

THE OIC AND GLOBAL RELIGIOUS FREEDOM CONDITIONS: ENGAGEMENT IN INTERNATIONAL INSTITUTIONS AND BILATERAL RELATIONS

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- As the self-declared institutional voice of the Muslim world, the positions and activities of the OIC (Organization of Islamic Cooperation) regarding the universal human right of religious freedom exert an enormous impact on global religious freedom conditions. Given its mission of galvanizing Muslims around the world (the Ummah) as a unified body, the OIC aims to shape religious freedom policies in its 57 member-states, and therefore, directly affects the religious freedom rights of Muslims and non-Muslims living within OIC countries. The OIC Charter emphasizes an activist agenda for the organization, which aims “to ensure active Participation of the Member States in the global political, economic and social decision-making processes to secure their [Member States’] common interests.” (5)
- **For an introduction to the Organization of Islamic Cooperation, please click here.**
- Through its participation in a wide range of international organizations (e.g. OIC countries tend to vote as a bloc in the United Nations, and they are the most powerful voting bloc in the UN’s Human Rights Council) and by means of bilateral relationships between the OIC and individual states (especially the United States and member-states of the European Union), the OIC exerts an indirect, diffuse effect on religious freedom policies and practices around the world. But it is, nonetheless, an effective driver of policy.
- The two best sources for following the effects of the OIC on freedom of thought, conscience, and religion around the world are: (1) the most recent Communiqué of the 12th Session (meetings occur every three years) of the Islamic Summit Conference held in Cairo, Egypt in February 2013; and, (2) the OIC Charter.
- The Preamble of the OIC Charter declares that all member-states are committed to “the principles of the UN Charter, this [the OIC] Charter, and International Law.” This statement raises questions about the contradictions and incompatibilities between OIC norms and objectives, on the one hand, and international human rights norms and statutes regarding religious freedom, on the other hand. Furthermore, the Cairo Communiqué calls on “all OIC member States...to vote for resolutions submitted on behalf of OIC at international fora, in particular at the United Nations” and emphasizes that “failure to vote for those resolutions and the announcement from those agreed upon is a departure from the consensus imposed by the duty of Islamic solidarity between Member States.” (113)

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- There is growing debate about whether the OIC, both as an organization and in the policies of its individual member-states, has a very mixed record of its treatment of freedom of thought, conscience and religion and freedom of expression. Therefore, the effects of the OIC's agenda and actions on global religious freedom conditions deserve great attention and analysis.

THE OIC EFFECT ON GLOBAL RELIGIOUS FREEDOM CONDITIONS: REFERENCE POINTS

- Given the above statements, it is possible to conclude that the OIC supports the Universal Declaration of Human Rights (UDHR), which was adopted by the United Nations (UN) General Assembly in 1948. The UDHR is not legally binding, but all UN member-states understand the UDHR as an expression of the fundamental values that unify the international community.
- Articles 18 and 19 of the UDHR are especially important for religious freedom conditions. Article 18 states: "Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance." Article 19 states: "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."
- In fact, however, the OIC Charter includes several points of divergence, when considered in terms of their application, from the UDHR and the remaining foundational documents of international human rights law which offer protections for religious freedom and associated freedoms, such as freedom of thought and expression, family law and women's rights. Most generally, the OIC Charter subordinates the organization's commitment to uphold the principles of the UN to Islamic religious principles, since the OIC's Independent Permanent Commission on Human Rights is tasked to promote "the civil, political, social and economic rights enshrined in...universally agreed human rights instruments, *in conformity with Islamic values.*" (X, 15; italics added)

THE OIC RECORD ON FREEDOM OF EXPRESSION: COMBATING DEFAMATION OF RELIGIONS (CDR)

- The OIC has been aggressively campaigning since 1999 to create the equivalent of global Islamic blasphemy law, under the rubric of "Combating Defamation of Religions (CDR)."
- The OIC has packaged the concept of CDR as a solution to actual problems of religious persecution and discrimination, citing the organization's goals (in the Preamble of the OIC Charter) of promoting worldwide the principles of "tolerance, justice and human dignity," and of encouraging "friendly relations, mutual respect and cooperation" between OIC member-states and other states.
- Many believe the CDR concept is incompatible with Article 19 of the UDHR, which endows individuals with rights. In contrast, the OIC concept ignores individuals as the bearer or

rights and, instead, aims to protect religions (and, by extension, religious institutions and religious interpretations), by limiting the rights of individuals to freedom of belief, conscience, and religion and by circumscribing rights of individuals to freedom of opinion, speech and expression.

