



*Permanent Mission of the Islamic Republic of Iran
to the United Nations Office and other International Organizations
28, chemin du Petit-Saconnex / 1209 Geneva*

Statement

by

H.E. Mr. Manouchehr Mottaki

**Minister for Foreign Affairs of the
Islamic Republic of Iran**

before

**the High Level Segment of
the first session of the Human Rights Council**

Geneva, 22 june 2006

Please check against delivery

In the Name of God, the Compassionate, the Merciful

Mr. President, Excellencies, distinguished delegates, ladies and gentlemen,

At the outset, I would like to extend my warm congratulations to you Ambassador De Alba on your election as the first president of the Human Rights Council. My congratulations also go to other members of the Bureau on their election. Allow me also to extend my felicitations to Madam Louise Arbour the High Commissioner for Human Rights.

The international community is at a decisive juncture of its human rights history, as it confronts new challenges and threats of different nature against the people of different cultures and religions worldwide. The international debate on human rights is expected to assume new dimensions and new direction as a result of the ongoing structural reform which has now led to the establishment of the new Human Rights Council. We all gathered here in Geneva to combine our wisdom and mobilize our abilities to make this happen. I referred to the current state of affairs as a decisive juncture because the wrong diagnosis of the strengths and weaknesses of the past and present and the erroneous analysis of what the international community should undertake to make a difference in future, will indeed take us back to a situation where we will be left again with the same malaise faced by the Commission on Human Rights over the past years.

Clearly, the Commission on Human Rights made considerable progress in the field of both standard- setting and implementation. It is truly a disservice and distortion of facts if we fail to recall the strengths of the Commission of Human Rights. It is true that the Commission has built a consolidated framework of international instruments on various fields of human rights. It is true that the system of special procedures and the mandates created by the Commission as the instruments of implementation should find its rightful place within the Council's framework as early as possible. It is true that the

council should, in the earliest possible, conclude the unfinished tasks of the Commission on the ongoing standard-setting processes. And finally it is true that the council must immediately undertake to address the real situations of gross violations of human rights.

But these were not the reason we welcomed the Secretary General's initiative on the human rights reforms, since we possessed all these mechanisms and the vast body of instruments within the Commission itself. Rather, the genesis of the reform ideals, should, otherwise, be linked to the assertion that all these activities and in fact the process of institutional reform and transition into a full Human Rights Council should be accompanied with a profound *culture shift* as the High Commissioner for Human Rights asserted in the concluding session of the Commission on Human Rights and endorsed by the Secretary General early in the current session of the Council. And for this to happen, it is incumbent on us all to combine our efforts to instill a new spirit and breathe a fresh life into the newly established body, the Human Rights Council. The question, then, arises as to how the international community including the member states can ensure the so called profound *culture shift* and fulfilling its tasks in a manner that millions of people with different cultures and religions in all places and future generations will benefit equally from the Council's protection system.

Mr. President,

The best way to ensure moving in the right direction is to consider, as the first move, the human rights activities within the UN system in a broader context which signifies the political impact, through the political manipulation by the outsiders on the different processes both in the field of standard-setting and international monitoring systems.

The supremacy of the arrogant and selfish security considerations over the genuine human rights concerns and the imposition of certain cultural values, which I may call it uni-culturalism, are the two defining features of the new era. In the new hegemonic discipline and its value system, the legitimacy of human rights structures and values and even the worth of democracies newly formed in some parts of the world are measured by

the degree to which they can serve the purpose of the hegemonic powers, and their culture.

It is within this new discourse that thousands of innocent people mostly from the South became victims in the course of illegitimate and unlawful wars, that like what happened in Hadisah innocent people from different places kept, with or without charge, in the horrifying prisons and secret detention centers for months, if not for years, that such as Guantanamo and Abugharib the suspected people are traded, in a slavery-like fashion, in some places in the world and transferred to the unknown prisons elsewhere to be tortured in solitary confinements for interrogation, without having to observe the minimum standards of protecting human rights of detainees, that the innocent people including women and children were massacred in cold blood in the regions under the foreign military domination by the forces of hegemonic powers. That, within the social and cultural life of modern humanity, "otherness" and being from a different culture or religion became a source of threat.

