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The Anna Lindh Lecture - 2009

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*Barriers to the Advancement of Human Rights in the World and in Iran**

Raoul Wallenberg Institute, University of Lund, Sweden

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Ladies and Gentlemen,

I am delighted to be here among you today, and grateful to all those who have worked hard to organize this event. I feel honoured to be addressing the Anna Lindh Lecture. I had met Ms Lindh several times in the past and was familiar with her ideas. I know that she was deeply committed to human rights and placed human rights principles at the forefront of her agenda. It is therefore an honour for me to dedicate my speech, which focuses on barriers to the advancement of human rights in the world and in Iran, to Ms Lindh. I shall now highlight some of the most important barriers to the advancement of human rights in the world.

There are some who believe that human rights criteria have been drafted based on Western, in particular European criteria, hence not compatible with their own national or religious cultures. Most undemocratic Islamic governments subscribe to such reasoning. They believe that since their governments derive their legitimacy from religion and not the public vote, they should uphold the Islamic Sharia, rather than the wishes and rights of the people. For such governments, Islam is only what the government itself proclaims as its ideology. They totally dismiss all other interpretation and understanding of the Islamic Sharia. For that reason, any criticism of the government with regard to violations of human rights, including gender and religious discrimination or lack of freedom of expression, is regarded as tantamount to criticizing Islam. They force human rights defenders into silence by using the charge of apostasy as a weapon.

Progressive Islamic thinkers have used religious interpretations to demonstrate that Islam is not opposed to human rights. These Muslim intellectuals, whose number is growing, and whose voices can be heard in every Islamic country, have stood up to governments that exploit the name of religion to justify their

* Given in Farsi, translated by Mrs. Maryam Moosavi.

actions and repression of the people. An example of such a government is the Islamic Republic of Iran, about which I shall say more later.

In that respect, I would like to note that the Islamic Declaration of Human Rights was endorsed by the foreign ministers of the Organization of the Islamic Conference at their 19th session in Cairo in 1990, and most of the Islamic countries signed on to it. If we consider the declaration as a policy adopted by Islamic countries to implement the Universal Declaration of Human Rights, then there is nothing wrong in that. But if these countries use the document to oppose the Universal Declaration of Human Rights, claiming to be adherents of the Islamic Declaration of Human Rights instead, then they will have indeed chosen the wrong course. If Muslims reserve themselves the right to write an independent declaration based on their own faith, then they should also accord the same right to the followers of other religions. As a result, we would witness a Jewish declaration of human rights, a Buddhist declaration of human rights and thousands of others similar documents. That would be a wrong course, because managing the world based on the variety of existing religions is an impossible task. We have to start with principles that enjoy universal consensus, rather than those in which we alone believe.

It is notable that undemocratic Islamic governments are not the only governments that resort to such subterfuge. Rather governments that, in essence, deny the existence of God, and whose underlying ideology is communism, are also generally unwilling to accept and respect human rights criteria. Such governments maintain that human rights have been formulated on the recognized values of capitalist systems and are incompatible with socialist values. Consequently, they allow themselves to violate the rights of their citizens and crush dissenting voices. Of course, their assertion is also incorrect because socialism does not oppose freedom of expression. Nor is communism synonymous with totalitarianism. Rather, it is dictators who have interpreted and implemented communism in that way. In fact, both the belief in God and lack of belief in God have been turned into pretexts for perpetrating injustice against the people.

Another barrier to human rights progress in the past 61 years can be attributed to the weak performance of the United Nations, in particular its Human Rights Council. When the UN Charter was being drafted, there was considerable optimism that if not all but most governments were elected and approved by their citizens and that they would investigate any violations of human rights on behalf of their people, accordingly.

We have seen, however, that in many cases, governments are not genuinely elected by their people, hence not qualified to adopt decisions that are reflective

of public opinion. In fact, how can we expect governments, which systematically and repeatedly perpetrate human rights abuses, to condemn other countries for the same acts? It is thus that the scale of human rights has lost its balance.

To resolve this problem, we have to seek the cooperation of nongovernmental organizations, provided these NGOs are genuinely set up and managed by the people and not by the state. Whenever a case or complaint is lodged against a country, the NGOs should participate in the meetings and present their ideas; if necessary, they should even participate in the voting process. It is time we trusted the people and had a united nations organization made up of the nations' true representatives; in other words the NGOs, and not dictatorial governments.

