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Statement by

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before the

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Mr. Chairman,

At the outset, I would like to congratulate you and the other members of the Bureau on your assumption of the leadership of this august session. We are confident that with your experience and diplomatic skills, you will be able to guide the proceedings of the Commission to a successful conclusion.

Let me also extend our felicitations to Ms. Louise Arbour, the High Commissioner for Human Rights. We are confident that the High Commissioner will provide leadership and renewed vigour to the work of her Office in the promotion and protection of human rights.

In my statement I will discuss the following issues, firstly, our view of the conceptual and practical challenges of human rights mechanisms at the global level and secondly, achievements in the area of promotion of human rights at the national level.

The international community has made remarkable progress in shaping the global network of instruments and diverse mechanisms aiming to promote and protect human rights in the ever-changing world politics. World conferences in the 90's together with the Millennium Summit developed a road map to accelerate the global process towards making the universality of human rights a reality. In 1993 we all reaffirmed the universality of human rights and that all human rights are indivisible and interrelated. Democracy, development and human rights are considered as being strongly interlinked and these issues are at the centre of the international agenda on human rights. A considerable number of member states have developed domestic institutional structures within the framework of capacity building in order to create an environment in which the respect and observance of all human rights is common place.

Despite all these efforts, the global movement to promote human rights

continues to confront chronic challenges and persistent obstacles. These challenges and impediments are so critical that they have the potential not only to hinder further progress in the implementation of the global agenda to reinforce human rights, but also to reverse the achievements painstakingly gained at the national and international levels. In particular, the tragic events of 9/11 and the ensuing policies of certain countries concerning their security arrangements are considered to be responsible for further aggravating the situation at many levels.

The universality of human rights, the principle of indivisibility and the international legitimacy of human rights are all concepts that carry certain requirements and imperatives. These imperatives need to be correctly and carefully balanced in the overall programming and assessment of the processes related to standard setting and implementation, if the UN human rights bodies and mechanisms are to retain their credibility and strength.

Accountability for all in the realization of all human rights, pursuing objectivity and eliminating double standards in the processes relating to standard setting and implementation, and viewing respect for cultural diversity as a prerequisite within universality, are among the imperatives and challenges ahead for creating an environment in which the United Nations machinery on human rights could fulfil its mission.

As the first challenge, accountability for all in the realization of all human rights implies collective responsibility and a pledge by all, to make the world a better place to live. Those who benefit from the lion's share of globalization have a real responsibility to assist the world community in combating poverty, hunger, malnutrition, unemployment and disease worldwide. Global economic and political structures which enjoy the major share in the process of global decision making, should be more accountable concerning the prosperity of the world citizens. Charity and donations do not represent real indicators and criteria for assessing the degree by which rich states have contributed to the realization of the MDG's and the goals set forth by the world conferences.

The powerful states have the possibility and responsibility to overhaul the

global economic structures and transform them into ones that ensure just and conducive economic relationships among all nations in the world. Individual states often have limited ability to counteract the negative consequences of globalization. Global challenges require global reforms at the global level. Much has been said about the negative impacts of the process of globalization on the poor. But I would hazard to say that the negative impacts will eventually harm not only the weak, but also the powerful. All communities suffer from the destabilizing consequences of massive economic and environmental refugee flows, deepening global poverty, and disease that cross borders.

Therefore, even if self-interest and not justice were the incentive in world politics, as realists argue, global policies should be reformed in the interest of the economic and social prosperity for all peoples in the world. In this context sufficient attention should be given to both state and non-state actors. Obviously, the Commission on Human Rights has a more important role in defining the "rules of the game" and identifying the areas where global reforms should be implemented. Our collective endeavours can be strengthened with the expertise of the Sub Commission.

The second challenge I referred to is the pursuit of objectivity and the abolition of double standards in addressing human rights problems. The United Nations and the Commission on Human Rights mechanisms will function to the best of their potential and governments will redouble their cooperation only if the principle of impartiality and objectivity is observed not only within the system but also within the regional structures and the corresponding public opinion.

The practice of singling out specific situations will never be considered as a service to the world movement for human rights, nor will it be a contribution to the Commission on Human Rights mechanisms to eliminate violation of human rights worldwide. It is very clear from the current situation that most of the demands for resolutions on the country specific situations or human rights hue and cry at the public level more often correspond to complications and urgencies within the domestic politics of some member states than with genuine human rights concerns emanating from collective human rights obligations. Under these circumstances, the human rights policy- particularly in those countries with written and defined priorities has

seemed to be at the service of other vital interests defined within the given foreign policy such as economic, political and security interests.

