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Iran: UN bodies shine light on ongoing degradation of human rights situation

Amnesty International calls on the Iranian authorities to fully implement the recent recommendations of the United Nations Human Rights Committee, the body charged with overseeing implementation of the International Covenant on Civil and Political Rights (ICCPR), to which Iran is a state party. The Concluding Observations follow two recent UN reports highlighting human rights violations in Iran: the report by the UN Secretary General to the UN General Assembly published on 15 September 2011¹ and the interim report of the newly-appointed Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, published on 23 September².

These three documents give compelling evidence of the gravity of the human rights situation and contradict the Iranian authorities' frequent denials – including in its report to the Human Rights Committee - that there are any human rights violations in the country and that claims to the contrary are politically motivated. As all three documents highlight, there is an urgent need for judicial, legal and policy reform to reverse the ongoing rapid downward spiral of the human rights situation.

Amnesty International calls on the Iranian authorities to demonstrate that they are fully committed to cooperating with the international community in improving the human rights situation in Iran by implementing the recommendations and meeting the requests of all three bodies as a matter of urgency. The organization warned that one appearance before the Human Rights Committee – coming as it does after a break of 18 years and where the delegates failed to acknowledge the gravity of the problem - and the planned visit by the UN High Commissioner for Human Rights does not constitute full cooperation. In fact, none of the thematic UN human rights mechanisms has been permitted to visit the country since 2005, despite a standing invitation issued to the Special Procedures of the Human Rights Council. The Iranian authorities have also publicly stated that the Special Rapporteur on Iran – appointed in February 2011 - will not be granted access to the country.

Amnesty International is also calling on the international community not to allow such patchy cooperation to deflect attention from the need to press the Iranian authorities to make visible improvements in the human rights record of the country. This comes at a time when the Iranian authorities are not only discussing several pieces of new legislation which will further restrict basic freedoms, but are also continuing to arrest, imprison and flog lawyers, human and women's rights activists, students, journalists, bloggers, political activists, members of ethnic and religious minorities, trade unionists and film industry workers for the peaceful exercise of their human

¹ The situation of human rights in the Islamic Republic of Iran: Report of the Secretary-General, UN Document A/66/361, 15 September 2011, http://www.un.org/ga/search/view_doc.asp?symbol=A/66/361

² Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, UN Document A/66/374, 23 September 2011, http://www.un.org/ga/search/view_doc.asp?symbol=A/66/374

rights. Regular reporting by the Secretary General and the Special Rapporteur on Iran to the UN General Assembly and the Human Rights Council must be maintained and pressure placed upon the Iranian authorities to grant access to the Special Rapporteur on Iran and other relevant thematic mechanisms which have requested visits. Regular international monitoring is essential as a first step towards concrete improvements on the ground.

Background

The Human Rights Committee's Concluding Observations were published on 3 November 2011 following the Committee's review of Iran's implementation of the ICCPR at a meeting with representatives of the Iranian Government held in Geneva on 17 and 18 October 2011. Members of the Committee afterwards stated that the Iranian delegation had failed to fully engage in the process and had avoided responding to the Committee's questioning.

In its Concluding Observations, the Committee raised concern at the failure of the Iranian authorities to comply with the ICCPR in several areas, including in relation to discrimination against women and lesbian, gay, bisexual and transgender people and ethnic and religious minorities; domestic violence; the ongoing high level of executions, including of juvenile offenders and in public, as well as executions by stoning; torture and other ill-treatment, including cruel punishments such as flogging and amputation; arbitrary arrest, incommunicado detention, and other shortcomings in the administration of justice resulting in unfair trials, including a lack of independence of the judiciary; violations of the rights of religious and ethnic minorities; and undue restrictions on the rights to freedom of expression, association and assembly.

The Committee also made many specific recommendations to the Iranian authorities to address these concerns, which, if implemented, would do much to improve the human rights situation in the country.

For example, on the death penalty, the Committee recommended:

- That the authorities should consider abolishing the death penalty, and that they should end public executions, the use of stoning and the execution of juvenile offenders – those convicted of an offence while under the age of 18.

On torture and other ill-treatment:

- That the authorities should open an inquiry into each case of alleged torture and or other ill-treatment and bring perpetrators to justice,
- That a system of regular and genuinely independent monitoring of all places of detention be set up.

On discrimination:

- That legislation and policies should be amended which discriminate against, or allow the persecution of, women, the LGBT community and members of religious and ethnic minorities.

On freedom of expression, association and assembly

- That journalists, students, teachers, human rights defenders (including women's rights activists), lawyers and trade unionists imprisoned for the peaceful exercise of these rights be released,
- that independent media can exercise the right to freedom of expression and opinion and that monitoring the internet does not unduly restrict freedom of expression and privacy,

- that the draft Bill on the Establishment and Supervision of Non-Governmental Organizations' Activities – which would eliminate independent NGOs if passed by parliament - be withdrawn,
- That freedom of assembly is guaranteed to all without discrimination.

The Committee's concluding observations are available at:
<http://www2.ohchr.org/english/bodies/hrc/docs/CCPR.C.IRN.CO.3.doc>.

Ahead of the Committee's review of Iran, Amnesty International submitted a comprehensive briefing to the Committee detailing some of the organization's concerns regarding the human rights situation in the country. See: *Iran: Submission to the Human Rights Committee for the 103rd session of the Human Rights Committee, 17 October – 4 November 2011*, (Index: MDE 13/081/2011), 21 September 2011, <http://www.amnesty.org/en/library/info/MDE13/081/2011/en>.

In his report to the General Assembly, the UN Secretary General said that he had been “deeply troubled by reports of increased numbers of executions, amputations, arbitrary arrest and detention, unfair trials, torture and ill-treatment and, in particular, the crackdown on human rights activists, lawyers, journalists and opposition activists”. He presented information on a wide range of human rights violations relating to torture and cruel, inhuman or degrading treatment or punishment, including flogging and amputation; the death penalty including public executions, the execution of juvenile offenders and stoning; women's rights; the rights of minorities; and undue restrictions on freedom of peaceful assembly and association and freedom of opinion and expression; and lack of due process rights. He encouraged the Iranian Government to address his concerns and the specific calls for action found in previous resolutions of the General Assembly and in the Universal Periodic Review process, particularly with respect to human rights lawyers and activists; on the use of the death penalty; and cooperation with international human rights mechanisms.

The UN Special Rapporteur on Iran's interim report to the General Assembly pointed to a “pattern of systemic violations of ... human rights [including] multifarious deficits in relation to the administration of justice, certain practices that amount to torture, cruel, or degrading treatment of detainees, the imposition of the death penalty in the absence of proper judicial safeguards, the status of women, the persecution of religious and ethnic minorities, and the erosion of civil and political rights, in particular, the harassment and intimidation of human rights defenders and civil society actors”. He highlighted numerous cases of political activists, journalists, student activists, artists, lawyers, environmental activists, women's rights activists and members of religious and ethnic minorities detained or imprisoned for their peaceful activities, including many on whose behalf Amnesty International has campaigned. He urged the Iranian authorities to open up the space for civil society activism, to launch investigations into the situation of the individuals mentioned as well as reiterating his request to visit the country.

The UN Committee on Economic, Social and Cultural Rights is due to begin the consideration of Iran's second periodic report of its implementation of the International Covenant on Economic, Social and Cultural Rights in May 2012.

Public Document

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