Another reason for the lack of progress in human rights is the abuse of the concept. Some governments exploit human rights and democracy to further their own political objectives. In that respect, we could highlight the developments in the Middle East, in particular, in the wake of the Soviet Union's collapse and end of the Cold War.

Another point is that hitherto the UN and international organizations have focused their attention on the promotion of civil and political rights. They have not paid much attention to economic rights, which is one of the reasons for the growing poverty around the world. In that connection, I suggest drafting of a convention called the "International Convention to Combat Poverty," to be presented to the UN General Assembly for adoption. The most important issue that must be addressed by the said convention is to encourage governments to cut defence spending. They must consider appropriate strategies aimed at allocating national resources to improve public welfare instead of purchasing and stockpiling weapons. For example, the convention should stipulate that any country that becomes a signatory should not spend more on defence than on education and health. And if any of the convention's member states' defence budget exceeds the budget allocated to education and health, that country would not be qualified to receive loans or financial credits. For instance, the World Bank would not be allowed to extend credit to such countries.

It could also be stipulated in the convention that any country that finds itself unable to repay its debts, could have the bulk or all of its debts written off provided it dissolves its military and only uses its police force to maintain order. In so doing, the smaller and poorer countries would be encouraged to purchase fewer weapons, which would be conducive to reducing civil wars.

I am aware that in this period of global unrest, when the arms race has reached a dangerous point, such ideas resemble a dream. But the challenge for us today is to have ideas based on dreams, but act realistically.

Ladies and Gentlemen

Allow me to say a few words about the state of human rights in my country Iran.

As I have mentioned before, whenever the Islamic Republic of Iran is accused of violating human rights, it has responded by saying that human rights is a Western concept and is not compatible with Islamic values; and that the Iranian government cannot wash its hands off Islamic values to please the West by respecting human rights . Such reasoning is totally incorrect, because the Iranian government is a signatory to the International Convention on Civil and Political Rights, and committed to its implementation. Moreover, in the international sphere, especially at the UN, Iran claims to be a defender of human rights. In 2007, it even applied to become a member of the UN Human Rights Council –that request, however, was turned down. Therefore, rationally the Iranian government cannot hide behind the shield of Islam.

Moreover, whenever other countries, even the UN, have accused the Iranian government of human rights violation, it has described such accusations as interference in the internal affairs of Iran, maintaining that they should not interfere in matters that are related to national sovereignty. Of course, such an assertion is not correct because human rights is a universal standard, and whatever happens in any part of the globe concerns all the people in the world. To be more precise, human rights have no borders. Human rights are not an internal affair or a component of national sovereignty. The very same reasoning that allows the government of the Islamic Republic of Iran to protest against human rights violations in Palestine, Lebanon, Iraq and Afghanistan, and rightly so, other people and countries also have the right to protest against human rights violations in Iran. That is not interference in Iran's internal affairs.

The best means of assessing the human rights situation in a country are its laws. To shed light on the human rights situation in Iran, let us cast a brief glance at the laws in Iran, especially the laws adopted in the wake of the revolution.

The most important principle in human rights is lack of discrimination. In the laws in Iran, however, there are numerous cases of discrimination based on gender. I will highlight only a few of them. According to Iranian law, the value of a woman's life is half that of a man. If, for instance, my brother and I are walking along a street and are hit by a car, or if we are attacked by a terrorist,

suffering equal harm, the damages awarded to my brother exceed the amount awarded to me by twice as much. Similarly, the testimony of two women in a court of law is equal to the testimony of one man. Or a man is permitted to have four wives. And there are many other instances of discriminatory laws.

In the laws in Iran, there is, unfortunately, also discrimination based on religion. As an example, I will highlight one such case. According to the Penal Code, the punishment for a single crime differs depending on whether the perpetrator is a Muslim or a non-Muslim. I will explain. On the basis of the Penal Code, if a man and a woman who are not married sleep with each other, committing fornication, they receive a hundred lashes each. But if the woman is Muslim and the man non-Muslim, let's say a Christian, the sentence of 100 lashes becomes execution. I should also point out that since the outset of the revolution, members of the Baha'i faith in Iran have been deprived of all their rights. They have even been barred from attending university. Unfortunately, discrimination based on religion is much greater than what I have highlighted. But since we do not have much time, I will not go into any details.

In the laws in Iran, there are punishments that are against human rights standards, such as stoning, crucifixion, flogging, cutting off of hands and, worst of all, execution of juveniles under 18 years of age. According to an Amnesty International report, last year Iran had the highest number of child executions in the world.

