OIC’s Permanent Observer Offices to the UN in both New York and Geneva. Surprisingly under-reported by major international media outlets, the formalization of a permanent OIC presence in the EU capital, in fact, should be recognized as a significant strategic move calculated to advance the OIC’s meta-goals summarized in the previous paragraph. These points were underscored by OIC Secretary General Ekmeleddin Ihasnolgu who, at the inauguration event for the Brussels office, reiterated that the OIC represents the “collective voice of the Muslim world” and is “the proper institution to deal with the EU.”¹ He also specified that the goals of the OIC Office in Brussels are to combat Islamophobia in Europe and to advance inter-faith and intercultural dialogue in the EU.²

ASSESSMENT AND IMPLICATIONS OF OIC BRUSSELS OFFICE FOR OIC AGENDA ON HUMAN RIGHTS

The establishment of the OIC Office in Brussels makes immanent sense in view of three critical developments in the institutional evolution of the OIC. The question is whether or not the OIC presence in Europe will enhance the OIC’s role as a promoter of universal human rights, both within its member-states and more generally. Until now, most sources agree that “the organization has consistently failed

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to fulfill that potential [i.e. as a promoter of universal human rights] and join other regional and international bodies in establishing effective human rights mechanisms.”³

First, Human Rights and Europe. The OIC has pursued an activist agenda when it comes to human rights issues within the context of Europe, in general, and EU member-states, in particular. Under the rubric of combating Islamophobia, the OIC has engaged in dialogue and discussion with EU institutions such as the Council of Europe, as well as the Organization for Security and Cooperation in Europe (OSCE), towards the recognition of Islamophobia (prejudice, discrimination, and violence against Islam and Muslims) as a legal category of racism that violates international human rights standards. Therefore, the Permanent Observer Mission to the EU provides a central clearing house for all OIC activities on human rights in the European context.

Second, OIC Leadership and Timing. Current OIC Secretary General, Ekmeleddin Ihsanoglu, a Turkish academic and diplomat, will complete his two-term tenure at the helm of the OIC at year-end 2013, and will be replaced by Iyad Madani, who headed Saudi Arabia’s Ministries of Haj and Culture and Information. Therefore, the opening of the OIC Mission in Brussels completes a critical step in Ihsanoglu’s strategic vision for utilizing human rights as the vehicle for reforming and rebranding the OIC—from a parochial, intra-Muslim conference, to a top-tier, international organization that both influences Great Power relations and shapes the policies of global governance structures on norms, values, rights and laws questions viewed as non-negotiable for the interests of the Muslim world. Ihsanoglu viewed the IPHRC as essential for the OIC’s capacity to build a supra-national human rights regime for Muslims and, within Europe, to execute the strategy of combating Islamophobia. The new Brussels Office follows Ihsanoglu’s strategy, by creating an official European hub for the OIC to function as “the Muslim world’s” interlocutor with the European Commission, the Council of Europe, and the European Court of Human Rights (ECHR), as well as with the OSCE’s Office for Democratic Institutions and Human Rights (ODHIR) and Human Dimension Meetings (HDIM) and the UN in Geneva.

Third, OIC and European Enlargement. Ihsanoglu’s observation that the success of the OIC Mission to Brussels would be measured over “the long run, [when] the prejudices against Islam and even Turkey’s EU membership will be eliminated,”⁴ indicates the consensus amongst core OIC leadership to make the organization into a geopolitical and geostrategic actor—i.e. an institution that integrates religion with global power politics—capable of safeguarding the interests of the Muslim world. Ihsanoglu’s aforementioned comment illustrates this point, and underscores the reality that maximizing the core interest of OIC member-states, such as Turkey, will bring returns to the global Umma.

Cautious Optimism versus Concerned Skepticism. What are the implications of an OIC Brussels Office whose *raison d’être* is to combat Islamophobia in Europe? Simply put, the activities of the Brussels Office will provide important data regarding the OIC’s commitment to a universal human rights regime, as opposed to what has been, until now, the organization’s unwavering commitment to Islamic criteria to restrict and to violate international human rights law and norms. In this regard, there is cause for cautious optimism, at best, and concerned skepticism, at worst, given the OIC’s track record when it

comes to standing for universal human rights in its member-states and to defining causes of and remedies for Islamophobia in the organization's European activities.

