

## THE PLACE OF THE ORGANIZATION OF ISLAMIC COOPERATION (OIC) IN THE GLOBAL WORLD ORDER

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*Abstract:* After the UN, the Organization of Islamic Cooperation (OIC) is the second-largest international organization, bringing together countries from four continents. Its goal is to protect the interests of the Muslim world by strengthening international cooperation with other actors in international relations in the spirit of promoting international peace. The organization was founded by a decision made at the Summit in Rabat (Morocco) on September 25, 1969. After a meeting in Jeddah in 1970, the foreign ministers of the member states decided to establish a permanent secretariat headed by the secretary general. The first OIC Charter was adopted in 1972. The Charter set out the objectives and principles of the organization and the basic purposes for strengthening solidarity and cooperation between the Member States. Over the last 40 years, membership has grown from 30 to 57 states. The Charter has been amended to follow developments around the world. The current OIC Charter was adopted at the Eleventh Islamic Summit held in Dakar on March 13-14, 2008, to become a pillar of future OIC Islamic action in line with 21st century demands. Beginning with the Summit held in Mecca in December 2005, the OIC set out a plan called the Ten-Year Program of Action. It was successfully completed at the end of 2015. Since then, the successor programme for the next decade (2016-2025) has been adopted. This gave importance to the priority areas of activity of this international organization in the coming period, which should, among other things, contribute to the preservation of peace and security by encouraging interethnic and interreligious harmony.

*Keywords:* The Organization of Islamic Cooperation, settling disputes, protecting Muslim communities, minorities.

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## INTRODUCTION

The OIC was established as a reflection of the concept of Islamic solidarity, being an integral part of the idea of the *Islamic Ummah*, as a single community united by a common destiny and commitment to the common values on which the Islamic religion is based. Hence, the establishment of the organization came in response to the social and political conditions and circumstances of modern history, and it began to grow and develop with time. Prior to the establishment of the organization and since the 1920s, a number of initiatives were put forward to create a kind of Islamic forum to achieve common goals through a political perspective aimed at dealing with the political challenges facing the *Islamic Ummah* due to colonialism, division, and fragmentation. Islamic solidarity has become a prevalent idea in the minds of a number of religious, political, and community leaders in the Islamic world (Ihsanoglu, 2013, p. 41). However, despite the convening of many Islamic world conferences in African and Asian countries, starting with Cairo and passing through Mecca, Ankara, Kuala Lumpur, and Mogadishu, the turning point occurred in 1969, when a fanatical Jew of Australian origin, on August 21, 1969, carried out an arson attack, setting fire to Al-Aqsa Mosque in Jerusalem, which Muslims consider the third most venerated shrine after the Grand Mosque in Mecca and the Prophet's Mosque in Medina. The fire caused extensive damage to the mosque and fueled feelings of indignation and anger throughout the Islamic world. On the same day, the Mufti of Jerusalem, Amin Al-Husseini, sent telegrams to all the leaders of the Islamic world countries, asking them to hold an Islamic summit to consult and consider what can be done about the attack on Al-Aqsa Mosque. A preparatory committee was formed to prepare for the summit. It held a meeting in Rabat (Morocco) on September 8 and 9, 1969. The summit was actually held on September 22 to 24 of the same year, with the participation of 25 countries out of a total of 36 countries that were invited to participate. The agenda of the summit was not limited to the burning of Al-Aqsa Mosque but encompassed cooperation between Islamic countries in other fields and the desire to adopt common positions on issues of mutual concern and to establish mechanisms for implementing decisions (*Ibid.*, p. 42). In its final communiqué, besides condemning the crime of the arson of the sacred Al-Aqsa Mosque and restoring Jerusalem and the Holy Places to the status they had before the June 1967 war, the summit called for a meeting of the Foreign Ministers of the member states to be held in March 1970, to discuss the issue of "establishing a permanent secretariat responsible for liaison with the governments represented in the conference and coordinating its activities,

among other tasks and activities" (*Ibid.*, p. 44). In the meantime, the founding conference of the organization was held, announcing its birth as an intergovernmental organization comprising Islamic countries, or rather countries with an Islamic majority, regardless of the different positions of the inhabitants of these countries towards religion and not considering it the official religion of all of them in some countries. The organization includes countries from Africa, Asia, Europe, and even Latin America, which gives it a clear geographical diversity. Today, the OIC includes 57 countries, making it the second largest multinational intergovernmental organization in terms of the number of member states, after the United Nations.<sup>1</sup> It should be noted that the OIC Charter was prepared three years after the announcement of its establishment in the 1970s, and was approved at the Third Conference of Foreign Ministers in the spring of 1972, in Jeddah, Saudi Arabia, after lengthy deliberations. Since 1982, efforts have been made to reform the organization, enhance its effectiveness and avoid duplication in its work, but such efforts have not been successful in general, despite the endeavors of some members, Egypt in particular, to urge Islamic countries to participate in crystallizing the new international system after the collapse of the Soviet Union, as called for by former President Hosni Mubarak in his opening address before the OIC's nineteenth ministerial conference in Cairo in 1990. The conference

