



**The Cairo Declaration of the Organization of Islamic
Cooperation on Human Rights**

In the name of Allah, the Most Gracious, the Most Merciful

The Cairo Declaration of the Organization of Islamic Cooperation on Human Rights

The Member States of the Organization of Islamic Cooperation (OIC), keenly aware of the place of mankind in Islam as vicegerent of Allah on Earth; proceeding from the deep belief in human dignity and respect for human rights, and from the commitment to ensuring and protecting these rights as safeguarded by the teachings of Islam;

Aiming to contribute to the efforts of mankind to assert human rights, to protect human beings from exploitation and persecution, and to affirm their freedom and right to a dignified life in accordance with the Islamic values and principles;

Cognizant of their virtuous and time-honored mores, credited with the oldest human rights pact in Islam; *the Charter of Medina*, the last sermon of the Prophet Mohamed Peace Be Upon Him and the values of justice, equality and peace of Islamic civilization which should underpin the conception of human rights;

Reaffirming the OIC Charter which provides for the promotion of human rights and fundamental freedoms, good governance, rule of law, democracy and accountability in Member States in accordance with their constitutional and legal systems, their international human rights obligations; promotion of confidence and encouraging friendly relations, mutual respect and cooperation between Member States and with other States;

Reiterating that all human rights are universal, indivisible, interdependent and interrelated and must be treated globally in a fair and equal manner, on the same footing, and with the same emphasis; and that it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms while keeping in mind the significance of national and regional particularities and various historical, cultural and religious backgrounds;

Affirming that the Right to Development is an inalienable human right, and that equality of opportunity for development is a right of both States and peoples;

Reaffirming the OIC support to the struggle of the Palestinian people, who presently are under foreign occupation, and the determination to empower them to attain their inalienable rights, including the right to self-determination, and to establish their sovereign state with Al Quds Al Sharif as its capital, while safeguarding its historic and Islamic character and the holy places therein;

Taking into account the Charter of the United Nations (UN), the International Bill of Human Rights; the Vienna Declaration and Program of Action, Durban Declaration and Programme of Action, and the Outcome Document of the Durban

Review Conference 2009, and other relevant international human rights conventions and instruments;

In pursuance of coordination, solidarity, integration and interdependence among Member States in all fields, and to deepen links, communication and cooperation among their peoples in the field of human rights;

Pursuant to the principles of brotherhood and equality among all human beings which are firmly established by all Divine religions;

Without prejudice to the principles of Islam which affirm human dignity and the respect and protection of human rights.

Have agreed the following:

ARTICLE 1: Human Dignity

- a. All human beings form one family. They are equal in dignity, rights and obligations, without any discrimination on the grounds of race, color, language, sex, religion, sect, political opinion, national or social origin, fortune, age, disability or other status.
- b. Gross and systematic human rights violations, and also slavery, servitude, forced labor and trafficking in persons, shall be prohibited in all forms, and under any circumstances.

ARTICLE 2: Right to Life

- a. The right to life is the fundamental right of every person, a gift by Allah Almighty, and shall be protected by law. It is the duty of State to protect this right from any violation. No one shall be arbitrarily deprived of this right.
- b. Sentence of death may be imposed only for the most serious crimes in accordance with the law in force at the time of the commission of the crime. This penalty can only be carried out pursuant to a final judgment rendered by a competent court, and in full compliance with the provisions of Art 22 of the present Declaration.
- c. Anyone sentenced to death shall have the right to seek pardon or commutation of the sentence. Amnesty, pardon or commutation of the sentence of death may be granted in all cases, as appropriate.
- d. Sentence of death shall not be imposed for crimes committed by minors and shall not be carried out on pregnant and nursing women.

- e. It is forbidden to resort to such means that may result in genocide or the annihilation of mankind.

ARTICLE 3: Inviolability

Every human being is entitled to inviolability and the protection of his/her good name and honor, during his/her life, and after his/her death. The State and society shall protect his/her remains and burial place.