The Logic of Sharia and Sovereignty Justifications for Human Rights Limitations. The OIC has a substantial track record, extensively-documented by international human rights organizations and NGOs, of justifying its member-states' human rights violations and limitations (especially in cases of religious freedom, linked to other individual rights and liberties) under the wide umbrella and opaque designation of Sharia as the absolute trump over political, civil, economic, and cultural rights of individuals and groups. This Sharia-based approach to human rights has allowed for OIC member-states to act with impunity, all the while manipulating sovereignty—the OIC has instrumentalized claims about traditional sovereignty to justify rights violations against their own citizens, while simultaneously disregarding sovereignty in the use of Sharia to justify fatwas calling for violence and killings against individuals in other states—to decide human rights questions considered especially compelling under Islamic law, i.e. namely, freedom of conscience, belief, and speech, encapsulated in debates about blasphemy and apostasy.

The Logic Applied to the OIC's European Strategy for Combating Islamophobia. Against this backdrop, it is not surprising that the OIC agenda on combating Islamophobia in Europe has turned on a highly particularistic definition of human rights (articulated in the OIC's 1990 Cairo Declaration on Human Rights in Islam), as well as an emphasis on "religion" and groups, rather than the individuals, as the holder of rights. Furthermore, the OIC has deployed the same logic (a Sharia-based, particularist conception of human rights understood in terms of religion and the group, applied in a trans/supranational fashion that limits European states' sovereignty in the name of the rights of "Islam") to press for mechanisms to combat Islamophobia in Europe. The OIC effort to combat Islamophobia has paralleled and built out from the organization's aggressive campaign in UN fora, under the rubric of Combating Defamation of Religions (CDR),⁵ to shoehorn international religious freedom standards into the equivalent of a global blasphemy law based on Sharia. After Secretary General Ihsanoglu, supported by intensive bilateral politicking by Turkey with the United States, inaugurated the Istanbul Process that culminated in the UN General Assembly vote in favor of Resolution 66/167 ("combating intolerance, negative stereotyping, stigmatization, incitement to violence and violence against persons, based on religion or belief"), the OIC secured an EU-hosted Conference at Wilton Park,⁶ with the express purpose of addressing the interpretation and implementation dimensions UN Human Rights Council Resolution 16/18 (the precursor to UNGA Resolution 66/167). In short, the OIC has engaged Europe in a discussion on issues of interpretation, implementation, and oversight of UNGA 66/167, with the central point of disagreement remaining the OIC's position on what the EU should do to criminalize incitement to hatred versus incitement to discrimination, hostility, and violence.

Conclusion: Watchful Waiting. It is reasonable to expect that the new OIC Mission to the EU will broaden and deepen the above-summarized approach to combating Islamophobia in Europe, including an intensification in two associated pillars of OIC argumentation: on the one hand, the OIC has referred to EU mechanisms to combat anti-Semitism, in order to argue for European-wide limitations on speech considered hateful to "Islam" (with the emphasis on religion, rather than individuals); and on the other hand, the OIC has pushed for the systematic decoupling of language on counter-terrorism from

references to religion (with specific consideration to Islam) in Transatlantic security analysis, training procedures, and policies. Consequently, despite the relative lack of media interest in the inauguration of the OIC Brussels Office, the activities of this office will demonstrate the OIC's objectives and capacity for affecting human rights laws and practices according to international standards.

¹ <http://www.gatestoneinstitute.org/3790/oic-brussels-islamophobia>

² <http://www.hurriyetdailynews.com/Default.aspx?pageID=238&nid=49469>

³ Kayaoglu, Ruan. *A Rights Agenda for the Muslim World? The Organization of Islamic Cooperation's Evolving Human Rights Framework*. Brookings Doha Center Analysis Paper, Number 6, January 2013. For an even-more critical view, see Mayer, Ann E., *Islam and Human Rights*, Third Edition (Boulder, CO: Westview Press, 2007).

⁴ <http://www.hurriyetdailynews.com/Default.aspx?pageID=238&nid=49469>

⁵ For an excellent summary of the incompatibilities between CDR and international human rights law, with specific attention to the divergences on religious liberty, see the reports of the United States Commission on International Religious Freedom, entitled "The Dangerous Idea of Protecting Religions from 'Defamation': A Threat to Universal Human Rights Standards." <http://www.uscirf.gov/issues/defamation-of-religions.html>

⁶ Two useful reports on the substance and tone of the 2011 Wilton Park Conference can be found at <http://oichumanrights.wordpress.com/tag/tolerance/> and <https://www.wiltonpark.org.uk/wp-content/uploads/WP1187-Final-report.pdf>. Reports on the trajectory of those discussions, and particularly, the OIC engagement with Europe on combating Islamophobia, can be found at <http://www.oicun.org/uploads/files/articles/wps06-27.pdf> and <http://www.coe.int/t/dghl/cooperation/economiccrime/cybercrime/cy%20activity%20interface2007/567%20if%20pres%20OIC.pdf>