Chapter 4
Muslim Declarations of the Modern World
The theory and practices of human rights in Islam, throughout the ages is a well established fact recognised by Muslims, and non-Muslims alike, in the modern world. Though there are severe challenges to the Muslim community, it is committed to the basic teachings and values inherited in the Islamic sources. The writings and ideas of Muhammad Abduh (d. 1905), Rashid Rida (d. 1935), Muhammad Iqbal (d. 1938), Syed Abul Ala Maududi (d. 1979), Syed Qutb (d. 1966), and many others accompanied by attempts to create an Islamic platform to represent and seek, a modern expression of Islamic unity and observation of human rights. The Caliphate abolished in 1924 by Mustafa Kemal Ataturk (d. 1938), was the tragedy that necessitated the creation of alternative arrangement to fill the gap. The Muslim political leadership, as well as the intelligentsia apparently felt, that International Islamic Organization could play the role of homogenising the thinking and policy of Muslim political units and acting as a collective spokesman for their interest. The Organization of Islamic Conferences established in 1969 and other international Muslim associations reaffirmed their commitment and sincere following to the Islamic unity and observation of human rights. In the modern times, they necessitated to issue a number of declarations and statements in order to announce publicly the Islamic theory and practice of human rights. These modern Muslim declarations provide reaffirmation of the faith and practice of human values, taught by the Holy Qur’ān and Sunnah. They prove the human values as the basic Islamic teaching to be implemented at any cost and in all the situations and circumstances, whether Muslims are in majority or minority. A study of the some of important Muslim declarations in this regard, testifies the continuation of Muslim commitment to the observation of Islamic teachings in their personal and collective life.
Paris Declaration of Human Rights

Adopted by the Islamic Council of Europe on 21 Dhul Qadah 1401, i.e., 19 September 1981 in Paris France. This is a declaration for mankind, a guidance and instruction to those who fear God. (Al Qurʾān, Al-Imran 3:138)

Foreword

Islam gave to mankind an ideal code of human rights fourteen centuries ago. These rights aim at conferring honour and dignity on mankind and eliminating exploitation, oppression and injustice.

Human rights in Islam are firmly rooted in the belief that God, and God alone, is the Law Giver and the Source of all human rights. Due to their Divine origin, no ruler, government, assembly or authority can curtail or violate in any way the human rights conferred by God, nor can they be surrendered.

Human rights in Islam are an integral part of the overall Islamic order and it is obligatory on all Muslim governments and organs of society to implement them in letter and in spirit within the framework of that order.

It is unfortunate that human rights are being trampled upon with impunity in many countries of the world, including some Muslim countries. Such violations are a matter of serious concern and are arousing the conscience of more and more people throughout the world.

I sincerely hope that this Declaration of Human Rights will give a powerful impetus to the Muslim peoples to stand firm and defend resolutely and courageously the rights conferred on them by God.

This Declaration of Human Rights is the second fundamental document proclaimed by the Islamic Council to mark the beginning of the 15th Century of the
Islamic era, the first being the Universal Islamic Declaration announced at the
International Conference on The Prophet Muhammad (صلى الله عليه وسلم) and his
Message, held in London from 12 to 15 April 1980.

The Universal Islamic Declaration of Human Rights is based on the Qur'ān and
the Sunnah and has been compiled by eminent Muslim scholars, jurists and
representatives of Islamic movements and thought. May God reward them all for their
efforts and guide us along the right path.

Paris 21 Dhul Qaidah 1401 Salem Azzam
19th September 1981 Secretary General

O men! Behold, We have created you all out of a male and a female, and have
made you into nations and tribes, so that you might come to know one another. Verily,
the noblest of you in the sight of God is the one who is most deeply conscious of Him.
Behold, God is all-knowing, all aware. (Al Qur'ān, Al-Hujurat 49:13)

Preamble

WHEREAS the age-old human aspiration, for a just world order wherein
people could live, develop and prosper in an environment free from fear, oppression,
exploitation and deprivation, remains largely unfulfilled;

WHEREAS the Divine Mercy unto mankind reflected in its having been
endowed with super-abundant economic sustenance is being wasted, or unfairly or
unjustly withheld from the inhabitants of the earth;

WHEREAS Allah Almighty (God) has given mankind through His revelations
in the Holy Qur'ān and the Sunnah of His Blessed Prophet Muhammad (صلى الله عليه وسلم) an abiding legal and moral framework within which to establish and regulate
human institutions and relationships;
WHEREAS the human rights decreed by the Divine Law aim at conferring dignity and honour on mankind and are designed to eliminate oppression and injustice;

WHEREAS by virtue of their Divine source and sanction these rights can neither be curtailed, abrogated or disregarded by authorities, assemblies or other institutions, nor can they be surrendered or alienated;

Therefore we, as Muslims, who believe

a) In God, the Beneficent and Merciful, the Creator, the Sustainer, the Sovereign, the sole Guide of mankind and the Source of all Law;

b) In the Vicegerency (Khilafah) of man who has been created to fulfil the Will of God on earth;

c) In the wisdom of Divine guidance brought by the Prophets, whose mission found its culmination in the final Divine message that was conveyed by the Prophet Muhammad صلى الله عليه وسلم to all mankind;

d) That rationality by itself without the light of revelation from God can neither be a sure guide in the affairs of mankind nor provide spiritual nourishment to the human soul, and, knowing that the teachings of Islam represent the quintessence of Divine guidance in its final and perfect form, feel duty-bound to remind man of the high status and dignity bestowed on him by God;

e) In inviting all mankind to the message of Islam;

f) That by the terms of our primeval covenant with God our duties and obligations have priority over our rights, and that each one of us is under a bounden duty to spread the teachings of Islam by word, deed, and indeed in all gentle ways, and to make them effective not only in our individual lives but also in the society around us;
g) In our obligation to establish an Islamic order:

i) Wherein all human beings shall be equal and none shall enjoy a privilege or suffer a disadvantage or discrimination by reason of race, colour, sex, origin or language;

ii) Wherein all human beings are born free;

iii) Wherein slavery and forced labour are abhorred;

iv) Wherein conditions shall be established such that the institution of family shall be preserved, protected and honoured as the basis of all social life;

v) Wherein the rulers and the ruled alike are subject to, and equal before, the Law;

vi) Wherein obedience shall be rendered only to those commands that are in consonance with the Law;

vii) Wherein all worldly power shall be considered as a sacred trust, to be exercised within the limits prescribed by the Law and in a manner approved by it, and with due regard for the priorities fixed by it;

viii) Wherein all economic resources shall be treated as Divine blessings bestowed upon mankind, to be enjoyed by all in accordance with the rules and the values set out in the Qur’ān and the Sunnah;

ix) Wherein all public affairs shall be determined and conducted, and the authority to administer them shall be exercised after mutual consultation (Shura) between the believers qualified to contribute to a decision which would accord well with the Law and the public good;

x) Wherein everyone shall undertake obligations proportionate to his capacity and shall be held responsible pro rata for his deeds;
xi) Wherein everyone shall, in case of an infringement of his rights, be assured of appropriate remedial measures in accordance with the Law;

xii) Wherein no one shall be deprived of the rights assured to him by the Law except by its authority and to the extent permitted by it;

xiii) Wherein every individual shall have the right to bring legal action against anyone who commits a crime against society as a whole or against any of its members;

xiv) Wherein every effort shall be made to

(a) Secure unto mankind deliverance from every type of exploitation, injustice and oppression,

(b) Ensure to everyone security, dignity and liberty in terms set out and by methods approved and within the limits set by the Law;

Do hereby, as servants of Allah Almighty and as members of the Universal Brotherhood of Islam, at the beginning of the Fifteenth Century of the Islamic Era, affirm our commitment to uphold the following inviolable and inalienable human rights that we consider are enjoined by Islam.

