

# AMNESTY INTERNATIONAL

## JOINT STATEMENT

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March 16, 2012

### **Re: Joint Letter Urging Support for the Mandate of the Special Rapporteur on the Situation of Human Rights in the Islamic Republic of Iran**

To the member states of the United Nations Human Rights Council:

As you know, the mandate of the Special Rapporteur on Iran is currently up for renewal and will be put to a vote before the Human Rights Council on March 21<sup>st</sup> or 22<sup>nd</sup>. At a time when the human rights situation in Iran has deteriorated significantly and Iran continues to refuse to cooperate with UN bodies, it is critical for member states to voice their support for the mandate's renewal.

We write to urge you to vote in favor of the resolution renewing the mandate of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran.

On March 7, the Special Rapporteur on human rights in Iran, Dr. Ahmed Shaheed, released his second report documenting rights violations in the country. The report, which followed an interim report he submitted on September 23, 2011, documented a "striking pattern of violations" committed by Iranian authorities and outlined the government's continuing refusal to cooperate with UN bodies. It also noted, with regret, the government's failure to address the Special Rapporteur's request for a country visit, and the refusal of authorities to cooperate with the UN Human Rights Council and its mechanisms, despite its issuance of standing invitations to special procedures in 2002.

Iranian authorities, while refusing cooperation with the country mandate, are keenly sensitive to its observations and criticisms. In February, the head of Iran's judiciary, Ayatollah Sadegh Larijani, said the report was full of lies, yet his government provided no substantive comments or factual information to supplement the report prior to its release. Since then, Iran has desperately attempted to paint a picture of cooperation and compliance with UN bodies and human rights instruments.

The government's March 5, 2012 statement on the report of the Special Rapporteur on Torture claimed that Iran has taken action to prevent acts of torture, noting that victims are accorded legal protection. Regrettably such assertions fly in the face of what scores of former detainees have told our organizations, and the Special Rapporteur on Iran, regarding their experiences in detention at the hands of Iranian security officials.

Responding on March 13, 2012 to the presentation of Dr. Shaheed's report, the head of Iran's High Council for Human Rights, Dr. Mohammad Javad Larijani, emphatically re-invited UN thematic human rights mechanisms to Iran, yet failed to suggest any specific dates. Despite the 'standing invitation' made in 2002 and numerous requests for visits by special rapporteurs, none have visited the country since 2005, and almost none of the recommendations made by rapporteurs who visited before that have been acted upon.

During the past few months Iran also submitted to a review of its rights record before the UN's Human Rights Committee after a 17 year absence, made cosmetic changes to its penal code, which it purports to bring in line with its international obligations, and agreed to allow staff from the Office of the High Commissioner for Human Rights to undertake a limited mission to Tehran last December.

The reality remains, however, that Iran's efforts to demonstrate an improvement in its rights record have not led to substantive improvements in remedying what continues to be a deplorable human rights situation. Since the creation of the country mandate, there has been a steady increase of resolutions, reports, and observations by UN bodies regarding the rights crisis in Iran. On September 15, 2011, the UN secretary-general submitted a report to the UN General Assembly in which he said he was "deeply troubled by reports of increased numbers of executions, amputations, arbitrary arrest and detention, unfair trials, torture and ill-treatment" and bemoaned "the crackdown on human rights activists, lawyers, journalists and opposition activists."

On November 3, 2011 the UN Human Rights Committee issued its concluding observations following its review of Iran's implementation of the International Covenant on Civil and Political Rights. They amounted to a damning indictment of Iran's rights record, including serious concerns about the high rate of executions, including for crimes which do not meet the criteria of "most serious crime", the "widespread use of torture," and impunity. The committee also expressed serious doubts regarding the willingness of the government to abide by its international legal obligations. The same month, the UN General Assembly's Third Committee passed a resolution, by the highest vote count since 1992, calling on the Iranian government to allow the special rapporteur unfettered access to the country.

The Special Rapporteur's report is based in part on testimony gathered from more than 100 victims and their families, and information provided to him by reliable sources. It is a testament to the fact that despite the Iranian government's refusal to allow the Special Rapporteur to visit the country, the Special Rapporteur has and will continue to fulfill his mandate by engaging with victims and Iranian civil society actors.

The report paints a bleak picture of the state of human rights in Iran today. In the past year authorities may have executed more than 600 prisoners, many of them on drug-related charges which do not constitute "serious crimes" under international law, and hanged at least three juveniles—one of them in public—despite the strict prohibition on such executions in international law. Consensual same-sex relations are criminalized and subject to the harshest penalties, including death, under Iran's penal code. Iran continues to be one of the largest prisons for journalists and bloggers in the world, with at least 45 in detention as of December 2011, according to Reporters Without Borders. Discrimination against religious and ethnic minorities, including Baha'is and Arabs, is systematic, and officials have intensified their targeting of lawyers handling human rights cases. At least nine lawyers are currently in prison, and several others are awaiting their trials or the results of their appeals. Others, including Nobel Peace laureate Shirin Ebadi, currently work outside Iran because they are unable to freely carry out their professional duties inside the country.

The country mandate has mobilized, in an unprecedented manner, Iranians both inside and outside the country, to engage with the international community. In meeting after meeting, victims and activists have told us that they see the office of the Special Rapporteur as a critical focal point for documenting rights abuses, and an impartial and reliable channel of communication between victims and the United Nations and its member states. In this regard, the Special Rapporteur fulfills an important role for Iranian survivors of human rights violations which is denied to them in Iran.

We believe the continuation of a country mandate for Iran is critical to allow Iranians to engage with the international community, put pressure on the Iranian government to comply with its international rights obligations, and allow international human rights bodies and mechanisms to monitor the rights situation in the country.

We hope you and your colleagues agree, and urge you to vote to support the mandate's renewal during the upcoming vote in Geneva.

Sincerely,

African Center for Human Rights and Democracy

African Democracy Forum

Amnesty International

Asian Forum for Human Rights and Development (FORUM-ASIA)

Asian Legal Resource Centre

Bahai International Community

Commonwealth Human Rights Initiative

Conectas Direitos Humanos

Cairo Institute for Human Rights Studies

East and Horn of Africa Human Rights Defenders Project

Egyptian Initiative for Personal Rights

Human Rights Watch

International Campaign for Human Rights in Iran

International Federation for Human Rights

International Service for Human Rights

Iranian League for the Defence of Human Rights

Partnership for Justice - Nigeria

Reporters without Borders

United4Iran

West African Human Rights Defenders Network