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Written statement* submitted by Association for Defending Victims of Terrorism, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[12 February 2024]

* Issued as received, in the language of submission only.



Considerations on the Universal Periodic Review of Canada

The instrumental approach of some states towards terrorism and human rights to provide their political goals is one of the most important obstacles to promotion of the human rights situation and ending terrorism and violation of the rights of the victims of terrorism all over the world.

In the past years, the Canadian government has supported foreign groups such as the Mojahedin Khalq Organization (MKO) with an approach contrary to international laws and norms, and by granting asylum status to the members of this group, in addition to violating international conventions such as the 1951 Convention on Refugees, and the UN resolutions such as Resolution 1269 (1999) and Resolution 1373 (2001) have paved the way for the expansion of terrorist, subversive and anti-human activities of the group. Moreover, in recent months there have been rumors of the official acceptance of members of the terrorist group in Canada which has not been denied by the Canadian authorities.

The actions of the Canadian government in granting asylum status and permission to operation of members of terrorist groups is a clear violation of Article 1 of the 1951 Refugee Convention, which states that refugees must not have committed a crime against peace, a war crime, or a crime against humanity or acts contrary to the purposes and principles of the United Nations. UN Security Council Resolution 1373, calls upon all States to take appropriate measures in conformity with the relevant provisions of national and international law, including international standards of human rights, before granting refugee status, for the purpose of ensuring that the asylum-seeker has not planned, facilitated or participated in the commission of terrorist acts.

In monitoring the implementation of Resolution 1373, the Anti-Terrorism Committee of the Security Council announced that member states are required to exclude terrorists from granting asylum refugee status.

In order to prevent the spread and facilitate the movement of terrorists, the resolution calls upon all States to:

- Deny safe haven to those who finance, plan, support, or commit terrorist acts, or provide safe havens;
- Prevent those who finance, plan, facilitate or commit terrorist acts from using their respective territories for those purposes against other States or their citizens;
- Prevent the movement of terrorists or terrorist groups by effective border controls and controls on issuance of identity papers and travel documents, and through measures for preventing counterfeiting, forgery or fraudulent use of identity papers and travel documents
- Ensure, in conformity with international law, that refugee status is not abused by the perpetrators, organizers or facilitators of terrorist acts, and that claims of political motivation are not recognized as grounds for refusing requests for the extradition of alleged terrorists.

In this regard, while reminding the Canadian government of their responsibility to maintain peace and human security and prevent the activities of terrorist groups, we call upon the authorities of Canada to revoke the asylum status of members of the terrorist groups based on international laws and to bring them to justice and facilitate access to justice for the victims of this group's acts.