I Right to Life

a) Human life is sacred and inviolable and every effort shall be made to protect it. In particular no one shall be exposed to injury or death, except under the authority of the Law.

b) Just as in life, so also after death, the sanctity of a person's body shall be inviolable. It is the obligation of believers to see that a deceased person's body is handled with due solemnity.
II Right to Freedom

a) Man is born free. No inroads shall be made on his right to liberty except under the authority and in due process of the Law.

b) Every individual and every people has the inalienable right to freedom in all its forms physical, cultural, economic and political — and shall be entitled to struggle by all available means against any infringement or abrogation of this right; and every oppressed individual or people has a legitimate claim to the support of other individuals and/or peoples in such a struggle.

III Right to Equality and Prohibition against Impermissible Discrimination

a) All persons are equal before the Law and are entitled to equal opportunities and protection of the Law.

b) All persons shall be entitled to equal wage for equal work.

c) No person shall be denied the opportunity to work or be discriminated against in any manner or exposed to greater physical risk by reason of religious belief, colour, race, origin, sex or language.

IV Right to Justice

a) Every person has the right to be treated in accordance with the Law, and only in accordance with the Law.

b) Every person has not only the right but also the obligation to protest against injustice; to recourse to remedies provided by the Law in respect of any unwarranted personal injury or loss; to self-defence against any charges that are preferred against him and to obtain fair adjudication before an independent judicial tribunal in any dispute with public authorities or any other person.
c) It is the right and duty of every person to defend the rights of any other person and the community in general (Hisbah).

d) No person shall be discriminated against while seeking to defend private and public rights.

e) It is the right and duty of every Muslim to refuse to obey any command which is contrary to the Law, no matter by whom it may be issued.

V Right to Fair Trial

a) No person shall be adjudged guilty of an offence and made liable to punishment except after proof of his guilt before an independent judicial tribunal.

b) No person shall be adjudged guilty except after a fair trial and after reasonable opportunity for defence has been provided to him.

c) Punishment shall be awarded in accordance with the Law, in proportion to the seriousness of the offence and with due consideration of the circumstances under which it was committed.

d) No act shall be considered a crime unless it is stipulated as such in the clear wording of the Law.

e) Every individual is responsible for his actions. Responsibility for a crime cannot be vicariously extended to other members of his family or group, who are not otherwise directly or indirectly involved in the commission of the crime in question.

VI Right to Protection against Abuse of Power

Every person has the right to protection against harassment by official agencies. He is not liable to account for himself except for making a defence to the charges made
against him or where he is found in a situation wherein a question regarding suspicion of his involvement in a crime could be reasonably raised

**VII Right to Protection against Torture**

No person shall be subjected to torture in mind or body, or degraded, or threatened with injury either to himself or to anyone related to or held dear by him, or forcibly made to confess to the commission of a crime, or forced to consent to an act which is injurious to his interests.

**VIII Right to Protection of Honour and Reputation**

Every person has the right to protect his honour and reputation against calumnies, groundless charges or deliberate attempts at defamation and blackmail.

**IX Right to Asylum**

a) Every persecuted or oppressed person has the right to seek refuge and asylum. This right is guaranteed to every human being irrespective of race, religion, colour and sex.

b) Al Masjid Al Haram (the sacred house of Allah Almighty) in Mecca is a sanctuary for all Muslims.

**X Rights of Minorities**

a) The Qur'anic principle "There is no compulsion in religion" shall govern the religious rights of non-Muslim minorities.

b) In a Muslim country religious minorities shall have the choice to be governed in respect of their civil and personal matters by Islamic Law, or by their own laws.
XI Right and Obligation to Participate in the Conduct and Management of Public Affairs

a) Subject to the Law, every individual in the community (Ummah) is entitled to assume public office.

b) Process of free consultation (Shura) is the basis of the administrative relationship between the government and the people. People also have the right to choose and remove their rulers in accordance with this principle.

XII Right to Freedom of Belief, Thought and Speech

a) Every person has the right to express his thoughts and beliefs so long as he remains within the limits prescribed by the Law. No one, however, is entitled to disseminate falsehood or to circulate reports which may outrage public decency, or to indulge in slander, innuendo or to cast defamatory aspersions on other persons.

b) Pursuit of knowledge and search after truth is not only a right but a duty of every Muslim.

c) It is the right and duty of every Muslim to protest and strive (within the limits set out by the Law) against oppression even if it involves challenging the highest authority in the state.

d) There shall be no bar on the dissemination of information provided it does not endanger the security of the society or the state and is confined within the limits imposed by the Law.

e) No one shall hold in contempt or ridicule the religious beliefs of others or incite public hostility against them; respect for the religious feelings of others is obligatory on all Muslims.
XIII Right to Freedom of Religion

Every person has the right to freedom of conscience and worship in accordance with his religious beliefs.

XIV Right to Free Association

a) Every person is entitled to participate individually and collectively in the religious, social, cultural and political life of his community and to establish institutions and agencies meant to enjoin what is right (ma'roof) and to prevent what is wrong (munkar).

b) Every person is entitled to strive for the establishment of institutions where under an enjoyment of these rights would be made possible. Collectively, the community is obliged to establish conditions so as to allow its members full development of their personalities.

XV The Economic Order and the Rights Evolving Therefrom

a) In their economic pursuits, all persons are entitled to the full benefits of nature and all its resources. These are blessings bestowed by God for the benefit of mankind as a whole.

b) All human beings are entitled to earn their living according to the Law.

c) Every person is entitled to own property individually or in association with others. State ownership of certain economic resources in the public interest is legitimate.

d) The poor have the right to a prescribed share in the wealth of the rich, as fixed by Zakah, levied and collected in accordance with the Law.

e) All means of production shall be utilized in the interest of the community (Ummah) as a whole, and may not be neglected or misused.
f) In order to promote the development of a balanced economy and to protect society from exploitation, Islamic Law forbids monopolies, unreasonable restrictive trade practices, usury, the use of coercion in the making of contracts and the publication of misleading advertisements.

g) All economic activities are permitted provided they are not detrimental to the interests of the community (Ummah) and do not violate Islamic laws and values.

XVI Right to Protection of Property

No property may be expropriated except in the public interest and on payment of fair and adequate compensation.

XVII Status and Dignity of Workers

Islam honours work and the worker and enjoins Muslims not only to treat the worker justly but also generously. He is not only to be paid his earned wages promptly, but is also entitled to adequate rest and leisure.

XVIII Right to Social Security

Every person has the right to food, shelter, clothing, education and medical care consistent with the resources of the community. This obligation of the community extends in particular to all individuals who cannot take care of themselves due to some temporary or permanent disability.

XIX Right to Found a Family and Related Matters

a) Every person is entitled to marry, to found a family and to bring up children in conformity with his religion, traditions and culture. Every spouse is entitled to such rights and privileges and carries such obligations as are stipulated by the Law.
b) Each of the partners in a marriage is entitled to respect and consideration from the other.

c) Every husband is obligated to maintain his wife and children according to his means.

d) Every child has the right to be maintained and properly brought up by its parents, it being forbidden that children are made to work at an early age or that any burden is put on them which would arrest or harm their natural development.

e) If parents are for some reason unable to discharge their obligations towards a child it becomes the responsibility of the community to fulfil these obligations at public expense.

f) Every person is entitled to material support, as well as care and protection, from his family during his childhood, old age or incapacity. Parents are entitled to material support as well as care and protection from their children.

g) Motherhood is entitled to special respect, care and assistance on the part of the family and the public organs of the community (Ummah).

h) Within the family, men and women are to share in their obligations and responsibilities according to their sex, their natural endowments, talents and inclinations, bearing in mind their common responsibilities toward their progeny and their relatives.

i) No person may be married against his or her will, or lose or suffer diminution of legal personality on account of marriage.