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<sup>1</sup> The organization's (temporary) headquarters is located in Jeddah, Kingdom of Saudi Arabia, and the Member States are: the Republic of Azerbaijan, the Hashemite Kingdom of Jordan, the Islamic Republic of Afghanistan, the Republic of Albania, the United Arab Emirates, the Republic of Indonesia, the Republic of Uzbekistan, the Republic of Uganda, the Islamic Republic of Iran, the Islamic Republic of Pakistan, the Kingdom of Bahrain, the Brunei Darussalam, the People's Republic of Bangladesh, the Republic of Benin, Burkina Faso (formerly Upper Volta), the Republic of Tajikistan, the Republic of Turkey, Turkmenistan, the Republic of Chad, the Republic of Togo, the Republic of Tunisia, the People's Democratic Republic of Algeria, the Republic of Djibouti, the Kingdom of Saudi Arabia, the Republic of Senegal, the Republic of Sudan, the Syrian Arab Republic, the Republic of Suriname, the Republic of Sierra Leone, the Republic of Somalia, the Republic of Iraq, the Sultanate of Oman, the Republic of Gabon, the Republic of Gambia, the Republic of Guyana, the Republic of Guinea, the Republic of Guinea-Bissau, the State of Palestine, the Federal Islamic Republic of the Comoros, the Kyrgyz Republic, the State of Qatar, the Republic of Kazakhstan, the Republic of Cameroon, Cote d'Ivoire, the State of Kuwait, the Lebanese Republic, Libya, the Republic of Maldives, the Republic of Mali, Malaysia, the Arab Republic of Egypt, the Kingdom of Morocco, the Islamic Republic of Mauritania, the Republic of Mozambique, the Republic of Niger, the Federal Republic of Nigeria, and the Republic of Yemen.

agreed to assign a committee of experts to present the vision and ideas of Islamic countries in this regard and to present its report to the meeting of foreign ministers, which preceded the sixth Islamic summit, which was actually held in December 1991 in Dakar, Senegal, but Iraq's invasion of Kuwait on August 2, 1990, severely affected the role of the organization and led to its division, just as happened with the position of the League of Arab States vis-à-vis the same crisis. It took about eighteen years when a comprehensive review and amendment of the OIC Charter took place by a governmental team of international experts, whose work took about two years of hard work. The new Charter of the organization (the amended Charter) was unanimously approved on March 14, 2008, during the 11<sup>th</sup> Islamic Summit. In addition to the preamble, the Charter contains 39 articles divided into 18 chapters, including texts related to the purposes and principles of the organization, membership provisions, and the organization's organs (11 organs). The member states have begun to open resident diplomatic missions in Jeddah since the entry into force of the Charter, based on invitations from the OIC General Secretariat for the purposes of reviving and activating the role of the organization, but the response has remained slow, as the number of these missions does not exceed ten. The OIC has three diplomatic missions abroad in New York, Geneva, and Brussels (representing it to the European Union). This article addresses the following main points:

Features and characteristics of the Organization of Islamic Cooperation.

The role of the OIC in settling disputes.

The role of the OIC in protecting Muslim communities and minorities in non-member states.

## FEATURES OF THE OIC

These features can be summarized in the following elements in particular:

The OIC is the only multinational intergovernmental collective organization that is based on religious foundations and represented in affiliation with Islam, which gives it a distinct characteristic from the rest of the international organizations. This is clearly contained in several provisions of the amended Charter, such as paragraphs 2, 4, 5, and 6 of the Preamble, which state that the OIC member states have decided, *inter alia*, to be guided by the noble Islamic values of unity and brotherhood, affirming the essence of promoting and consolidating unity and solidarity among the

