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Human Rights Council

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Agenda item 2

Annual report of the United Nations High Commissioner
for Human Rights and reports of the Office of the
High Commissioner and the Secretary-General

Report of the Secretary General on the situation of human rights in the Islamic Republic of Iran

Addendum

Comments by the State*

* Reproduced in the annex, as received.

Annex

[English only]

A Brief Reply by the Islamic Republic of Iran to the Draft Report of the Secretary-General to the 22nd Session of the Human Rights Council

1. The Islamic Republic of Iran expresses its regrets for limited time and opportunity provided to it to answer the draft report of the Secretary-General. The Secretary-General has had ample time since 19th session of the HRC to prepare the draft while just a few working days (less than 10 days) were given to the concerned country to answer widespread allegations incorporated in the draft report.
2. Reports of the Secretary-General and the Special Rapporteur are basically repeating each other and can be seen as duplicated works. This is an indication of applying a double standard approach by sponsors of such reports. While some countries strictly stand against allocation of even one extra dollar to development issues, they sponsor repetitive reports in areas which serve their political interests.
3. Resolution 67/182 calls Secretary-General to report on the situation human rights of The IR Iran however, since the above mentioned resolution was issued on the basis of political will and pressure of certain countries, as previous ones it does not contribute to the promotion and protection of human rights.
4. To get to his desirable conclusion, the Secretary-General is using general and vague languages to substantiate a number of so-called violations of human rights. Certainly raising a broad scope of allegations in a general and vague manner and on the basis of unfounded claims would undermine impartial position of the Secretary-General.
5. Mindful of the expansion of cooperation of Iran with the UN machinery, it was expected from the drafter of the report to refrain from using general phrases such as “express concern”, “continuation of human rights violation” and “continuation of discrimination against minorities”. Utilization of such phrases implies a negative, unfounded and partial attitude. Moreover, terms such as “increasing number of capital punishment”, “limitation of freedom of expression and association” are vague and not legally sound. Continuation of employing such common and repetitive phrases is not beneficial to expansion of dialogue and cooperation.
6. IR Iran based on its moral and religious obligations as well as its commitment to provisions of the Constitution, domestic law and international treaties has paced toward development and promotion of human rights in law and in practice at both national and international levels. As high level officials of Iran and secretary of High Council for Human Rights declared in their meetings with the Secretary-General in Tehran, Iran continues to believe in cooperation and engagement with the UN and other relevant international institutions.
7. On the visit paid by the Secretary-General to Tehran and cited human rights issues, two points need to be noticed: first, the IR Iran has had considerable achievements on the observance of human rights and international obligations which unfortunately were faintly mentioned in the report. Secondly, achieving success in this field is a gradual process and is attainable through observing national security considerations as well as social expectations and emotions.

8. Undoubtedly, sanctions negatively impact on the fundamental human rights of the citizens of the targeted country, and therefore no sanction is legitimate and justifiable. Imposition of sanctions against a country and its people contradicts international human rights norms and standards. It is expected that the Secretary-General by taking a principled position condemn unilateral sanctions imposed by the U.S and EU against people of Iran as violation of their human rights. These sanctions conspicuously are in contradiction with principles of international law and letter and spirit of the UN charter. Should not calculated silence of the Secretary-General be construed as concurrence with violation of human rights of the whole population of Iran?

9. IR Iran seriously rejects and denies the prejudiced accusations about widespread use of torture. The applicable laws and regulations to be the Constitution or the general laws in particular the law on Civil Rights and Respect for Legitimate Freedoms are strictly prohibiting such acts and anyone who commits them would be accountable before law.

10. On the request of the Secretary-General for inviting the SR to visit IR Iran it needs to be mentioned that the Rapporteur has made no serious attempt to cooperate with the I.R. of Iran, while his conducts that contradict duties of a mandate holder have caused serious doubts about having a constructive dialogue. The Rapporteur not only took no genuine step to verify claims of human rights violation, but he himself has involved in fabricating claims to mislead public opinion. Simply expressing willingness by the Rapporteur to visit the Islamic Republic of Iran would not be sufficient. He was responsible to uphold the principles and standards governing his mandate to prepare a fair draft based on defined methodology. Given his unfair and non-methodological performance against defined terms and principles particularly the Mandate-Holders Code of Conduct covered by resolution 5/2, the government of IR Iran looks with serious doubt to the work of the Special Rapporteur. By conducting opinionated interviews with media and being prejudiced about the claims, the Rapporteur has turned himself to a political opponent acting against IR Iran in clear contradiction with paragraph 13a of resolution 5/2. Therefore, it is not expected that he can prepare a report while maintains the principles of impartiality and non-politicization.

11. It is expected that the Secretary-General bearing in mind his international status and professional responsibilities prevent UN human rights machineries to become hostage of political games.