XX Rights of Married Women

Every married woman is entitled to:

a) Live in the house in which her husband lives;
b) Receive the means necessary for maintaining a standard of living which is not inferior to that of her spouse, and, in the event of divorce, receive during the statutory period of waiting (iddah) means of maintenance commensurate with her husband's resources, for herself as well as for the children she nurses or keeps, irrespective of her own financial status, earnings, or property that she may hold in her own rights;

c) Seek and obtain dissolution of marriage (Khul'a) in accordance with the terms of the Law. This right is in addition to her right to seek divorce through the courts.

d) Inherit from her husband, her parents, her children and other relatives according to the Law;

e) Strict confidentiality from her spouse, or ex-spouse if divorced, with regard to any information that he may have obtained about her, the disclosure of which could prove detrimental to her interests. A similar responsibility rests upon her in respect of her spouse or ex-spouse.

XXI Right to Education

a) Every person is entitled to receive education in accordance with his natural capabilities.

b) Every person is entitled to a free choice of profession and career and to the opportunity for the full development of his natural endowments.

XXII Right of Privacy

Every person is entitled to the protection of his privacy.

XXIII Right to Freedom of Movement and Residence

a) In view of the fact that the World of Islam is veritably Ummah Islamia, every Muslim shall have the right to freely move in and out of any Muslim country.
b) No one shall be forced to leave the country of his residence, or be arbitrarily
deported there from without recourse to due process of Law.

**Declaration of International Commission of Jurists**

International Commission Of Jurists together with the University Of Kuwait, and the Union Of Arabs Lawyers, organised an International Seminar On Human Rights In Islam in December 1980, in order to provide a forum for Muslim lawyers and scholars from all parts of the Islamic world, to discuss among themselves, some of the subjects of critical importance to them, both in Muslim states and in secular states. After many vigorous and learned debates, the participants agreed upon a detailed statements of the Secretary of commission of jurists, Niall MacDermot, published the recommendations with the hopes that this publication maybe of value not only to Muslims, but to a wider public interest in the problems facing the world of Islam.

Recommendations of the Seminar are as follows:

**Economic Social and Cultural Rights**

In the economic sphere:

1. Fresh efforts are needed to replace the present economic system, considered to be a remnant of colonial times, with one applying Islam principles. Islam is man’s only hope of salvation from social and economic exploitation, and at the same time it enables Islamic states to relate to the rest of the world from a position of equality and justice.

2. National constitutions and covenants must include provisions for safeguarding economic rights in conformity with Islamic principles.

3. Ways and means should be provided for bringing help and relief to needy, deprived and oppressed groups at the local and universal legal instruments.
4. Islamic states are called upon to provide adequate guarantees for the social and economic rights provided for in local and universal legal instruments.

5. The Seminar recommends that Islamic states work out economic development plans inspired by the principles of Islamic law, and also provide for economic programmes aimed at raising their level of self-sufficiency and ensuring social justice.

6. Every Islamic state is called upon to reform its economic system to achieve social justice and guarantee human dignity. With these ends in view, the Seminar recommends consideration of the following measures.

(1) Conservation and careful use of natural resources while taking account of the requirements of state security and the national economy;

(2) Redistribution of income and wealth on an equitable basis in conformity with the principles of Islam;

(3) Revision of wages policies to meet the needs of the individual and guarantee him a decent life;

(4) A reappraisal of private governorship with a view to serving the interest of the community and guaranteeing proprietor’s rights;

(5) Cooperation between private and public enterprise to promote economic development, increase production, raise living standards, and promote the well-being of all citizens;

(6) Combating monopolies and imposing duties on capital so as to promote state and public interest;

(7) Increase of governmental expenditure on public services, such as education and health, so that they are made available to all; and
(8) Enhancement of social security and realization of social and economic justice.

In the socio-cultural sphere:

**Education:**

7. As the quest for knowledge is the duty of every Muslim and its spread is the responsibility of the state, the Seminar recommends that education become compulsory in Islamic states at the primary stage and free of charge at all levels.

8. Islamic states are called upon to pay special attention to the physical, moral and mental health of youth, to prescribe religious education as a basic course in all curricula, to instruct Muslims in all the duties they are expected to perform in Islam, and to teach the life of the Prophet and his four successors (*the caliphs named Al-Rashideen*) at all stages of education.

9. The Seminar affirms the role of education in forming the human personality and developing it on the basis of the moral values of Islam, so as to enable the individual to confront the threats and hazards of contemporary scientific materialism. Thus, it calls upon Islamic states to lay down a solid educational foundation derived from Islamic values and principles, and to use as their models to pioneering programmes recommended by the Islamic conferences of Mecca in 1977, Dakar in 1978 and Islamabad in 1980.

10. In recognition of the important connection between religious education and those who teach it, the Seminar recommends that the teaching of topics pertaining to Islam be entrusted exclusively to Muslims teachers whose religious background and culture make them better fitted for the task.

11. Islamic states are called upon to take all measures necessary to give women the opportunity to pursue their studies in any field they wish in accordance with
Islamic principles. In this respects curricula must be laid down aimed at the full development of women within the framework of these principles.

12. The Seminar draws the attention of Islamic states to the grave consequences of constructing their education systems on a secular basis and calls upon the Islamic Conference Organization and the Islamic Education Centre to attach the greatest importance to encouraging scholarly research aimed at explaining Islamic attitudes to and concepts of various fields of knowledge.

13. Islamic states are called upon to institute Islamic universities to teach all branches of knowledge in accordance with the Islamic spirit, so that these universities may be emulated in multinational communities and set as example for regional and international organizations entrusted with the task of developing education at a regional or world level.

14. Islamic states are called upon to rectify international conventions on education and economic, social and cultural rights in as far as these conventions conform to Islamic principles.

15. The Seminar recommends that the study of human rights in Islam be a compulsory part of school curricula.

16. The Seminar recommends that an Islamic Human Rights Committee be set up to study the theory underlying these rights and practical means of implementing them in Islamic countries and countries with Muslim minorities.

17. The Seminar recommends that foreign and missionary schools in Islamic states should provide opportunities for Muslim students to be educated in their religion by specialised Muslim teachers.
18. The Seminar recommends that minorities in Islamic states should have the right to educate their children in their respective faiths in accordance with the Universal Declaration of Human Rights.

The right to work:

19. Islamic states are called upon to guarantee to every citizen the right to work and to choose the kind of work which suits his capabilities and potentials, and to ensure that their legislation includes provisions which both prohibits and eliminate all forms of debt bondage and forced labour, except where compulsory labour is established to meet national needs and is justly remunerated.

20. Realising that the guarantee of the right to work recognised by Islam makes it necessary to provide appropriate vocational training and qualification opportunities, the Seminar recommends that policies and programmes be laid down to provide adequate training in technical fields that require certain minimum standards of skill.

21. In pursuance of Islamic principles of justice and equality, the Seminar recommends for all workers, both men and women, the enforcement of the principle of equal pay for equal work and, also, of a guaranteed minimum wage.

22. In recognition of Islam's concern to safeguard human dignity and of the need to compensate workers fairly and without delay for their labour, and with a view to preserving the productive human resources in Islamic society, the Seminar calls upon the governments of Islamic states to regulate the right to work on a sound economic basis. This, while taking into account the rules of social justice in the relationship between workers and employers, should guarantee a minimum wage, limited working hours, suitable working conditions and right to leave of absence, to leisure time and to retirement payments, all of which would also provide a strong incentive to increase production. The Seminar also recommends that employment
of children be prohibited and that no women be employed in types of work that are not suited to their nature and physical capabilities.

23. In consideration of the important economic and social roles of professional organisations, the Seminar calls upon Islamic states to guarantee to employers and employees alike the right to form their own organisations and unions and become voluntarily affiliated to them. It recommends that such organisations should not be in danger of being dissolved or suspended by the administrative authorities, provided they abide by the law, and that they be allowed to carry out their proper functions to raise the economic, cultural and social standards of their members.

24. The Seminar calls on Islamic states to rectify international labour agreements, including the International Labour Organisation’s Convention on Child Labour, in so far as they do not conflict with Islamic principles.

*The rights of minorities:*

25. It is incumbent upon Islamic states to include provisions in their respective constitutions for the safeguards ordered by Islam for non-Muslim minorities, so that these minorities may enjoy their basic rights and freedoms on an equal footing with Muslims. The emphasis laid so strongly by Islam on the need to protect the rights and freedoms of non-Muslims itself provides a refutation of the allegations unjustly levelled against Islam in this respect and also obligates Islamic states to enforce the relevant provisions of Islam concerning non-Muslims.