ARTICLE 4: Right to liberty and safety and not to be subjected to torture

- a. Every person has the right to liberty and security. No one shall be subjected to arbitrary arrest or detention, kidnapping or enforced disappearances. No one shall be deprived of his/her liberty except on such grounds and in accordance with such procedures as are established by law.
- b. No person shall be subjected to physical or psychological torture or to cruel, inhuman or degrading treatment or punishment.
- c. No person shall be subjected to inhuman treatment while in custody; defendants shall be separated from convicted persons.
- d. No person may be subjected to medical or scientific experiments, nor can their organs be used, without their free and informed consent and full heeding of potential medical complications.
- e. It is the duty of the State to ensure everyone's safety from bodily harm, in accordance with its legal system and international obligations.

ARTICLE 5: Protection of the Family and Marriage

- a. The family is the natural and fundamental group unit of society. It is based on marriage between a man and a woman.
- b. Men and women of marrying age have the right to marry and to found a family according to the rules and conditions of marriage. No marriage can take place without the full and free consent of both spouses. The laws in force guarantee the rights and duties of man and woman as to marriage, during marriage and after its dissolution.

- c. The State and society shall ensure the protection of the rights of the family and its members, strengthening of the family ties, and the prohibition of all forms of violence or abuse in the relations among its members, particularly against women, children, persons with disabilities and the elderly.

ARTICLE 6: Rights of Women

- a. Women and men have equal human dignity, rights and responsibilities as prescribed by applicable laws. Every woman has her own legal status and financial independence, and the right to retain her maiden name and lineage.
- b. The State shall take all necessary legislative, and administrative measures to eliminate difficulties that impede the empowerment of women, their access to quality education, basic healthcare, employment and job protection and the right to receive equal remuneration for equal work, as well as their full enjoyment of human rights and fundamental freedoms and effective participation in all spheres of life, at all levels.
- c. Woman and the girl child shall be protected against all forms of discrimination, violence, abuse and harmful traditional practices. The State and society shall ensure such protection.
- d. Every woman has the right to motherhood in line with Allah's creation. The State shall provide adequate pre-natal and maternal healthcare services.

ARTICLE 7: Rights of the Child

- a. Every child shall have, without discrimination of any kind, irrespective of his or her parent's or legal guardian's race, color, sex, language, religion, sect, political or other opinion, national, ethnic or social origin, property, disability, birth or other status, the right to such measures of protection as are required by his status as a minor, including nursing, education as well as material, and moral care, on the part of his family, society and the State. Both the fetus and the mother must be protected and accorded special care.
- b. Every child shall be registered immediately after birth and shall have a name, and entitled to a nationality.

- c. Parents and legal guardians have the primary responsibility to ensure that children rights are respected, protected and fulfilled in all settings. The State shall also ensure that all measures taken to promote and protect the rights of the child are guided by his/her best interests. The State shall take all necessary measures in law and practice to prevent child abuse, sexual exploitation, and violence.
- d. The State shall respect the responsibilities, rights and duties of the parents, and when applicable, legal guardians to choose the type of education of their children, including the religious and moral education, in conformity with their religious beliefs and ethical values while taking into consideration child's best interest as well as their evolving mental and physical capacities.
- e. Children have commitments toward their parents, relatives and kin.
- f. The State shall take all necessary legislative, administrative and judicial measures to guarantee the survival, development and well-being of the child, especially orphans and those with disabilities, as well as to protect them from all forms of violence and exploitation, in an atmosphere of freedom and dignity. The State shall also ensure alternative care through appropriate institutions for children who are deprived temporarily or permanently of the family environment and encourage the guardianship system, when needed.

ARTICLE 8: Right to recognition before the law

Everyone shall have the right to recognition everywhere as a person before the law.

ARTICLE 9: Right to Education

- a. Education is a fundamental human right and is a tool to promote respect for human rights, understanding, tolerance and friendship among all nations and peoples. Human Rights Education is an integral part of the right to education.
- b. The seeking of knowledge is a responsibility and the provision of education is the duty of society and the State. The State shall ensure the availability of ways and means to acquire education and shall guarantee educational diversity in the interest of society.
- c. Primary education shall be compulsory and free. Higher and technical education shall be made available by all appropriate means.