member states in securing their common interests in the international arena; then to preserve and promote the lofty Islamic values of peace, compassion, tolerance, equality, justice, and human dignity; to strive to revitalize the pioneering role of Islam in the world while ensuring sustainable development, progress, and prosperity for the peoples of member states; to improve and strengthen ties of unity and solidarity among Muslim nations and the member states; as well as fostering noble Islamic values concerning moderation, tolerance, respect for diversity, preservation of Islamic symbols and common heritage. This is in addition to the innumerable references in the Charter to “noble Islamic values” or “solidarity among Muslim peoples” and “defending the universality of the Islamic religion”, all of which are concepts that are difficult to define with a clear legal content. Accordingly, Article 3 of the Charter indicates that membership in the organization is limited to “any Member State of the United Nations with a Muslim majority” that applies for membership, provided that this is approved unanimously by members of the Council of Foreign Ministers only, and in accordance with the agreed criteria approved by the Council. However, it must be noted that this religious criterion does not negate the organization’s character and political, economic, and social functions and other functions stipulated in its founding Charter, like any other intergovernmental organization. Practice indicates that OIC’s membership is subject to political considerations in the first place, and there are no strict determinants or criteria that can be relied upon in this regard. For example, there are doubts that some member states have a clear Islamic majority, such as Togo, Ivory Coast, and Mozambique. The OIC falls within the category of “hybrid” organizations, in that membership is open only to countries that define themselves as “Islamic countries” in accordance with the provisions of the Charter, regardless of their geographical location, with a clear degree of social, cultural, and political interdependence and similarity between these countries. Despite the large geographical area of the membership size, most member states are concentrated in a specific geographical area, namely North and West Africa and the Arab Mashreq. It is normal that membership in this organization overlaps with other regional multinational organizations’ memberships. For example, all member states of the League of Arab States are also members of the Organization of Islamic Cooperation, and there are about 27 member states of the latter that are members of the African Union.

The OIC was born at the height of the Cold War, which was reflected in the positions of the member states, which were characterized by divergence

and contradiction regarding basic issues, since the birth of the organization and till present.

Although the arson of Al-Aqsa Mosque in Jerusalem was the direct cause of hastening the establishment of the Organization, some countries objected to the participation of the Palestine Liberation Organization in the first Islamic summit, on the grounds that Palestine was not an independent and sovereign state, which was rejected by the majority of the participating countries, expressing surprise at the rationale for discussing the issue of Jerusalem in the absence of Palestinian representation. As a compromise, the summit allowed the Palestine Liberation Organization to participate as an observer. The Palestine Liberation Organization participated as an observer from 1969 until 1974, when it obtained full membership after that date.

In the framework of preparations for the first summit, during their preparatory meeting, the foreign ministers were divided into a group that believed that the agenda should be limited to discussing the crime of burning Al-Aqsa Mosque and staying away from discussing the entire Arab-Israeli conflict question. This group included Saudi Arabia, Morocco, Iran, and Turkey, all of which had special relations with the United States of America at the time. As for the other group, led by Egypt, Algeria, and other countries, it adhered to the necessity of addressing all aspects of the Palestinian cause during the summit. As a compromise, the preparatory meeting agreed that the summit agenda should comprise a number of items, including: the situation in Jerusalem; the withdrawal of Israeli forces from all the occupied territories; the restoration of the national rights of the Palestinian people; and full support for the struggle of the Palestinian people for the liberation of their country (Ihsanoglu, 2013, p. 50). As a result of the severe polarization that prevailed in the world during the 1970s and 1980s, the Soviet invasion of Afghanistan dominated the agenda of the organization until its invasion by the United States in 2001, along with the issue of Bosnia and Herzegovina, which received priority after the collapse of the former Yugoslavia.

The OIC was established at a later stage following the establishment of the League of Arab States (March 1945), then the United Nations Organization (October 1945) and then the Organization of African Unity (1963). The overlap of OIC membership with memberships in other international organizations has raised clear complications, especially with regard to the organization's role in the field of dispute settlement, as it did not interfere in the vast majority of disputes that have arisen between Islamic countries since its inception and till present. Rather, there is a stable practice

upon which the organization's work has been conducted, which is to avoid interfering in the disputes that arise between the member states of the League of Arab States or the parties to the conflict that are members of the African Union. Hence, some believe that the OIC has not managed to develop solid legal and political traditions in the field of dispute resolution (Selim, 1991, pp. 55-56). In fact, I do not see this as a defect or shortcoming on the part of the organization, as some believe, but rather a feeling in the Islamic organization that other international organizations may seem rather well positioned to play this role. If one considers the amended Charter of the Organization and the resolutions issued by it, he must easily notice the numerous references to the United Nations Charter and the emphasis on its principles and objectives as the main reference for the Islamic organization – whether with regard to its legislative foundations or its role in the real world. Indeed, UN membership is a condition for membership in the Organization of Islamic Cooperation. Thus, as an example, “commitment to the principles of the United Nations Charter, the present Charter and international law” came among the principles and objectives stipulated in the preamble of the OIC Charter. In another part of the preamble, it was emphasized that: “The Member States’ commitment to uphold the objectives and principles of the present Charter, the Charter of the United Nations and international law, as well as international humanitarian law, while strictly adhering to the principle of non-interference in matters which are essentially within the domestic jurisdiction of any State”.