26. In considerations of the fact that article 27 of the international covenant on civil and political rights of 1966, which prohibits the denial to ethnic, religious or linguistic minorities of the right to enjoy their own culture, practice their own religion and express themselves in their native tongue, does not conflict with the principles of Islamic law but indeed represents a minimum of the human rights guaranteed to
minorities by Islam, the Seminar recommends that this covenant be ratified by all Islamic states, a step which would also assist Islamic minorities in non-Islamic states to regain the freedom to exercise their traditions and rites.

27. Islamic states should provide Muslim minorities in other states with material and moral support to strengthen their bonds with Islam in the face of modern materialism, to further their right to educate their children in accordance with their national and Islamic traditions, to help them in the free exercise of their religion and to assist them in teaching their members their basic religious duties and in studying the lives of the Prophets and his four successors.

28. The Seminar calls upon all nations not only to respect the rights of minorities to follow their cultural traditions and their religious convictions, and to be guided by them in their personal affairs, but also to provide the necessary support for all initiatives which encourage this spirit and strengthen this orientation and outlook.

Civil and Political Rights

*Freedom of opinion, thought, expression and assembly:*

29. The necessary effort should be exerted at all levels to explain the rules and principles of Islamic law in a way that makes them understandable to everyone, particularly to ordinary people.

30. The constitutions and legislation of Islamic states should incorporate provisions on the rights and freedoms recognised by Islam and the necessary organs should be created to ensure the implementation of these rights and to fend off any encroachments upon them.

31. Political and legal rights and rights to information capable of protecting basic rights and freedoms in Islam should be assured.
32. A comparative study should be made of the provisions of international documents on basic rights and freedoms and their counterparts in Islamic law, with a view to adopting those considered concordant with the spirit of Islam.

33. Islamic states should allow their citizens to exercise their freedom of opinion and expression in accordance with the teachings of Islam, since the exercise them is considered a sin. Similarly, Islamic states should provide the necessary safeguards to free people from fear and establish a proper climate to strengthen their faith by constructive debate and respect for freedom of opinion and expression, Islamic states are also called upon to guarantee freedom of assembly as an indispensable element in exercise of the freedom of opinion and expression.

Legal protection of human rights:

34. Those states whose judges are selected on the strength of their party affiliations are called upon to abandon this wrong practice which is contrary to the rules and conditions stipulated by Islam concerning the appointment of judges.

35. Special courts and courts of exception of any kind should be prohibited and legislation should be passed to prevent an accused person being deprived of his right to have his case tried by an ordinary court of law.

36. Capital punishment for political offences should be abolished in Islamic states as it is contrary to the true principles of Islamic jurisprudence.

37. Islamic states are called upon to include a provision in their penal codes making it a crime for the authorities to resort to torture or kidnapping, and stating that no period of limitation would absolves culprits of their guilt during their lifetime. Islamic states are also urged to take action to put an end to any such malpractices perpetrated in violation of Islamic principles.
38. Islamic governments are requested to support the UN Draft Convention against Torture and also the draft optional protocol thereto, provided that their provisions are found to be in agreement with Islamic jurisprudence.

Women's rights and status:

39. Islamic states are called upon to include provisions in their legislation ensuring the political rights of women as guaranteed by Islam, notably their right to vote, to nominate themselves for election, to be appointed to public post, and to participate in decision-making.

40. Islamic states are recommended to adapt their legislation and the training of their judges so as to ensure the protection of women's rights as recognised by Islam.

41. Commissions should be created to study all factors pertaining to the status of women and in particular the situation of women in education, employment and personal status, and to ensure that women's rights are respected in conformity with the principles of Islamic jurisprudence.

42. As women's rights will be safeguarded to a considerable degree through respect for human rights in general, Islamic and Arab governments are called upon to ratify international conventions on human rights, especially as they do not conflict with Islam's attitude to woman. Such ratification would, on the contrary, enhance international respect for these rights and emphasize Islam's vanguard role in the promotion of human rights.

General Recommendations

43. Islamic states are recommended to take all necessary measures, legislative or otherwise, to implement within their territories the principles and recommendations
adopted by the Seminar on political, civil, economic, social and cultural rights, as recognized by Islam.

44. The need is emphasized to revive the tradition of Islamic jurisprudence, through concerted efforts of the universities and other institutes of learning and through the material and moral support of governments, to provide the necessary safeguards for the exercise of human rights. The importance is also emphasized of individual endeavour (ijtihad), as a source of Islamic jurisprudence to deal with issue that have not been dealt with elsewhere in Islamic law, especially those issue that relate to our contemporary way of life. In this respect, cooperation between Muslims must be intensified at both governmental and non-governmental levels.

45. Enlightened members of the various Islamic states are called upon to assume their role of informing public opinion and making the people aware of their rights as recognised by Islam. Governments are similarly called upon to inform and educate the public objectively, stressing the leading role of Islam in the establishment both of human rights and their means of protection. At the same time, steps should be taken to create and promote a common awareness, in the spirit of Islamic legislation, as this would lead to a mobilization of the forces of social change.

46. Islamic states are recommended to adopt effective policies and measures to guarantee the participation of all members of the public at all levels of the decision-making process.

47. An Islamic charter of human rights should be established, in keeping with Islam's vanguard role in this respect, as a contribution to the endeavours to preserve and develop human rights in the world and to guarantee a better future.
48. The Seminar appeals to the heads of Islamic governments to ensure that the above recommendations are discussed and put into effect, especially at the Islamic Summit Conference, when the present topic will be considered.

**Final Resolution**

49. The participants in the Seminar affirm their full solidarity with those Islamic peoples who continue to suffer from the yoke of colonialism, and declare:

(a) Their full support for the legitimate rights of the Palestinian people in their armed struggle, their right to self-determination, their right to return to their country and to establish an independent state under the leadership of the Palestinian Liberation Organization, their sole lawful representative;

(b) Their absolute solidarity with the two peoples of western Somalia (Ogaden) and Eritrea in their heroic struggle against colonialism, and their demand that they be given the right to determine their own future, and that all foreign troops be withdrawn from their territories;

(c) Their backing for the holy war (Al-Jihad) waged by the Muslim Afghan people, their condemnation of armed intervention in this Islamic country, and their insistence that all foreign forces be immediately withdrawn from Afghanistan to enable its people freely to determine their own future;

(d) Their support for the struggle of Muslims in the Southern Philippines and for the struggle of other minorities who seek to obtain their lawful rights; and

(e) Their appeal to the Islamic states, Iran, and Iraq, to put an end on equitable terms to the war which divides them.

50. The Seminar expresses its deep appreciation to the sponsoring organisations for their exceptional work of preparation, and its gratitude to the government and
people of Kuwait for their generous hospitality, mentioning in particular the contribution of the Faculty of Law and Shari'ah of the University of Kuwait towards the success of the Seminar.

51. The Seminar finally addressed itself to almighty God in a fervent prayer that all Muslims be brought together in justice and goodness, and that this humanitarian effort be pursued until the dignity of man is assured, the foundations of his rights and his life firmly established and consolidated, and the roots of arbitrariness and injustice eradicated from the world*

Mecca Declaration

Adopted by the 3rd Islamic Summit of Organization of Islamic Conference at Mecca on 25 January 1981

We, the kings, presidents, Emirs, and Heads of Government of the member-states of the organisation of the Islamic conference.


Bow in gratitude to Allah Almighty, the almighty, who has, in His Infinite Grace, enabled us to congregate in this Sacred City, in the vicinity of the Holy Kaaba, venue of Divine Revelation and the Qibla of all Muslims, at the dawn of the new Hijrah Century in an assembly which we consider to be a monotonous event in the history of the Islamic Ummah and the beginning of an all-embracing Islamic resurgence, demanding of all Muslims to pause and take stock of their past, evaluate their present, and look forward with confidence to a better future in a spirit of Islamic solidarity in order to restore the unity in their ranks, work for their prosperity and
advancement, and achieve, once again, and exalted positions in the world community and human civilization.