- d. Every human being has the right to receive education from various institutions of education and guidance, including the family in an integrated and balanced manner as to develop his/her personality, and to promote his/her respect for and defence of both rights and obligations.

ARTICLE 10: Right to Self-determination

- a. Foreign occupation, subjugation and colonialism of all types are totally prohibited. Peoples suffering from occupation, or colonialism have the full right to freedom and self-determination. It is the duty of all States and peoples to support the struggles for the elimination of all forms of colonialism and occupation.
- b. The right to self-determination is an inalienable human right. By virtue of this right all such peoples freely determine their political status and freely pursue their economic, social and cultural development.
- c. All Member States have the right to protect their political independence, national sovereignty, territorial integrity and unity, as enshrined in the UN Charter.

ARTICLE 11: Freedom of Movement

- a. Every human being shall have the right to freedom of movement, and to select his/her place of residence whether inside or outside his/her country in accordance with the international law and domestic legislations.
- b. No one may be arbitrarily or unlawfully prevented from leaving any country, including his/her own, nor unlawfully prohibited from residing, or compelled to reside, in any part of that country.
- c. No one may be exiled from his/her country or prohibited from returning thereto including the right of return of refugees to their countries of origin.

ARTICLE 12: Rights of migrants and refugees

Refugees and migrants are entitled to the same universally recognized human rights and fundamental freedoms, which must be respected, protected and fulfilled at all times. All forms of discrimination, including racism, xenophobia and intolerance, against migrants and their families, must be eliminated by adopting appropriate legislations.

ARTICLE 13: Nationality Rights

Everyone has the right to a nationality, granting of which is governed by law. No one shall be arbitrarily or unlawfully deprived of his/her nationality nor denied the right to change his/her nationality.

ARTICLE 14: Right to Work

- a. State and Society shall take all measures to guarantee the right to work for each person able to work. Everyone shall be free to choose the work that suits him/her best and which serves his/her interests and of society.
- b. The employee shall have the right to safety and security as well as to all other social guarantees. He/she may neither be assigned work beyond his/her capacity nor be subjected to compulsion or exploited or harmed in any way.
- c. The employee shall be entitled - without any discrimination - to fair wages for his/her work without delay, rest and leisure, including reasonable limitation of working hours as well as to the holiday allowances and promotions, which he/she deserves, in accordance with law and regulations in place.
- d. The States should establish mechanisms to guarantee that employers are fair and ethical, and employees are protected against all forms of exploitation and abuse and guaranteed decent work.
- e. Everyone has the right to form with others and to join trade unions, in accordance with law and regulations in place, for the protection of his/her interests.

ARTICLE 15: Right to Legitimate Economic and financial Gains

- a. Everyone shall have the right to legitimate gains without monopolization, deceit or harm to oneself or to others.
- b. Usury is absolutely prohibited.

ARTICLE 16: Right to Own Property

- a. Everyone shall have the right to own property, individually or in partnership with others, acquired in a legal way, and shall be entitled to the rights of ownership, without prejudice to oneself, others or to society in general. Expropriation is not permissible except for the requirements of public interest and upon payment of full and fair compensation.
- b. No one may be unlawfully deprived of his/her property.

ARTICLE 17: Intellectual Property Rights

- a. Everyone shall have the right to enjoy the benefits of his/her scientific, intellectual, literary, artistic or technical production, and protection of the moral and material interests stemming therefrom.
- b. States shall ensure that benefits of such scientific progress and its application are also enjoyed by everyone, including through the encouragement and development of international cooperation in the scientific and cultural fields.

ARTICLE 18: Right to the enjoyment of the highest attainable standard of physical and mental health

- a. Everyone shall have the right to live in a safe and clean environment, an environment that would foster his/her moral and self-development. It is incumbent upon the State and society in general to guarantee this right.
- b. Everyone shall have the right to the highest attainable standards of physical and mental health, and to all public amenities, provided by the State, within the limits of available resources.
- c. The State, within its means, shall ensure the right of the individual to a decent living which will enable him/her to meet all his/her requirements and those of his/her dependents, including food and water, clothing, housing, education, health care and all other basic needs.