### **THE OIC'S ROLE IN DISPUTE SETTLEMENT**

There is no doubt that the effectiveness of any international organization depends on the extent of its ability to settle disputes among its member states and the extent of the tools it possesses to achieve such settlement. The OIC Charter stipulated peaceful settlement of disputes in Article (27), as follows: “The Member States, parties to any dispute, the continuance of which may be detrimental to the interests of the Islamic Ummah or may endanger the maintenance of international peace and security shall seek a solution by good offices, negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement or other peaceful means of their own choice. In this context, good offices may include consultation with the Executive Committee and the Secretary-General”. The OIC Charter's Article 28 added, in the context of its intrinsic link with the UN Charter, that, “The Organization may cooperate with other international and regional organizations with the objective of preserving international peace and security, and settling disputes through

peaceful means". The overlap of membership in the OIC with membership in other international regional organizations, such as the League of Arab States and the African Union, has led to the complexity of the role of the Islamic Organization in the field of dispute settlement. In this context, it is customary in the OIC to leave the process of settling Arab disputes to the League of Arab States and African disputes to the African Union, and to intervene only in disputes that do not fall within the framework of the direct regional jurisdiction of the Arab League or the African Union. The logical result of this situation was the modest role of the OIC as a mechanism for regulating relations between member states. As for the settlement of disputes between member states in the OIC documents, it is noted that these documents stipulate the issue of settlement in two areas: the first is the organization's Charter and the second is in the resolutions issued by the relevant Islamic summit conferences (Selim, 1991, p. 59). The Charter is a legal document binding on all member states of the Organization, which means the necessity for all decisions of the organization's organs to be in accordance with the Charter. As for the decisions of summit conferences, although they constitute the general framework of the Organization's policy, they do not have the same legal force as the Charter, and most of them are merely general recommendations guiding the work of other organs of the Organization. The Charter's Article 14 stipulates that the International Islamic Court of Justice shall be the principal judicial organ of the Organization upon the entry into force of its Statute. Article 5 referred to the Court as one of the eleven OIC Organs, but its Statute, which was approved at the fifth summit in Kuwait in 1987, was only ratified by a limited number of countries (Kuwait, Saudi Arabia, Qatar, Libya, and Jordan), and therefore, it has not entered into force till present, and this is not expected in the foreseeable future. This is mainly due to the fact that a significant number of member states of the organization do not trust the Islamic nature of the court, and specifically the text in its Statute stipulating that Islamic Sharia is the fundamental law of the Court. This means the member states whose constitutions stipulate, for various reasons, the secularism of the state or whose constitutions ignore the reference to Islam as a source of legislation. Attempts have been made to establish a political apparatus for the peaceful settlement of disputes since the eighth Islamic Conference of Foreign Ministers meeting in Tripoli in May 1977, which adopted a resolution (Resolution 19-8-P) stipulating in its fourth paragraph: "Decides to establish a specialized and permanent organ to deal with the divergences that might arise between the Member States by peaceful means". The resolution requested, in this context, the Secretary-General to prepare "a legal study on its creation, taking into account international bodies