Strict adherence to Islamic principles and values, as a way of life, constitutes the highest protection for Muslims against the dangers which confront them. Islam is the only path which can lead them to strength, dignity and prosperity and a better future. It is the pledge and prosperity and a better future. It the pledge and guarantee of the authenticity of the Ummah safeguarding it from the tyrannical on-rush of materialism. It is the powerful stimulant for both leaders and peoples in their struggle to liberate their Holy places and to regain their rightful place in this world so that they may, in consort with other nations, strike for the establishment of equality, peace and prosperity for the whole of mankind.

The belief of all Muslims in the eternal principles of liberty, justice, human dignity, fraternity, tolerance and compassion and their constant struggle against injustice, and aggression, reinforce their determination to establish just peace and harmony among peoples, to ensure respect for human rights, and to work for the strengthening of international organisations based on humanitarian principles and peaceful co-existence among nations. Thus, a new age would drawn where in relations between nations would be governed by principles and not by force, and where in all forms of oppression, exploitation, domination injustice, colonialism and neo-colonialism as well as all kinds of discrimination on grounds of race, colour, creed or sex would be banished for ever from his earth.

We declare that only firm adherence to our faith will enable us to retain the strength of our social structures and help our communities to avoid succumbing to the disunity and degradation of the past when many Muslim homelands, particularly Al-Quds Al-Sharif—the first Qibla and the third holiest shrine of the world of Islam—fell
prey to foreign domination. History is replete with instances where Muslims communities have fallen victim to injustices and aggression; where intellectual achievements eroded; their share of their own material resources diminished. Indeed the dawn of the century saw the Muslims world confronting dangers and challenges to its independence, security, honour and dignity.

We are saddened to note that despite all its material and scientific and technological achievement mankind today suffers from poverty of the spirit, from moral and ethical decay and societies are marred by inequities, economies, and cripples by severe crises and international political order is in constant danger of destabilization. The force of evils are now on the march, multiplying the hotbeds of war, sowing the seeds of dissentions, threatening the security of the world, man’s peace of mind, and jeopardizing human civilization.

We consider that the innate qualities of the Muslims Ummah point the way to unity and solidarity, to progress and advancement, to prosperity and power. It possesses the Book of God and the Sunnah of the Holy Prophet (صلی الله عليه وسلم). In them can we found a complete way of life leading us, guiding us along the path of goodness, righteousness, and salvation. This is our cultural heritage: it enables us to break the shackles of subservience and mobilises in us the spiritual strength to utilise to the fullest extant our inherent capabilities. It is our sheet anchor for a righteous life.

It is our conviction that the Ummah of thousand million peoples composed of various races, spread over vast areas of the globe and possessing enormous resources fortified by its spiritual power and utilising to the full its human and material potential, can achieve an outstanding position in the world and ensure for itself the means prosperity in order to bring about a better equilibrium for the benefit of all mankind.
We meet today in this August assembly and in this Serene City at this momentous juncture in the annals of Islam, determined to reinforce our solidarity and set in motion the process of our renaissance. To this end, we make the following solemn declaration:

1. All Muslims, differing though they may be, in their language, colour, domicile or other conditions, for but one nation, bound together by their common faith, moving in a single direction, drawing on one common cultural heritage, assuming one nation through out the world. Thus, they stand as a nation of moderation, rejecting alignment to any and all blocks and ideology, steadfastly refusing to surrender to divisive influences or to conflicts of interest.

We are, therefore, determine to move forward to reinforce our solidarity, to overcome rifts and division and to settle in a peaceful manner all disputes that may arise amongst us on the basis of covenant and the principles of brotherhood, unity and interdependence and our belief in the justice and compassion derived from the holy book of Allah Almighty and that Sunnah of His prophet (صلى الله عليه وسلم), which constitute for us the eternal source for justice.

In fulfilment of the aspirations of our peoples we shall intensify consultations amongst ourselves and compliment and coordinate our endeavours in the international fields in order to better defend our common causes and thus to enhance our prestige and positions in the world.

We are equally determined to engage in Jihad with all the means at our disposal, to liberate our occupied territories to support one another in defending our independences and territorial integrity, in vindicating our rights and in eliminating the injustice wrecked on our nation, depending on our own strength and firm solidarity.
2. Conscious that Muslims today are victims of innumerable injustices and are faces with multiple dangers due to reign of force and aggression and the politics of violence in international behaviour;

Conscious also of the fact that Islam enjoins justice and equity both upon its followers and others and it also enjoin tolerance and magnanimity towards those who do not combat us, do not force us to leave our homes and do not violate our sacred values which never take the side of wrongdoing, injustice and oppression;

We reaffirm our unflinching resolve to combat the Zionist usurpation by force of arms of Palestinian lands and other Arab territory and to frustrate all Zionist design and action in this regard. We condemn and reject the policies of those who assists this aggression by giving the Zionist entity political, economic, demographic and military support, we equally rejects all initiatives that are not consistent with the Palestinian question, based on the realisation of the inalienable national rights of the Palestinian people, including the right to self-determination, including the right to establish an independent Palestinian state in their homeland, under the leadership of Palestine Liberation Organisation, the sole and legitimate representative of the Palestinian people. We also reject all attempts to exert pressure on us or on other countries of the world to accept a fate accompli and to surrender to unjust solutions. We affirm our resolve to confront this aggression and pressure with all the means at our disposal to prepare ourselves for Jihad in order to liberate the occupied Palestinian and Arab territories and the holy places and to recover the incontrovertible rights of the Palestinian people as recognized by International Law and the UN Resolutions relating to the question of Palestine.

The violation committed against the Harem of Al-Quds Al-sharif, the aggression against the people of Palestine and their established national and religious
rights, and the continuation of aggression through the annexation of Al-Quds Al-sharif leaves us no choice but to firmly stand up-to this aggression and to denounce its supporter. We, therefore, pledge to wage *Jihad* with all the liberation struggle the prime Islamic cause of this generation until, God willing Al-Quds Al-sharif and all the occupied Palestinian and Arab territories are restored to their legitimate owners.

Faced with the open invasion of the territory of Afghanistan, a sovereign Muslim State, and the violation of the rights of Afghan people to freedom and self-determination and their rights to preserve their Muslim identity, we are determined to continue to support the struggle of the people of Afghanistan and to feel deeply concerned over the situation created by the foreign military intervention in Afghanistan.

We reaffirm our determination to seek a political solution of this crisis, on the basis of an immediate and complete withdrawal of foreign forces from Afghanistan, respect for political independence and territorial integrity, as well as the non-aligned status of Afghanistan and respect for the inalienable rights of the heroic Afghan people to self-determination without any foreign intervention or pressure.

We declare our full solidarity with the people of Afghanistan who are engaged in a Jihad to attain their freedom and independence.

We express our deep concern over the increasing rivalry between the Superpowers, their competition for spheres of influence and their increasing endeavours to intensify their military presence in the areas near and adjacent to the states of the Islamic world, such as the Indian Ocean, the Arabian Sea, the Red Sea and the Gulf.

We affirm our common conviction that the peace and stability of the Gulf and the security of its sea lanes, is the exclusive responsibility of the Gulf States without any foreign interference.
The persecution of Muslim minorities and communities in many parts of the world constitutes a violation of human rights and is contrary to the dignity of man. We call upon all countries which have Muslims minorities to enable them to perform their religious rites in full freedom and to extend to them equal rights as citizens protected by the State, in accordance with the sanctity of Law.