- The CDR concept is also increasingly criticized as incompatible with individual rights of freedom of thought, expression and religion as specified in Articles 19 and 20 of the International Covenant on Civil and Political Rights, and with Article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination. Both documents are also considered foundational for guarantees to the protection of the universal human right of religious freedom.
- Key OIC players Pakistan and Egypt have taken the lead on the CDR initiative. Turkey, also a crucial OIC leader, has pressed the CDR agenda in interactions with the US State Department, during the tenure as OIC Secretary General of Dr. Ekmeleddin Ihsanoglu (a Turkish citizen). Likewise, Saudi Arabia has deployed its financial assets to raise global awareness of the CDR initiative in OIC member-states; the 13th Session of the Islamic Summit Conference will be held in Istanbul, Turkey, and the next Secretary General of the OIC has been announced.
- In the context of the UN, the OIC sponsored repeated resolutions in the Human Rights Council (previously, the Commission on Human Rights) calling on members of the UN to outlaw what the OIC terms “defamation of religions.” The only religion specifically mentioned in the resolutions was Islam. The definition of “defamation of religions” was not specified in the resolutions, thereby leaving it open to states (and, presumably, their established Islamic religious authorities) to interpret defamation.
- The OIC redirected its CDR efforts in the UN, after significant engagement on the issue by the US State Department, with the March 2011 passage of UN Human Rights Council Resolution 16/18 (HRCR 16/18). Initially presented as a paradigm shift away from the CDR and towards legal protections to individuals, the resolution called for states to combat intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against persons based on religion or belief.
- The OIC, however, has moved to sponsor “implementation parameters” for Resolution 16/18, in a manner that would impose huge restrictions on freedom of speech where religion is concerned. The OIC maintains that implementation of the resolution requires that, where religion is concerned, individual speech rights should be interpreted according to restrictive laws on hate speech, public order, and incitement to hatred. In short, the OIC has simply repackaged the CDR initiative under the rubric of HRCR 16/18.
- Given that the CDR (and, now, OIC propositions about correct implementation of HRCR 16/18) effort takes as its explicit reference the blasphemy law of OIC member-states, any implementation of the CDR proposals would, in the view of many human rights experts as

well as several governmental bodies including the US Commission on International Religious Freedom, lead to the violations of religious freedom and associated human rights witnessed in OIC member-states which have blasphemy laws.

- Blasphemy laws in key OIC member-states are instructive. In Pakistan, blasphemy laws have been used to silence Muslim and non-Muslim critiques of Islam; to prevent conversions from Islam to Christianity and other faiths; to prevent the dissemination of religious materials deemed insulting to or denigrating of Islam. Blasphemy laws in Egypt, Iran and Saudi Arabia operate in a similar fashion, and in all of these high-profile OIC countries, arbitrary interpretations of the blasphemy laws have resulted in documented cases of societal violence and state executions against non-conforming Muslims and non-Muslims. OIC-leader Turkey applies articles in its Constitution and provisions in its Penal Code as blasphemy laws.
- The Islamic Summit Conference in Cairo made combating Islamophobia a key plank of the Final Communiqué (97-112), and the CDR language and arguments figure centrally in the action items which make it clear that the OIC will continue to engage in international fora such as the UN, the Organization for Security and Cooperation in Europe (OSCE), as well as in multi-lateral “dialogue and toleration programs” such as Turkey’s sponsorship of the Alliance of Civilizations in Istanbul, Turkey and Saudi Arabia’s sponsorship of the Center for Interreligious and Intercultural Dialogue in Vienna, Austria.