of similar nature such as the Committee of Mediation, Conciliation and Arbitration". This issue remained on the agenda of the Conference of Foreign Ministers until its sixteenth session, held in Fez in 1986. However, it was not discussed in the following meetings. It is important to note that, with the exception of specific disputes, the organization has not intervened in the vast majority of disputes that have arisen between Islamic countries since its inception until the present, including the conflict between Pakistan and Bangladesh (1971-1974), the conflict between Iraq and Iran (1980-1984), the conflict between Mauritania and Senegal (1989), and the conflict between Iraq and Kuwait (1990-1991). As for the rest of the disputes, the organization preferred to leave their settlement to other regional organizations, such as the League of Arab States, the African Union, and its predecessor, the Organization of African Unity, on the basis that it only intervenes in disputes that do not fall within the direct regional jurisdiction of the two organizations. In the case of the Mauritanian-Senegalese conflict, the OIC intervened in a manner that did not conflict with the competence of the African organization. From this perspective, the disputes between the OIC member states can be divided into three groups of disputes, in which the roles of the organization vary in the areas of conflict resolution, preventive diplomacy, or even managing some crises and preventing their exacerbation (*Ibidem*). The group of disputes that the organization has ignored includes, for example, the Moroccan-Algerian conflict in 1974, the conflict between North and South Yemen in 1979, and the conflict between Mali and Burkina Faso in 1985. The group of disputes that the organization showed interest in their settlement process by referring to them in its decisions, even if it did not attempt to "interfere" in the settlement process. This group includes, for example, the Jordanian-Palestinian conflict in 1971, the Sudanese-Ugandan conflict in 1979, and the Libyan-Chadian conflict in 1987. Sometimes, as an expression of appreciation to the organization for its interest in working to resolve a certain conflict, it is invited to attend some related conferences, without actually engaging in their agenda. This took place on November 27, 2007, when the then OIC Secretary-General was invited by the US President to attend a meeting held in "Annapolis" that included Palestinian and Israeli leaders, a number of leaders of the Arab world, the European Union, the United Nations and Russia. This participation was seen as a recognition of the organization's vital role in the international efforts aimed at resolving the conflict in the Middle East (Ihsanoglu, 2013, pp. 151-152). It is established here that the OIC played a significant role in the process of Palestinian national reconciliation, following the tensions that prevailed between Fatah and Hamas, as the organization's efforts led to a ceasefire between the two sides

on December 19, 2006. The organization made subsequent efforts to maintain a commitment to the ceasefire and start a Palestinian national dialogue. These efforts continued until mid-June 2007, when Hamas resorted to military force to seize power in the Gaza Strip, forcing President Mahmoud Abbas to dismiss the national unity government. The organization also played a major role – through its 17 members in the Executive Board of UNESCO – in the latter’s admitting of Palestine as a full member. The first item on the organization’s agenda has always been Jerusalem and the Palestinian cause in general. It should be noted that the OIC Charter specified its temporary headquarters in Jeddah, with its permanent headquarters in the city of Jerusalem after its liberation. The organization also appointed one of the assistant secretaries to be in charge of the Palestine cause and Al-Quds Al-Sharif, in addition to establishing the Al-Quds Committee charged with following up the issue and its developments. With regard to the Iraqi-Iranian conflict, it has been referred repeatedly to the Islamic summit conferences, but Iran has boycotted these conferences. The UN Security Council was seized of the dispute and issued several resolutions on it, but this did not prevent the Islamic Organization from continuing its efforts to find a settlement for it, although it did not present its own vision for settling the conflict, satisfied with referring to the relevant Security Council resolutions. After the war stopped in August 1988, the Eighteenth Conference of Foreign Ministers held in Riyadh in March 1989 merely expressed its satisfaction with the cessation of hostilities between Iraq and Iran and commended the two parties’ approval of Security Council Resolution 598/1987, expressing hope that the two parties would multiply their efforts in direct negotiations under the supervision of the UN Secretary-General towards the comprehensive implementation of Resolution No. 598 (Final Statement of the Eighteenth Islamic Conference of Foreign Ministers, 2019). Some estimate that Iran’s rejection of the mediation attempts made by the Organization as well as the Non-Aligned Movement and the United Nations at first stemmed from its confidence in victory eventually, and consequently its feeling that a political settlement would lead to it losing the gains of a military victory (Saad, 2021). In addition, Iran felt that the Islamic organization was not completely neutral due to the presence of its headquarters in one of the Arab countries and the presence of an Arab majority in its membership, in addition to the fact that the Secretary-General during the early years of the war was Arab (Selim, 1991).

The organization attempted to intervene in their settlement process, including in the four aforementioned disputes. In addition, the roles played by the organization in calming internal tensions and working to prevent civil wars in some member states should not be ignored. For example, playing