3. Taking note of the present state of international relations which are characterized by the evils of bigotry and racism, dominated by the rule of force and the arms race, by greed and injustice, colonialism and exploitation of weak nations, factors which threaten our civilization and disturb social and material equilibrium of the world: desirous of seeing that the forces of good throughout the world establish the human values of fraternity, humanity and justice; we call upon all states and peoples of the world to rebuild it anew, through sincere and concerned efforts, so that peace may prevail conflicts and wars may be avoided. We call for the disputes to be settled peacefully, and for relations to be conducted constructively, for man's capacities to be harnessed in the service of humanity, instead of being wasted in a race for the acquisition of armaments and of weapons of death and destruction. Should this come to pass, justice would prevail and human relations would be established on the basis of equality and fraternity, benevolence and compassion, and not on the basis of discrimination and injustice, thus would the oppressed peoples of the earth be liberated: thus would they avoid the misbelieve of warmongers: thus would mankind be blessed with peace, and basic human rights be once again triumphant.

We resolutely support, and call upon others to support, the United Nations Organization and all other inter-governmental institutions which provide a suitable framework for cooperation, an important platform for dialogue and understanding, and an instrument for setting disputes and resolving crises. We strongly denounce any
tendency to impose tutelage on and obstruct the activity of the UN. We condemn Israel and the States which systematically violate the principles and aims of non-alignment and support the League of Arab States and the Organization of African Unity, and our full solidarity with the countries of the Third World.

4. Convinced of the need of our people to adhere strictly to their faith and to rely on their heritage in the building up of a society committed to faith, justice and morality, we confirm our determination to be guided by the Book of Allah Almighty and the Sunnah of the Holy Prophet (صلى الله عليه وسلم) in shaping our lives and our societies and in strengthening our relations with peoples and countries of the world. In this, we proceed from the belief that this is the best guarantee for the triumph of truth and virtue and for the establishment of justice and peace; it is also the surest path to dignity, prosperity and security for the Islamic Ummah.

We reiterate our desire to establish the practice of Shura (consultation) among all Muslims, to normalize this principle in all walks of life, in order that the doing of good deeds may be promoted and wrongdoing eliminated. Thus would solidarity be implanted in the collective conscience and people would participate in the running of their affairs putting an end to dissension and discord. We shall make every effort to facilitate contacts between individual Muslims and between specialized institutions in order to provide opportunities for continuous consultation. Inspired by the Book of God and the Sunnah of the Holy Prophet (صلى الله عليه وسلم) which are the basic course of guidance in this regard, we affirm our determination to protect human rights and dignity. We likewise affirm our determination to ensure the rights, freedoms and basic needs of mankind. We shall endeavour, to this end, to establish the basis and the means for the protection of rights and sacred values, for the removal of injustices for the
triumph of all people struggling to achieve independence, freedom and justice and dignity whenever they are violated, including Palestine and South Africa.

5. Aware of our common interests, we declare our determination to eliminate poverty from which some of our peoples continue to suffer, by consolidating our economic cooperation on the basis of complimentarily and pooling of our resources to achieve coordinated development of our countries. We also declare our resolve in a spirit of Islamic solidarity, to promote economic development of the countries, which are least, developed amongst us.

We further pronounce our resolve to rationalize our development policies in order to ensure balanced progress in both the material and spiritual domains.

We call for efforts to be made to establish economic relations in the world on bases of justice, interdependence and mutual interest, to ensure the disappearance of the wide gap separating the industrialized countries and the developing and poor countries, and the institution of a new economic order based on equity and solidarity, under which development policies are rationalised and integrated to eliminate, once and for all, famine and its dangers, as well as all kinds of deprivation and all forms of exploitation of peoples backwardness and to ensure the development of these countries and the proper utilization of their resources. We reaffirm the right of States to have sovereignty over their natural recourses and to control their exploitation.

6. Believing the tenets of Islam which preach that the quest of knowledge is an obligation on all Muslims we declare ourselves determined to cooperate in spreading education more widely and strengthening educational institutions until ignorance and illiteracy have been eradicated and to take measures aimed towards the strengthening of Islamic educational curricula and to encourage research and Ijihad among Muslims thinkers and Ulema while expanding the studies of modern sciences and technologies.
We also pledge ourselves to coordinate our efforts in the field of education and culture, so that we may draw on our religious and traditional sources in order to unite the Ummah, consolidate its culture and strengthen its solidarity, cleanse our societies of the manifestations of moral virtues, protecting our youth from ignorance and from exploitation of material needs of Muslims to alienate them from their religion.

Believing in the need to propagate the principles of Islam and the spread of its culture, glory throughout the Islamic societies and in the world and to emphasize its rich heritage, its spiritual strength, moral values and laws conducive to progress, justice and prosperity, we are determined to cooperate to provide the human and material means to achieve these objectives. We pledge to exert further efforts in various cultural fields to achieve rapprochement in the thinking of Muslims and to purify Islamic thought of all that may be alien or divisive.

We further pledge ourselves, within a framework of cooperation and a joint progress to develop our mass-media and information institutions, guided in this efforts by the precepts and teachings of Islam, in order to insure that these media and institutions will have an effective role in reforming societies, in a manner that helps in establishment of an international information order characterised by justice, impartiality and morality, so that our nation may be able to show to the world its true qualities, and refuse the systematic media campaigns aimed at isolated, misleading, slandering and defaming our nation.

7. Recalling with satisfaction with establishment of the organization of the Islamic Conference, and noting with pleasure the progressive development of this Organization, as well as its growing status in international forums symbols of the unity of Muslims and a framework of understanding and rapprochement among them and noting also the establishment of other institutions emanating from the Organization,
and the continuation of joint efforts in this direction, we commit ourselves to support and develop our organization, and to provide it with appropriate skills and adequate resources, so it may discharge the noble tasks assigned to it, and further to support Islamic solidarity funds and Al-Quds funds, as well as other organs and projects of the organization to ensure their success.

We jointly pledge to support all international and inter-governmental Islamic bodies and institutions which confirms to the objectives of our organization for the purpose of strengthening the bonds of brotherhood between Muslims, intensifying their cooperation in various fields and reinforcing their international role. We also jointly pledge to support non-official Islamic bodies and institutions which serve the purposes and principles of the charter of our organization in a manner that is not contrary to the legislation of the member states.

We appeal to our peoples to hold fast to the teaching and cultural values of our religion, to unify their forces so as to face the challenges that confront them and to support one another in improving their conditions and achieving strength, dignity and prosperity.

We appeal to all other States and peoples to reciprocate the sentiments of the member States of the OIC and their peoples in a sincere spirit of human brotherhood. Let us banish all hatred, injustice and oppression so that we may together build a world fit for mankind and so that we may enhance the level of our spiritual and material life.

We pray to god to set us on right path, to crown our efforts with success, and to lead us to a righteous life.

"Allah Almighty hath promised such of you as believe and do good work that He will surely make them to succeed (the present rulers) in the earth even as He cause those who were before them to succeed and that He will surely establish for them their
religion which He hath approved for them, and will give them in exchange safety after their fear. They serve Me. They ascribe nothing as partner unto Me. Those who disbelieve henceforth, they are the miscreants”.

Cairo Declaration

Adopted and Issued at the Nineteenth Islamic Conference of Foreign Ministers in Cairo 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.

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 advanced 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.

Proceeding from the above-mentioned principles,

Declare the following:

Article 1

(a) All human beings form one family whose members are united by submission to
God and descent from Adam. All men are equal in terms of basic human dignity
and basic obligations and responsibilities, without any discrimination on the
grounds of race, colour, language, sex, religious belief, political affiliation, social
status or other considerations. True faith is the guarantee for enhancing such
dignity along the path to human perfection.

(b) All human beings are God’s subjects, and the most loved by him are those who
are most useful to the rest of His subjects, and no one has superiority over another
except on the basis of piety and good deeds.

Article 2

(a) Life is a God-given gift and the right to life is guaranteed to every human
being. It is the duty of individuals, societies and states to protect this right from
any violation, and it is prohibited to take away life except for a Shari’ah-
prescribed reason.

(b) It is forbidden to resort to such means as may result in the genocidal annihilation
of mankind.

(c) The preservation of human life throughout the term of time willed by God is a
duty prescribed by Shari’ah.
(d) Safety from bodily harm is a guaranteed right. It is the duty of the state to safeguard it, and it is prohibited to breach it without a Shari’ah-prescribed reason.