Clearly, within the current approach, certain are exempt from international scrutiny. The gross violations in Abogharib and Falluja and the violations of human rights in Guantanamo Bay have not been judged as worthy of international scrutiny by the Commission on Human Rights. There are even countries within the north in which the confessions extracted through torture by interrogators have been regarded as legally admissible, yet not one of the so-called champions of human rights has lamented the dignity and utter disrespect for the rights of these innocent victims of gross violation of human rights. This is just one particularly vivid example of the bias and double standards currently exercised, which is even referred to in the report of the High Level Panel. This is the main cause of the atmosphere of mistrust and uncertainty which regrettably prevails in the international system of human rights.

The third challenge is the need to respect cultural diversity within universality. Almost all the members of the United Nations are Parties either to the Bill of Rights or to some core instruments on human rights. All of them have accepted obligations under these instruments which legally represent their political will to respect the universality of human rights. Yet it is stated nowhere that all member states should have a unified and unique interpretation as to the specific rights that might be implemented in different ways within different societies based on their cultural and historical backgrounds. In other words the principle of the universality of human rights should not be an instrument of coercion at the hands of some to impose their social way of life or particular way of thinking in human rights domain onto others living in different conditions.

For us universality does not represent cultural hegemony, as the latter tends to erode universality by attempting to make diverse world cultures conform to a particular interpretation of a particular culture in human rights. This is particularly important because recently some political circles especially parliamentarians from a different region have attempted to impart their own culture-based interpretations onto some aspects of human rights as the universal standards to which all nations must adhere. We believe that universal respect for human rights is a cross cultural

consensus within which all regions and cultures enjoy the freedom to preserve their identifying identities and characteristics.

Mr. Chairman

The Islamic Republic of Iran attaches great importance to the challenges I have mentioned before this session of the Commission on Human rights. Confronting both the emerging global issues and the new dimensions of human rights, we believe that the Commission on Human rights has a unique role to play to ensure the world wide implementation of all human rights including the right to development based on just global institutions, that are free from bias and politicization and in favour of respect for cultural diversity. It is now the right time for the Commission to take the lead and seize the opportunity and momentum generated by the efforts to develop a framework for reform in the human rights domain.

With reference to the report prepared by the High level Panel appointed by the Secretary General, we firmly believe that any reform to be proposed to the international community should have the potential and necessary direction to bring about and enhance the professionalism and credibility of the Commission. Not all the changes proposed by the Panel have the capacity to do so. In fact, some will actually sustain the existing politicization of human rights in the relevant UN machinery on human rights. We encourage our partners to continue working on the reform within the Commission and other relevant organs drawing on expertise and views from all groups at the governmental and non-governmental level. We will spare no effort to help the Commission in this way.

Turning to our national situation on the promotion and protection of human rights, I should point out that our move in this direction is a structural and progressive one. There exist clear indicators and defined guidelines outlined by the relevant world conferences for genuine progress in human rights. These include allocating the necessary resources to support human rights activities, integrating human rights into all national policies, the review of present laws and embarking on passing new legislation to establish adequate capacities and structures capable of protecting human rights, enhancing civil society and disseminating a human rights culture at the national

level. I am pleased to say that my government has been actively engaged across all these indicators and has achieved results within the framework of a defined reform and development policy in the legislative, executive and judicial branches of the government. The issues relating to children and juvenile justice, the rights of women and the criminal code have been the main focus of the reform and development in the country. Apart from the defined program of reform, there has been a policy at work to prevent, within the prerogatives of the chief of judiciary, the enforcement of some sentences where the legal processes to reverse the case in the interest of a convicted adolescent or woman had been legally exhausted. You will find the details of my government's achievements on the promotion and protection of human rights enclosed in the annex.

Mr. Chairman

In conclusion, I should like to reiterate that cooperation and dialogue in the spirit of genuine concern for human rights has always proved effective in solving human rights problems and removing discrepancies in all fields including the situation of human rights in all parts of the world. It is in this context that my country -apart from the institutional cooperation with the UN mechanisms- has established a defined framework for dialogue with a number of interested countries to facilitate the exchange of views and best practices as well as developing common positions and understanding of different human rights problems. My government stands ready to engage in dialogue with any member state on any issue that might help to eliminate misunderstanding and improve progress in all areas.

Thank you, Mr. Chairman.