the role of mediator between Sunnis and Shiites in Iraq in 2006, when bloody sectarian confrontations between them plunged the country into a cycle of revenge and vengeance. The Organization's efforts in this regard culminated in the birth of the "Makkah Al-Mukarramah Declaration" following a meeting between Shiite and Sunni scholars in the city of Jeddah on October 20, 2006, which is considered a document that is the first of its kind historically, according to which Shiite and Sunni scholars addressed sensitive issues related to sectarian differences between them and defined the general framework for the principle of religious compatibility between the different sects (Ihsanoglu, 2013, p. 165). The organization also played an equally important role in Somalia when the civil war erupted in the country in 1991, which was exacerbated by droughts and famine that prevailed in the country and claimed the lives of more than one million people. The contact group established by the organization continued to follow the conflict until 2006, then participated in the peace talks and negotiation process that led to the signing of the Djibouti Agreement in August 2008 between the Transitional Federal Government of Somalia and the Alliance for the Re-Liberation of Somalia. The organization continued to play its role by participating in all meetings and activities of the International Contact Group on Somalia, being one of its active members. However, with the escalation of the conflict in Somalia and the complication of chances for a solution, the organization's role has changed to become limited to humanitarian support, whether directly or through contributing to financing aid or even financing the forces of the African Union Mission in Somalia. In general, the organization has worked during the last decade to establish "contact groups" to assume mediation roles in some issues such as "Jammu and Kashmir", Somalia, Afghanistan, Muslims in Europe, or the situation in Niger, etc. The situation in these countries has remained the same on the organization's agenda. In sum, the role of the organization in settling disputes between the member states remains limited, as it is used to avoid interfering in disputes that fall within the jurisdiction of the League of Arab States and the African Union. It is also noted that the organization did not manage to settle the limited number of disputes that it attempted to settle. Nevertheless, the OIC had an important role in restoring calm and preventing the exacerbation of tensions within some member states, roles which should not be underestimated within the framework of the organization's preventive diplomacy. Some countries, especially Egypt, have called for strengthening the organization's general secretariat and creating the necessary tools to activate the organization's role in the field of dispute settlement. For example, Egypt emphasized this point in its speech before the 48th session of the OIC Council

of Foreign Ministers held in Islamabad on March 22, 2022, when Foreign Minister Sameh Shoukry referred to a number of disputes that the organization must swiftly address – starting with the Palestinian cause and passing through the conflicts in Libya, Syria, Somalia, and Afghanistan – affirming that “addressing the current challenges requires all to seriously consider the need to review and reform the work of the secretariat, develop its working mechanisms to keep pace with the realities of the modern era, and unite the visions of member states to achieve their common interest and reject any attempt to employ the organization for narrow interests” (Text of the speech of Egyptian Foreign Minister Sameh Shoukry, 2022, March 22). The final declaration issued by the 48th session of the Conference of Foreign Ministers included a paragraph calling for the full activation of the OIC Peace and Security architecture, “We commit to finding durable solutions to the problems faced by the Muslim world” and “We welcome in this regard the proposal by the Islamic Republic of Pakistan to convene an OIC Ministerial Conference during 2022-23 to deliberate and develop mechanisms as well as tools for conflict prevention, mediation, reconciliation, and peace-building” (Islamabad Declaration, 2022, March 22). It is obvious that the statement is devoid of any binding legal value, as it contains a kind of “undertaking” that completely contradicts the actual obligations of the overwhelming majority of member states. For example, the reference to “Turkish Cypriots”, which was almost certainly made in the declaration under pressure from Turkey, contradicts the fact that almost all member states of the organization, except Turkey, do not recognize the so-called Turkish Republic of Cyprus.

### **THE ROLE OF THE ORGANIZATION IN CARING FOR MUSLIM COMMUNITIES AND MINORITIES ACROSS THE WORLD**

Muslims exist across all continents of the world, as estimates and statistics indicate that there are more than 500-550 million Muslims – about a third of the *Islamic Ummah* – who live outside the borders of the member states of the OIC. Since its inception, the organization has paid significant attention to issues related to Muslim minorities in non-member states as one of the priorities that top its agenda (Ihsanoglu, 2013, p. 175; Saad, 1986). This commitment on the part of the organization stems from some articles of the Charter. In its preamble, the Charter states that its utmost aim is: “To assist Muslim minorities and communities outside the Member States to preserve their dignity, cultural and religious identity”. In paragraph 16 of Article 1 of the Charter, regarding the objectives and principles of the organization, it is stipulated that its objective is: “To safeguard the rights, dignity and