Article 3

(a) In the event of the use of force and in case of armed conflict, it is not permissible to kill non-belligerents such as old men, women and children. The wounded and the sick shall have the right to medical treatment; and prisoners of war shall have the right to be fed, sheltered and clothed. It is prohibited to mutilate dead bodies. It is a duty to exchange prisoners of war and to arrange visits or reunions of the families separated by the circumstances of war.

(b) It is prohibited to fell trees, to damage crops or livestock, and to destroy the enemy’s civilian buildings and installations by shelling, blasting or any other means.

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. The state and society shall protect his remains and burial place.

Article 5

(a) The family is the foundation of society, and marriage is the basis of its formation. Men and women have the right to marriage, and no restrictions stemming from race, colour or nationality shall prevent them from enjoying this right.

(b) Society and the State shall remove all obstacles to marriage and shall facilitate marital procedure. They shall ensure family protection and welfare.
Article 6

(a) 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.

(b) The husband is responsible for the support and welfare of the family.

Article 7

(a) 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. Both the foetus and the mother must be protected and accorded special care.

(b) Parents and those in such like capacity have the right to choose the type of education they desire for their children, provided they take into consideration the interest and future of the children in accordance with ethical values and the principles of the Shari’ah.

(c) Both parents are entitled to certain rights from their children, and relatives are entitled to rights from their kin, in accordance with the tenets of the Shari’ah.

Article 8

Every human being has the right to enjoy his legal capacity in terms of both obligation and commitment. Should this capacity be lost or impaired, he shall be represented by his guardian.

Article 9

(a) The quest for knowledge is an obligation, and the provision of education is a duty for 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 so as to enable man to be acquainted with the religion of Islam and the facts of the Universe for the benefit of mankind.

(b) Every human being has the right to receive both religious and worldly education from the various institutions of education and guidance, including the family, the school, the university, the media, etc., and in such an integrated and balanced manner as to develop his personality, strengthen his faith in God and promote his respect for and defence of both rights and obligations.

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

(a) 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.

(b) Colonialism of all types being one of the most evil forms of enslavement is totally prohibited. Peoples suffering from colonialism have the full right to freedom and self-determination. It is the duty of all States and peoples to support the struggle of colonized peoples for the liquidation of all forms of colonialism and occupation, and all States and peoples have the right to preserve their independent identity and exercise control over their wealth and natural resources.

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. The country of refuge shall ensure his protection until he reaches safety, unless asylum is motivated by an act which Shari’ah regards as a crime.

Article 13

Work is a right guaranteed by the State and Society for each person able to work. Everyone shall be free to choose the work that suits him best and which serves his interests and those of society. The employee shall have the right to safety and security as well as to all other social guarantees. He may neither be assigned work beyond his capacity nor be subjected to compulsion or exploited or harmed in any way. He shall be entitled — without any discrimination between males and females — to fair wages for his work without delay, as well as to the holidays, allowances and promotions which he deserves. For his part, he shall be required to be dedicated and meticulous in his work. Should workers and employers disagree on any matter, the State shall intervene to settle the dispute and have the grievances redressed, the rights confirmed and justice enforced without bias.

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

(a) 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. Expropriation is not permissible except for the requirements of public interest and upon payment of immediate and fair compensation.
(b) Confiscation and seizure of property is prohibited except for a necessity dictated by law.

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 there from, provided that such production is not contrary to the principles of Shari’ah.

Article 17

(a) Everyone shall have the right to live in a clean environment, away from 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.

(b) Everyone shall have the right to medical and social care, and to all public amenities provided by society and the State within the limits of their available resources.

(c) The State shall ensure the right of the individual to a decent living which will enable him to meet all his requirements and those of his dependents, including food, clothing, housing, education, medical care and all other basic needs.

Article 18

(a) Everyone shall have the right to live in security for himself, his religion, his dependents, his honour and his property.

(b) Everyone shall have the right to privacy in the conduct of his private affairs, in his home, among his family, with regard to his property and his relationships. It is not permitted to spy on him, to place him under surveillance or to besmirch his good name. The State shall protect him from arbitrary interference.
(c) A private residence is inviolable in all cases. It will not be entered without permission from its inhabitants or in any unlawful manner, nor shall it be demolished or confiscated and its dwellers evicted.

Article 19

(a) All individuals are equal before the law, without distinction between the ruler and the ruled.

(b) The right to resort to justice is guaranteed to everyone.

(c) Liability is in essence personal.

(d) There shall be no crime or punishment except as provided for in the Shari’ah.

(e) A defendant is innocent until his guilt is proven in a fair trial in which he shall be given all the guarantees of defence.

Article 20

It is not permitted without legitimate reason to arrest an individual, or restrict his freedom, to exile or to punish him. It is not permitted to subject him to physical or psychological torture or to any form of humiliation, cruelty or indignity. Nor is it permitted to subject an individual to medical or scientific experimentation without his consent or at the risk of his health or of his life. Nor is it permitted to promulgate emergency laws that would provide executive authority for such actions.

Article 21

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

Article 22

(a) 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.
(b) Everyone shall have the right to advocate what is right, and propagate what is good, and warn against what is wrong and evil according to the norms of Islamic Shari'ah.

(c) Information is a vital necessity to society. It may not be exploited or misused in such a way as may violate sanctities and the dignity of Prophets, undermine moral and ethical values or disintegrate, corrupt or harm society or weaken its faith.

(d) It is not permitted to arouse nationalistic or doctrinal hatred or to do anything that may be an incitement to any form of racial discrimination.

Article 23

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

(b) Everyone shall have the right to participate, directly or indirectly in the administration of his country's public affairs. He shall also have the right to assume public office in accordance with the provisions of Shari'ah.

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 to any of the articles of this Declaration.

Tehran Declaration

The Eighth Islamic Summit Conference the Session of Dignity, Dialogue, Participation Sha'aban, 1418 - December 1997
In the name of God, the Compassionate, the Merciful

And thus We have made you a justly balanced nation that you may be the bearers of witness to the people and (that) the Apostle may be a bearer of witness to you. (Qur'ân, II: 143)

The Kings, Heads of State and Government of the Member-States of the Organization of the Islamic Conference, assembled at the Eighth Islamic Summit Conference, the Session of Dignity, Dialogue, Participation, held in Tehran, the Islamic Republic of Iran, from 8 to 10 Sha'aban 1418 H, corresponding to 9-11 December, 1997,

Stressing their full adherence to Al-Tawhid, as the foundation for man's true freedom, and their devotion to the progressive precepts of Islam which provide a delicate balance between spiritual and material dimensions of human life, and between liberty and salvation, based on tolerance and compassion, wisdom, justice and participation.

Affirming their strong determination to realize the purposes and principles of the Charter of the Organization of the Islamic Conference, in particular as regards the unity and solidarity of the Islamic Ummah, safeguarding of Islamic values and principles,

Determined to realize the legitimate aspirations of Islamic nations and peoples for peace and security as well as comprehensive, balanced and sustainable development through active participation and the realization of the fundamental right to self determination of peoples under colonial or alien domination or foreign occupation,

Recognizing the importance of preserving the identity of the Ummah and of holding fast to their tradition and historical heritage as the main factor in cementing the fabric of the Society and enhancing social stability,
Emphasizing the imperative of positive interaction, dialogue and understanding among cultures and religions; and rejecting the theories of clash and conflict which breed mistrust and diminish the grounds for peaceful interaction among nations,

Noting the transitional international environment and the enormous capabilities and potentials of the Islamic Ummah to play a constructive role in shaping a more just, equitable and peaceful global order,

Expressing their full confidence that Iran, under the leadership of His Eminence Ayatollah Khamene'i and the Presidency of His Excellency Khatami, will lead the OIC during its Chairmanship in the most able and constructive manner, further enhancing the role and participation of the Organization in international affairs,

**Solidarity and Security in the Islamic World**

1. Pledge solemnly to promote solidarity, peace and security within the Islamic world as their top priority, and to pursue consultations on a forum for security cooperation, and entrust the Inter-Governmental Expert Group on Solidarity and Security of Islamic States to study and recommend appropriate strategies and practical measures to achieve this objective.

