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Iran: Parliament ignores concerns of independent civil society organisations over draft bill

Nobel Peace Laureate Shirin Ebadi and nine human and labour rights organizations today expressed dismay at parliamentary proceedings in Iran which look set to pass into law a bill which appears intended to wipe out independent civil society in the country, in violation of international standards on freedom of association and assembly, which Iran is obliged to uphold.

The nine - a mix of international and Iranian organizations - Amnesty International, Arseh Sevom, Education International (EI), Hivos, Human Rights Watch, the International Federation for Human Rights (FIDH) and the World Organisation Against Torture (OMCT), in the framework of their joint programme, the Observatory for the Protection of Human Rights Defenders, FIDH's affiliate the Iranian League for the Defence of Human Rights, and the International Campaign for Human Rights in Iran – along with Shirin Ebadi called on members of Iran's parliament to reject the draft law.

The Bill on the Establishment and Supervision of NGOs is undergoing a final reading in the Islamic Consultative Assembly, Iran's parliament. Despite vigorous opposition from civil society organizations in the country, which would significantly be affected by the law, key provisions which will severely limit the independence of civil society organizations have already been passed by the parliament.

Civil society organizations affected by the law range from human rights, environmental and women's organizations, through charities and organizations for the disabled, to employers' and professional associations such as Teachers' Associations. Political parties, trade unions and the Bar Association are regulated by different laws in Iran.

“Despite the fact that Article 26 of the Iranian Constitution permits the formation of associations, we have already seen how the heavy hand of the authorities has cracked down on NGOs engaged in human rights work and capacity building,” said Shirin Ebadi. “For example, the office of the Centre for Human Rights Defenders, which I co-founded, was shut down illegally, with impunity, in 2008 and remains closed. Now the authorities are seeking to ensure that no organization exists which can challenge their view of society in any way – including by prohibiting scrutiny of the conduct, and misconduct, of government officials”.

Among the articles of the draft bill passed in recent days is Article 6, which provides for the formation of a Supreme Committee Supervising NGO Activities, a body with no accountability to the public. This is to be chaired by the Interior Ministry and will include representatives from the Intelligence Ministry, the police, the Basij, the Revolutionary Guards Corps, and the Foreign Ministry, among others, but will have only one member representing NGOs’ interests. The committee will be empowered to issue and revoke registration permits for all NGOs, and have ultimate authority over their boards of directors.

Despite opposition from some MPs, Article 12 (d) of the draft law was also passed; this requires that demonstrations must be “non-political” and will only be permitted if authorised by the Supreme Committee. As recent history shows, the Iranian authorities do not grant permission for demonstrations that are critical of official policies. Another article that would have provided for government assistance to NGOs was not passed.

The nine organizations and Shirin Ebadi expressed particular concern about two notes to Article 12 that have been approved by Parliament. These prohibit all contact with international organizations without prior permission, including membership in international organizations, participating in training sessions or meetings abroad, signing contracts or memoranda of understanding and receiving funds or other aid from international organizations. Some MPs had also called for these notes to be removed.

“The requirement that official permission be obtained for any international contacts will undermine the right of professional associations such as the Teachers’ Trade Association to join international bodies such as ours,” said Fred van Leeuwen of Education International.

“Teachers have already faced harassment for attending EI conferences outside Iran and the Interior Ministry has sought to ban their associations. This law will enable the Interior Ministry to interfere in the internal affairs, representation and professional matters, as well as international relations of associations, and will place teachers’ representatives at even greater risk of harassment and prosecution.”

Article 43 of the proposed law, if approved, will also require all current NGOs and associations to reapply for official registration within six months or face becoming illegal. Under current Iranian law, the courts have the authority to decide whether a registered organization should be closed down.

The provisions of the proposed law run counter both to Articles 26 and 27 of the Iranian Constitution and violate the internationally recognized rights to freedom of association and peaceful assembly set out in Articles 21 and 22 of the International Covenant on Civil and Political Rights (ICCPR). If approved, the new law will seriously threaten and curtail the activities of human rights defenders and other civil society activists in Iran, including

women' rights defenders such as those engaged in the One Million Signatures campaign (also known as the Campaign for Equality) of which Shirin Ebadi was the first signatory. Many women's rights activists have already faced arrest for collecting signatures for the petition demanding an end to legal discrimination against women or while holding peaceful demonstrations and some have received prison terms.

"Women's organizations and women's rights activists in Iran have been at the forefront of civil society in the country," said Shirin Ebadi. "I am seriously concerned that this law will prevent them from continuing to carry out their important work of promoting and protecting the rights of women in Iran and from benefiting from international solidarity."

Across the world, states have recognized the vital role that independent civil society organizations play in the advancement of universal human rights standards, in ensuring protection for the environment, in promoting fair labour standards and in providing a much needed check on abuses of government power.

"Through this law, the Iranian authorities are seeking to isolate Iranian activists from the world at a time when they and the rest of the world are reaching out to each other," said the nine organizations. "Civil society is not a threat, but a resource. Iranians do not want to be muzzled in this way, but rather wish to reach out to the global community and to share their experiences with others, in the hope that the world will become a better place for us all".

In solidarity with the civil society groups in Iran who oppose this law, Shirin Ebadi and the nine organizations urge the Iranian authorities to scrap this bill, which fails to conform to Iran's obligations under international human rights law regarding freedom of assembly and association, and will severely restrict access by NGOs in Iran to direct support from international organizations.

The Iranian parliament should fully respect human rights, including the rights and freedoms of human rights defenders protected under the UN Declaration of Human Rights Defenders, and desist from passing this bill in its current form into a law.

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