

HOJTABA ALIBABAE E

*In the Name of God, the Compassionate, the Merciful*

Islamic Republic of Iran

Mr. President,

First of all, I would like to thank the Special Rapporteur, Mr. Martin Scheinin for his report on the promotion and protection of human rights and fundamental freedoms while countering terrorism, submitted to this Session of the Human Rights Council. I am also grateful for the Special Rapporteur's work on the interface between protection of the right to privacy and the combating international terrorism.

In this relatively comprehensive report, the Special Rapporteur has referred to the flexibility and ambiguity of the laws, in particular article 17 of the International Covenant on Civil and Political Rights. Therefore he has recommended the Human Rights Committee to elaborate the article and provide guidance to states on appropriate safeguards.

We recommend the SR to continue focusing on this issue and to exchange views with governments with the aim of enriching the discussions.

One of the worrying elements in this regard is the discriminatory policies and practices of some countries applied in countering terrorism. It is regretful that in the recent decade, Muslims have suffered the consequences of those anti-terrorism measures which are discriminatory in law and practice. Counter-terrorism policies and measures have led to laws and practices that stifle dissent and opposition, especially Muslims and other minorities, not involved in any illegal activities. Thousands of Muslims have been stopped in the streets, questioned, frisked, detained and interrogated under anti-terrorism laws.

Mr. President,

The broad and vague definition of "terrorism" has become the standard for anti-terrorism laws in a few countries. The definition is open to subjective interpretation. In addition, such a broad and vague definition easily lends itself to abusive police practices. In those countries peaceful protestors have been stopped, frisked and items have been seized from them on the basis of the broad powers that are granted under anti-terrorism legislation to the police.

As the SR has pointed out in paragraph 16 of his report, "The wording of article 17 of the Covenant prohibits arbitrary or unlawful interference with privacy, family or correspondence, as well as unlawful attacks on a person's honor and reputation".

Mr. President

Finally, I want to emphasize that states have an obligation to ensure reparation to those who have been victims of discriminatory actions and unfair conducts, in particular those victims that their dignity and reputations had been suffered.

Thank you,