religious and cultural identity of Muslim communities and minorities in non-Member States". Concerning the texts relating to Muslim minorities, we note the following in particular: "It is a matter of a "moral" commitment on the part of the OIC member states towards the Muslim minorities in the non-member states, especially in light of the fact that the OIC Charter affirms the principles of non-interference in the domestic affairs and respect of sovereignty, independence and territorial integrity of each Member State" (Preamble-art. 1/3-art. 2/4). The organization has not established, since its establishment until now, any bodies to protect the rights of these minorities. Rather, with regard to the protection of human rights in the member states, the Charter merely stipulated the establishment of the "Independent Permanent Commission on Human Rights" (Article 15), which was entrusted with the task of "promoting" the civil, political, social, and economic rights enshrined in the organization's covenants and declarations and in universally agreed human rights instruments, "in conformity with Islamic values". Thus, the Charter excluded any possibility of "protecting" minorities and placed all human rights within one basket, assigning member states the task of merely "promoting" them. In the above context, the practical approach to protecting Muslim minorities in non-OIC member states was consistent with the provisions of the Charter. The organization's intervention in this regard can solely be carried out with the approval of the concerned state or states to which these minorities belong and in close coordination with them. It is worth noting that the United Nations system did not adopt a special system for the protection of minorities in general, in light of the revealed facts that led, in part, to the outbreak of World War II. Instead, international, regional, and global human rights instruments have adopted the principle of nondiscrimination on the basis of race, religion, color, or "belonging to a minority" (Bossuyt, 1976). For example, Article 14 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, which entered into force on September 3, 1953, stipulates, "that the enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, color, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status". The Multilateral American Convention on Human Rights, which entered into force on July 18, 1978, adopted the principle of nondiscrimination in more than one place (Art. 22/8, Art. 24). As for the African Charter on Human and Peoples' Rights, which entered into force on October 21, 1986, it was keen to affirm the principle of nondiscrimination in more than one place (Charter's Preamble, Art. 2, Art. 12/5, Art. 18/3, Art.

28), meaning that the rights and freedoms recognized in it are conferred on the human being as such, regardless of whether he belongs to a minority or not. Although there is an article regarding the protection of minorities in the International Covenant on Civil and Political Rights (Art. 27 of the Charter), African states were not really willing to establish an international system for minorities, but rather initially emphasized satisfaction with the mere principle of nondiscrimination as it would eventually lead to equality between the minority and the majority (Humphrey 1970, p. 165).

The United Nations Charter also affirmed the principle of nondiscrimination in several texts (Articles: 1/3, 13/1, 55/2, and 76/2), and the Universal Declaration of Human Rights affirmed the same principle in Articles 2/1 and 7, so that the principle of nondiscrimination became one of the established rules in many international agreements issued by the United Nations, although its Charter is devoid of any texts related to minorities (Vierdag, 1973, p. 176). The organization's communication with Muslim minorities was carried out with the express consent of the governments of the concerned countries and under their auspices, on the basis that the goal is to contribute to the settlement of any problems between these minorities and the countries they reside in. In order to play this role, the organization has adopted a number of mechanisms, most notably: appointing special envoys for some minorities and dispatching goodwill missions to and from the concerned countries; playing the role of mediator to resolve some international disputes; participating in negotiations between governments and representatives of minorities; and providing the necessary assistance to the establishment and development of various initiatives and programs, educational and other, so as to help these minorities protect their Islamic culture and identity. The OIC General Secretariat's Department of Muslim Communities and Minorities has been restructured and its human resources increased, thus improving its performance level and raising its efficiency. The organization has exercised its role towards Muslim minorities across the world in the context of the aforementioned controls. This includes, for example, Muslims in the southern Philippines, the Muslim community in the southern provinces of Thailand, and the Muslim Turkish community in Bulgaria (1948-1989). The role of the organization in this latter case is exceptional, as the climate of rapid developments and successive transformations in the former communist countries of Central and Eastern Europe allowed it to escalate its diplomatic pressure on Bulgaria in 1989 to shed light on the suffering of the Turkish Muslim minority in Bulgaria, before the Bulgarian government fell in November of 1989, in the context of the collapse of the communist regimes at the time. Moreover, the issue of the Muslim "Rohingya" group in Myanmar

has become a permanent item on the agenda of the organization, as resolutions are issued by the OIC to support their basic rights, put an end to their targeting, and call on the Myanmar government to allow the return of the non-sheltered and displaced from this group to their country, including those who were forced to obtain shelter in Bangladesh, and facilitate their return. With regard to Muslims in the Chinese province of Xinjiang, the situation of this minority is being addressed through quiet contact between the OIC Secretariat and the Chinese central authorities. It is noted in this context that the overwhelming majority of the member states of the organization did not respond to the pressures of the United States of America and its European allies to condemn China's record in this regard. In the cases where the issue was brought before the United Nations Human Rights Council, the organization's states usually do not support the US position in this regard, stressing that they refuse to politicize the human rights file. Finally, and accordingly, the OIC is concerned with the phenomenon of "Islamophobia", as the OIC countries played an active role in the adoption by the United Nations General Assembly on March 15, 2022, of a resolution proclaiming the fifteenth of March an "international" day to combat "Islamophobia", in a manner that enhances awareness at the international level of the prohibition of hatred and intolerance against Muslims, and encourages the international community to take concrete measures to combat this phenomenon and promote tolerance and peaceful coexistence across the world (Draft Resolution, 2022, March 8). Unfortunately, the attacks of the far right against Islam and its symbols in Europe and North America have become a normal practice in international life, the latest of which is the burning of copies of the Qur'an – the Holy Book of Muslims – and its insult in Sweden on April 18, 2022, by a right-wing extremist called Rasmus Paludan, also of Danish citizenship. It is no secret that the motives for this act are political, as the man invests in this heinous act, which he is doing in order to get more votes in his favor, allowing his political party to enter the parliamentary election race in Sweden, after Denmark banned many of his activities (Al-Saeed, 2022, April 20). In conclusion, the special nature of the organization and the overlap of its membership with the membership in the international and regional organizations that arose before it, has raised clear complications that negatively reflected on the role of the organization, especially in the field of dispute settlement, as it did not interfere in the vast majority of disputes that have arisen between the Islamic member states since its inception till present.