Another important point is the lack of freedom of expression and heavy censorship. According to the Press Law, the media are not permitted to criticize the constitution, and any publication that flouts the code will be closed down. The recent years have seen the closure of numerous newspapers, and imprisonment of a number of our prominent writers and journalists for the mere crime of writing. According to the Paris-based human rights group, Reporters Sans Frontieres, Iran currently has the highest number of imprisoned journalists in the world.

Unfortunately, as you can see since the revolution, the human rights situation has not been good. But the human rights violations reached its peak in Iran in the wake of the recent presidential election.

I will briefly remind you that after the presidential election in June, a considerable number of Iranians protested against the results. They demonstrated their objection by staging millions-strong peaceful rallies. But the government's response was very violent. The authorities tried to silence the people by shooting at them, beating them up or locking them up in prison. Some 100 people were killed in the events, and over 3,000 were arrested. Although

some were subsequently released on bail, a number of them died under torture in detention centres, while several others were raped. They attacked the Tehran University dormitory at three in the morning, killing five students and injuring many others. They held show trials for those still in prison, which were reminiscent of Stalin-era trials. Nevertheless, despite the scale of the government crackdown and the existing heavy censorship, the people have not abandoned their protests. They have maintained their solidarity and are calling in unison for democracy and human rights. What is remarkable is that the people are not willing to resort to violence and are patiently tolerating the aggressive behaviour of the authorities – a factor that has further infuriated the government. The regime wants the people to react aggressively, to be able to justify its violent behaviour. Since the public have not provided the government with such a pretext, it has attributed the popular protests to foreign governments. In the early days of the unrest, the authorities even arrested several employees of the British and French embassies. They have all been released except a 22-year-old young French girl who was apparently studying Persian at the time of the unrest. When the Iranian regime failed to prove that the mass protests were a result of interference by foreign powers, and the accusation was strongly and immediately rejected by the protestors as well as foreign governments, it tried to come up with another explanation.

With the help of the prosecutor, an indictment was prepared. The defendants were accused of plotting a ‘colour’ or ‘velvet’ coup. And what is also interesting is that the prosecutor's indictment also named Facebook, Google and internet as defendants in the case. As if the whole world had joined forces to stage a velvet coup in Iran.

But what is the meaning of a velvet coup? What is causing them such fear that they have embarked on a crackdown of such magnitude? An analysis of remarks made by the Islamic Republic's officials will help us to understand it.

According to Major-General Rahim-Safavi, military advisor to the supreme leader of the Islamic Republic of Iran, "a velvet coup means encouraging others to believe that they want the same things as them." Elaborating on the nature of such coups, he added, "A soft coup encompasses a wide range of political and media movements, including culture building and inference of language." (Mehr news agency, 06 September 09)

Similar sentiments were echoed by Major-General Mohammad Ali Ja'fari, commander of the Islamic Revolution Guards Corps. Expressing regret at the popular protests, he said, "Elections and democracy create a suitable ground for velvet coups, and the revolution and political establishment are at their most vulnerable during elections."

In other words, two of the most important military commanders in Iran have explicitly declared that anyone who believes in anything other than what the government believes has committed a crime, a manifest example of which is to take part in the elections and vote for candidates who do not subscribe to their beliefs. That is to say, the people must be eternally content with the same individuals at the helm, and that they do not have a right to vote for any other individuals, albeit within the framework of the Islamic Republic.

This line of thinking was the trigger and source of the unpleasant events that have taken place since the presidential elections.

In court, Facebook, Google and the internet have been indicted and put on trial for misleading the public. In ludicrous confessions extracted from defendants under mental and psychological torture, such as the confessions of Sa'id Hajjarian, human sciences have been accused of misleading the youth. And all this is being done to demonstrate to the people in Iran and throughout the world that the elections were sound.

In conclusion, I would like to note that despite the people's numerous criticisms of the government of the Islamic Republic, we oppose any bomb or military attacks against Iran. We are also against economic sanctions because it is the people who will suffer the most from such measures. Moreover, the inflation caused by economic sanctions would lead to widespread poverty in Iran. It is the task of each and every Iranian citizen to advance human rights and democracy. The people of Iran demonstrated their political maturity in the peaceful campaign following the presidential election. I am confident that whenever people raise their demands together and in unison, they will come to realize those demands. Victory is not far. I wish you success.

(Shirin Ebadi)