2. Reaffirm their resolve to consolidate cooperation and coordination among the Member States and their expectation from all regional organizations within the Islamic world to take effective practical measures in order to expand cooperation in all fields,

3. Emphasize that the goal of establishment of Islamic common Market constitutes a significant step towards strengthening Islamic solidarity and enhancing the share of the Islamic world in global trade.
4. Condemn the continued occupation by Israel of Palestinian and other Arab territories including Al-Quds Al-Sharif, the Syrian Golan and Southern Lebanon; salute the steadfastness of the Palestinian Lebanese and Syrian peoples in their resistance to the Israeli occupation; call for the liberation of all occupied Arab territories and restoration of the usurped rights of the Palestinian people; condemn the expansionist policies and practices by Israel such as the establishment and expansion of Jewish settlements in the occupied Palestinian territory, as well as acts to change the demographic and geographic status of the Holy City of Al-Quds; and emphasize the need for Israel to desist from state-terrorism which it continues to practice in utter disregard for all legal and moral principles; call for making the Middle East a zone free of all nuclear weapons and weapons of mass destruction and the necessity for Israel to join the Non-Proliferation Treaty and to put all its nuclear installations under IAEA safeguards.

5. Underline their resolve and determination to regain the Holy City of Al-Quds and the noble sanctuary of Masjid Al-Aqsa and to restore the inalienable national rights of the Palestinian people, the exercise of the right of the Palestinians to return to their homes and property and the attainment and exercise of the right of the Palestinian people to self-determination and the establishment of the independent and sovereign Palestinian State with Al-Quds Al-Sharif as its capital, and their right to leave and return freely to their country.

6. Stress their solidarity with the Muslim people of Bosnia and Herzegovina and underscore their confidence that the Ministerial Contact Group will continue to actively pursue the process of peace and reconstruction,

7. Deplore continuation of conflict and violence in Afghanistan, and express their full support for inter-Afghan dialogue, formation of a broad-based government, and
activities at the regional and international level to stop the bloodshed and to establish lasting peace in Afghanistan.


9. Reiterate their full support to the people of Jammu and Kashmir in the realization of their right to self-determination in accordance with UN resolutions.

10. Strongly condemn terrorism in all its forms and manifestations while recognizing the right of peoples under colonial or alien domination or foreign occupation for self-determination, declare that the killing of innocent people is forbidden in Islam; reiterate their commitment to the provisions of the OIC Code of Conduct for combating international terrorism, and their resolve to intensify their efforts to conclude a treaty on this issue, and call on the international Community to deny asylum to terrorists, assist in bringing them to justice, and take all necessary measures to prevent or to dismantle support networks helpful in any form to terrorism.

11. Pledge their commitment to extend full support to Muslim communities and minorities in non-Muslim countries in collaboration with their governments, and call upon all states to ensure their religious, political civil, economic, social and cultural rights.

Revival of the Islamic Civilization and Identity

12. Consider the revival of the Islamic civilization a peaceful global reality, express their concern at tendencies to portray Islam as a threat to the world, and emphasize that the Islamic civilization is firmly and historically grounded in peaceful
coexistence, cooperation and mutual understanding among civilizations, as well as constructive discourse with other religions and thoughts.

13. Reaffirm the need to establish understanding and interaction among various cultures, in line with the Islamic teachings of tolerances justice and peace, denounce various manifestations of cultural invasion disregard for religious and cultural traditions of other nations particularly as regards Divine values and principles, and call for the speedy conclusion of an internationally binding document to prevent blasphemy in accordance with existing decisions.

14. Entrust "the Group of Experts on the Image of Islam" to formulate and recommend pragmatic and constructive steps to encounter negative propaganda, to remove and rectify misunderstandings, and to present the true image of Islam, the religion of peace, the liberty and salvation.

15. Welcome the increasing inclination towards the flourishing message of Islam in the world, and decide to take advantage of the technological achievements in the field of information and communications in order to present the rich culture and eternal principles of Islam to the whole mankind.

Comprehensive, Balanced and Sustainable Development

16. Consider sustainable and balanced development in the moral, political, social, economic, cultural and scientific fields as vital for the Islamic world, and inspired by the noble principles and values of Islam, reaffirm their unwavering determination to ensure free exchange of ideas and the fullest participation of broadest segments of the Islamic Ummah in various activities of the society, reiterate their support for the aims and principles of "the Cairo Declaration on Human Rights in Islam", and decide to undertake adequate measures to institutionalize and operationalize this declaration.
17. Invite the Member States to make a collective effort towards substantial increase in trade and investments within the Islamic world and to put in place instruments including those decided within the context of COMCEC in order to expand the existing exchange of goods and services and transfer of technology and expertise,

18. Emphasize their full respect for the dignity and the rights of Muslim women and enhancement of their role in all aspect of social life in accordance with Islamic principles, and call on the General Secretariat to encourage and coordinate participation of women in the relevant activities of the OIC.

19. Underline the need for coordination among the Member-States to enhance their role and participation in the global economic system and the international economic decision-making processes; reject, at the same time, unilateralism and extraterritorial application of domestic law, and urge all States to consider the so-called D’Amato Law as null and void.

20. Stress the need for environmental cooperation among Islamic countries in various fields at the bilateral, regional and international levels to achieve sustained economic growth and sustainable development, as well as collaboration and coordination of positions regarding these issues in international fora.

**International Participation**

21. Welcome the participation of the UN Secretary General, H.E. Kofi Annan, at the Tehran Summit as a sign of excellent relation and cooperation between the United Nations and the OIC, invite the UN Secretary General to pursue reform of the United Nations in a manner that ensures maximum democratization of the decision making within the UN system and stress, in this context, on the need for a more effective and equitable role and representation of the OIC membership in the UN organs particularly the Security Council.
22. Emphasize that effective, constructive and meaningful participation of Islamic countries in the management of international affairs is essential for maintaining peace and security in the world, and establishing the new world order on the basis of equality, justice and shared prosperity and promoting morality and Divine values and, in this connection, call upon the General Secretariat to facilitate effective consultation and coordination among Islamic countries in all international fora.

**Strengthening the Organization of the Islamic Conference**

23. Recognize that concerted measures to strengthen and revitalize the Organization of the Islamic Conference is also imperative, and express their determination to provide all necessary support with strong conviction to the ongoing process of reform and restructuring of the Organization to reach higher levels of efficiency and competence and enhance its effectiveness, operationalize and implement its decisions, and to constantly adapt the Organization with evolving international circumstances, mandate the "Open-ended Expert Group", in coordination with the Secretary General and the Chairman of the Organization, to study this issue with a view to achieving practical solutions.

**FOLLOW-UP**

24. Request the Chairman of the Organization to carry out regular and substantive consultations with member-states and take all necessary measures to pursue the implementation, of this Declaration with the cooperation of the Secretary General.

A careful study of the Muslim declarations of human rights in the modern times clearly demonstrate the commitment of the Muslim society with the basic human values and rights of Islam, but the most crucial point as raised by Professor Dr. Husayn Mihrpur of Iran, is that these declarations have not gone beyond the declarations. They could not be sincerely practised in the most of the Muslim countries.⁸
Professor Tahir Mahmood in his article on the Human Rights in Islamic Law, has concluded that, more relevant to the observers in such a set up in the extent to which the Islamic states are actually protecting and honouring their citizens human rights than the Qur’ānic or tradition-based theories or the past precedents on the subjects. These theories and precedents are now too well-known and too established to be distorted or disbelieve. But, it is the practice of the ruling classes in the contemporary Muslim states on which the attention of the world is focussed. All modern Islamic governments must realise this and discharge these sacred obligation of faithfully implementing, in minutest detail, Islam’s comprehensive charter of basic human rights.
Notes & References:


4. Ibid., pp. 13-17