However, the role of the organization in the areas of preventive diplomacy and crisis management within many member states and its success in restoring calm and stability in some of them should not be ignored. On the other hand, the affiliation of the OIC member states to

highly diverse ethnic, cultural, and economic backgrounds, not to mention their different political and ideological orientations, and thus the discrepancy or conflict between what the organization expects to achieve in line with the national priorities and interests of each of them. This led to its easy polarization by major powers, at the expense of an active role for the organization. What contributed to this was the fact that the organization's Charter was formulated in a manner characterized by ambiguity and generality, and the lack of accurate legal wording with regard to the basic articles, which led to a great deal of lack of clarity in the responsibilities of the organization's member states and agencies and the role assigned to each of them to achieve the organization's objectives. Many estimate that the organization is characterized by the weakness of its institutions, as its organizational structure is not up to dealing with the major issues that concern the organization and the hopes pinned on it by the member states and Muslims across the world. All of this is added to the organization's chronic budget deficit, which is due to the failure of some member states to meet their financial contributions regularly, which does not deprive them of voting rights, as is the case in other international organizations, which is normal in light of the fact that more than 20 member states of the organization are among the least developed countries globally. Accordingly, it is important to note that the Islamic Development Bank, one of the main OIC organs, represents a substantial incentive to attract countries to the organization's membership to benefit from loans, credit facilities, and projects financed by the Bank in the member states. In fact, the economic, commercial, and humanitarian roles of the Organization have grown in recent years, and these roles have become clear not only in the field of providing humanitarian assistance to some member states and providing the necessary financing for enhancing cooperation in the areas of science and technology, technical assistance, and the provision of vaccines, but also in intensifying the organization's economic inter-cooperation through the Standing Committee for Economic and Commercial Cooperation of the Organization of the Islamic Cooperation (COMCEC), the Islamic Development Bank, the Islamic Chamber of Commerce, Industry and Agriculture and other OIC subsidiary and specialized organs. It is expected that this developmental role of the organization will grow in the coming period. The declarations issued by the summit meetings and the foreign ministers of the OIC countries indicate, automatically and continuously, that the member states renew their "commitment to promote and uphold the rights of Muslim communities and minorities in non-OIC member states" (Islamabad Declaration, 2022, March 24). Consequently, the latest meeting



of the Council of Foreign Ministers of the OIC, which was held in Islamabad, “condemned the systematic and widespread policy of discrimination and intolerance against Muslims in India.” Otherwise, this discrimination has led to the political, economic, and social marginalization of Muslims, which has caused corresponding negative reactions and calls for India to immediately revoke all discriminatory laws and other acts in order to ensure the rights of Muslims in India and to protect their religious freedom.

## CONCLUSIONS

The OIC emerged as a reflection of the concept of Islamic solidarity. Today, it includes countries from Africa, Asia, Europe, and even Latin America. Since 1982, efforts have been made to reform the organization, improve its effectiveness and avoid duplication in its work, but such efforts have generally been unsuccessful, despite efforts by some members, particularly Egypt, to encourage Islamic countries to participate in the crystallization of a new international system following the collapse of the Soviet Union. Since 1990, there have been divisions within the organization just as there have been with the position of the League of Arab States. The reasons, of course, were political because of the crisis in the Middle East. Almost two decades later, the OIC Charter was revised. The new Charter was approved on March 14, 2008, during the 11th Islamic Summit. In addition to the preamble, the Charter contains 39 articles divided into 18 chapters, including texts relating to the purposes and principles of the organization, membership provisions, and organs of the organization (11 organs). The member states have fled to open resident diplomatic missions in Jeddah since the entry into force of the Charter, following a call from the OIC General Secretariat to revitalize and activate the role of the organization. In the present analysis, the author has tried to explain the features of the OIC, its role in resolving disputes, and protecting Muslim and minority communities in countries that are not members of this organization.

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