

Respect for diversity and regional human rights norms

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In the previous column, it touched upon importance on respect for diversity, and as an example of diversity on the value and notion of human rights, regional human rights norm of African region, i.e. African Charter on Human and Peoples' Rights (Banjul Charter) was introduced¹.

In this column, it takes religious human rights norms, which was reflected religious value and concept on human rights and adopted by Islamic countries, namely the Cairo Declaration on Human Rights in Islam (hereafter the Declaration)².

The Declaration was adopted in the Islamic Conference of Foreign Ministers held in Cairo in 1990 and it serves as a general guidance for Member States of Organization of Islamic Cooperation (OIC)³ in the field of human rights.

The Declaration, as it is shown with its name, is Islamic version of declaration on human rights and is often deemed to be Islamic response to the Universal Declaration of Human Rights (UDHR) of 1948, which is the principle of international standard on human rights⁴. The Declaration, composed of its preamble and 25 articles, stipulates general Islamic perspective on human rights, and clarifies that the Islamic Sharia⁵ is the only source of reference for the explanation of any of its article⁶.

As for its characteristics, while majority of articles of UDHR start with "everyone⁷" as the

subject, and the most fundamental rights of civil and political rights as well as economic, social and cultural rights that all human beings are entitled, are stipulated in the concise text, the Declaration includes specific provision on the right of women and child⁸, in which the rights and duties of each men and women as well as responsibilities and rights that parents have for their child, have been clearly codified. In addition, there is differentiation of right-holders as well as duty-holders in several articles. In this, the substance of the Declaration is strongly reflected with Islamic value and principles.

Nevertheless, given the fact that all states including Islamic states have ratified at least one of the core international human rights treaties⁹, it can be said that the Declaration has clarified the ethical and religious responsibilities rather than legal responsibilities of Islamic countries. In this, similarly to other regional human rights norms such as Banjul Charter, while acknowledging states' duty to prioritize their obligation to respect for ratified international human rights norms and its principles, OIC member states showed their unified position of the respect for Islamic value and principles on human rights by adopting the Declaration.

End Notes

- ¹ Refer @ PKO Now! "Respect for diversity and regional human rights norms (1)", Secretariat of the International Peace Cooperation Headquarters, accessed February 12 2013, https://www.cao.go.jp/pko/_E/organization/researcher/atpkonow/article032.html. For full text of African Charter on Human and Peoples' Rights, refer "African Charter on Human and Peoples' Rights", African Commission on Human and Peoples' Rights, accessed January 10 2013, <http://www.achpr.org/instruments/achpr/#part1>.
- ² For full text of the Cairo Declaration on Human Rights in Islam, refer "THE CAIRO DECLARATION ON HUMAN RIGHTS IN ISLAM", Organization of Islamic Cooperation, accessed January 10 2013, <http://www.oic-oci.org/english/article/human.htm>.
- ³ The Organization of Islamic Cooperation (OIC) (formerly Organization of the Islamic Conference) is the inter-governmental organization which has membership of 57 states with objectives of enhancing the bonds of fraternity and solidarity among the Member States and such. OIC was established in 1971 and its permanent secretariat is in Jeddah, Kingdom of Saudi Arabia. For more details, refer "About OIC ", Organization of Islamic Cooperation, accessed January 10 2013, http://www.oic-oci.org/page_detail.asp?p_id=52.
- ⁴ The Universal Declaration of Human Rights (UDHR) is a milestone document in the history of human right. For more details, refer "Universal Declaration of Human Rights", Office of the High Commissioner for Human Rights, accessed February 12 2013, <http://www.ohchr.org/en/udhr/pages/introduction.aspx>.
- ⁵ Universally acknowledged sources of Islamic Sharia (Islamic Law) are the Quran and the Sunnah. For more details, refer official webpage of Arab Islamic Institute, accessed February 13 2013, http://www.aii-t.org/j/frame/hadeth_about.htm (Japanese).
- ⁶ Article 25, the Cairo Declaration on Human Rights in Islam.
- ⁷ For full text of Universal Declaration of Human Rights, refer "The Universal Declaration of Human Rights", United Nations, accessed February 12 2013, <http://www.un.org/en/documents/udhr/index.shtml>.
- ⁸ Regarding women's rights, it is stipulated that "Woman is equal to man in human dignity, and has rights to enjoy as well as duties to perform" in Article 6(a) in the Declaration. As for rights of child as well as parents, it is codified in Article 7.
- ⁹ Today, all states have ratified at least one, and 80% of states have ratified four or more of the core human rights treaties. See more details in: "What are Human Rights?", Office of the High Commissioner for Human Rights, accessed January 10 2013,

<http://www.ohchr.org/EN/Issues/Pages/WhatareHumanRights.aspx>.