ARTICLE 19: Protection of Privacy

- a. Everyone shall have the right to live in security for him/herself, and his/her religion, dependents, honor and property.
- b. Everyone shall have the right to privacy in the conduct of his/her private affairs, in home, among family, with regard to property and social relationships. It is not permitted to spy on, to be placed under surveillance or to besmirch his/her good name. The State shall protect him/her from arbitrary interference.
- c. A private residence is inviolable in all cases. It will not be penetrated or entered without permission from its inhabitants, or its dwellers be evicted in any unlawful manner.
- d. All individuals have the rights to have their confidential and personal data protected by law.

ARTICLE 20: Right to Freedom of Thought, Conscience and Religion

- a. Everyone shall have the right to freedom of thought, conscience and religion. 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, or morals or the rights and fundamental freedoms of others.
- b. No one shall be subject to coercion, which would impair his/her freedom to have or to adopt a religion or belief of his choice.

ARTICLE 21: Right to Freedom of Opinion and Expression

- a. Everyone shall have the right to hold opinions without interference.
- b. Everyone shall have the right to freedom of expression. The exercise of this right carries with it special duties and responsibilities. The State has the obligation to protect and facilitate the exercise of this right while also protecting its legitimate national integrity and interests, as well as promoting harmony, welfare, justice and equity within society. Any restrictions on the exercise of this right, to be clearly defined in the law, and shall be limited to the following categories:
 - i. Propaganda for war.
 - ii. Advocacy of hatred, discrimination or violence on grounds of religion, belief, national origin, race, ethnicity, color, language, sex or socio-economic status.
 - iii. Respect for the human rights or reputation of others.

- iv. Matters relating to national security and public order.
- v. Measures required for the protection of public health or morals.

c. The State and society shall endeavor to disseminate and promote the principles of tolerance, justice and peaceful coexistence among other noble principles and values, and to discourage hatred, prejudice, violence and terrorism. Freedom of expression should not be used for denigration of religions and prophets or to violate the sanctities of religious symbols or to undermine the moral and ethical values of society.

ARTICLE 22: Right to Access to Justice and fair trial

- a. All individuals are equal before the law, without distinction. The right to due process and justice is guaranteed to everyone through competent, independent authorities and impartial tribunals, established by law, within a reasonable time.
- b. Criminal liability is personal.

c. A defendant is innocent until his/her guilt is proven, through due process, by a final judgment by a competent court, established by law, in which he/she shall be given all the guarantees of defence and fairness.

d. There shall be no crime or punishment except as provided for in the law at the time of the commission of crime.

e. Victims of lawfully proven miscarriage of justice shall have the right to be compensated according to law.

ARTICLE 23: Right to Participate in the conduct of Public Affairs and Freedom of peaceful assembly and association

- a. Authority is a trust; and abuse or malicious exploitation thereof is absolutely prohibited, so that human rights and fundamental freedoms may be guaranteed.
- b. Everyone shall have the right to participate, directly or indirectly through freely chosen representatives in the administration of his/her country's public affairs. He/she shall also have the right to assume public office in accordance with the principles of equality of opportunity and non-discrimination, in accordance with national legislation.

c. Everyone has the right to freedom of peaceful assembly and association in accordance with national legislation.

ARTICLE 24:
Fair treatment during situations of war and armed conflict

- a. International Humanitarian Law shall be applied in all situations of war and armed conflicts to safeguard the rights of all persons protected by its rules, including but not limited to non-combatants, older persons, the infirm, persons with disabilities, women, children, civilians, journalists, humanitarian workers and prisoners of war.
- b. During situations of war and armed conflicts, it is prohibited to desecrate holy places and places of worship, damage natural resources and environment and cultural heritage.

ARTICLE 25:
General Provisions

- a. Everyone has the right to exercise and enjoy the rights and freedoms set out in the present declaration, without prejudice to the principles of Islam and national legislation.
- b. Nothing in this declaration may be interpreted in such a way as to undermine the rights and freedoms safeguarded by the national legislation or the obligations of the Member States under international and regional human rights treaties as well as their sovereignty and territorial integrity.