One may wonder whether the United Nations human rights machinery and its protection system including the special procedures have fulfilled their task or displayed even slightest interest, in some cases, in addressing effectively these real gross and systematic human rights violations, while they found every reason to highlight and overact on some situations where the so called victims constitute only few people in a vast territory that could be normal in any jurisdiction. How could the human rights machinery justify these unforgettable failures? What are the root causes of these failures? The aggressive and preemptive attitude of the stronger nations to tackle the human rights situations of others without having regard to their own, the acquiescence displayed by their supporters and consequently the inaction shown by the human rights institutions. And this is a clear manifestation of politicization and political manipulation which, as a result, plagued the system and impeded the Commission on Human Rights to defend effectively the right to life and the right to live in dignity of hundreds of thousands of voiceless people all over the world.

Mr. President,

Human rights and the matters involved in its protection system became a matter of intense international debate and even at some stage the subject of North-South divide. This state of affair had far reaching and profound impact on the ongoing reform processes which provided a forum for many including developing countries to voice their fundamental concern that structural reform should, as matter of urgency, be accompanied with substantive change.

The recent political and social developments in the world together with the nature of the current international debate on human rights has ushered the human rights history in a new phase. The distinctive feature of the new phase is, in my view, the honest attempt by the majority of the international community to maintain a retrospective connection between the present and the past with a view to continuing aspects essentially serving the genuine human rights protection system while disqualifying the practices harboring the malaise responsible for inaction and pause in the work of the Commission on the real situations of massive violation of human rights. The key elements that characterize the new phase, in my view, are amongst others, the following:

- without equality and justice and in the absence of a just international order there is no peace, if there is no peace there is no development, if there is no development there is no rights.
- Combating terrorism as well as the biased security arrangements should not be a reason for violation of the human rights of peoples of different cultures and religions,
- Associating certain religions and cultures with terrorism are totally unacceptable and that enjoying freedom of expression should not constitute a pretext and a platform to insult religions and their sanctities. Defamation of religions particularly the divine message of Islam should be rejected,
- The weaknesses and shortcomings in the Commission is not merely the result of structural deficiencies, but were also an effect of politicization, selectivity and double standards,
- To avoid uni-culturalism and respecting cultural diversity on a global scale and avoiding imposition of certain value systems over others are an essential prerequisite for

- promoting peace and security in the world,
- The right to development should find its rightful place in the international protection system, in full equality with other rights in terms of both standard-setting and implementation,
 - Cooperation and dialogue is the only way for the genuine promotion and protection of human rights worldwide,

Mr. President,

It is our firm conviction that the distinctive feature of the current debate and the key elements therein, as articulated above, particularly the rejection of defamation of religions should find strongly its way in the decision making in terms of both standard-setting and implementation at the international level, if the Human Rights Council were to succeed in discharging its historical mandate. The negligence of this will undoubtedly lead the Council to the same pitfall that paralyzed the work of the Commission. We are now living in the 21st century where the uni-culturalism and militarism as the two instruments of global hegemony cannot and should not determine human rights considerations. Allowing the new structure to function within the old entrenched perceptions and historical prejudices will impede the international community to make a difference in defending and protecting the rights of the individuals and peoples around the world. The Council, in my view, should be given the opportunity to adapt itself with the positive dynamics and the determinants of the new era in international relations. It should also be given the courage and the authority to engage into developing innovative and ground braking alternative conceptions and complementary standards with the view to moving the human rights machinery forward based on justice and spirituality. The human beings, today, are in desperate need of justice and spirituality more than any time before. Since the western liberal democracies have failed to properly address these two basic elements of the creation. Justice and spirituality are among the basic rights of the mankind, which the whole concept of "*human rights*" is far from perfection if it does not include them.

Mr. President,

We call on the Human Rights Council to take on its responsibility to deal effectively with foreign occupation as well as the human rights violation of the Palestinian people and those living in other Arab occupied territories. We call on the Human Rights Council to take on its responsibility to deal effectively with foreign occupation as well as the human rights violation of the Palestinian people and those living in other Arab occupied territories. The Council should support the right to self-determination of Palestinian people and promote respect by all to the election held in 25 January 2006 which resulted in forming the Palestinian government in a democratic manner. The council should also support the right of Palestinian Refugees to return to their homeland.

Mr. President,

The Islamic Republic of Iran joined consensus in establishing the new Human Rights Council during the 2005 summit in New York in the hope that it will succeed in developing a new paradigm in the human rights history. Yet we remain optimistic that the current state of affairs will bring us a conducive environment required to building a normative framework to defend justice, though the founding resolution of the Council, in our view, has some weaknesses to help in this domain. My country commits itself in working closely with the international community and the members of the Council in making the human rights aspirations of all peoples in the world a reality.

Thank you.