



General Assembly

Distr.: General
23 February 2017

English only

Human Rights Council

Thirty-fourth session

Agenda item 4

Human rights situations that require the Council's attention

Joint written statement* submitted by the International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD), Arab Organization for Human Rights, non-governmental organizations in special consultative status, International Educational Development, Inc., World Peace Council, non-governmental organizations on the roster

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

[14 February 2017]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).



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Iran: Sectarian mastermind of the Middle East*

The human rights record of the Islamic Republic of Iran is repeatedly criticized for abuses committed throughout the country and beyond its borders. The widespread persecution of ethnic minorities and non-Shiites in the neighbouring countries is at very disturbing scale. The systematic violation of women's rights, torture and other cruel, inhuman and degrading treatment and punishment, death penalty, forced displacement, limitations to freedom of expression, association and assembly, lack of accountability and rule of law are alarming.

Iran is also well known for its sectarian agenda and foreign policy of militarism in the region. Under the pretext of the fight against terrorism, Iran implements the strategy of exporting Ayatollah Khomeini's "Islamic revolution". The Iranian armed forces conduct military attacks and provide indirect support to terrorise non-Shiite communities in the neighbouring countries, funding terrorist organizations throughout the Middle East with the aim to acquire control of strategic areas. The financed military groups such as the Popular Mobilization Front in Iraq, militias in Lebanon as well as in the Syrian Arab Republic and the Houthis in Yemen commit serious crimes against the civilian population. Iran's regional influence and transgressions have grown exponentially over the recent years.

The decade of negotiations concerning Iran's nuclear policy and the recent lifting of sanctions failed to address human rights issues. The unfreeze of Iran assets may result in more destabilizing actions in the region on the false pretext of aiding and rescuing persecuted Shiite minorities, particularly in Yemen, Syria, Lebanon, Bahrain and even Nigeria. It is regrettable that the international community has ignored such record of violations and solely focused on the nuclear program that would have posed a threat to the West and their ally, Israel.

IRAN'S INTERFERENCE IN THE REGION

Besides discrimination against ethnic minorities within its territory, Iran continues targeted foreign policy against non-Shia communities through military interventions. Iran officially formed the United Shia Liberation Army to be deployed in the war-torn Arab countries with the aim to eliminate the Islamic State of Iraq and the Levant. However, this military unit was named the Shia Army for a reason: it is led by the Iranian Shia with the aim to further Iran's strategic objective of "Islamic revolution".

Iran deliberately targets populated areas in serious violation of international humanitarian law. Currently, Iran is fighting on various fronts in Iraq, Syria and Yemen. It is well-known that Iran is participating in the fighting in Syria, training and arming militias in Iraq and supporting Houthi fighters in Yemen. The Iranian artillery bombardment, cross-border shelling, shootings and other military operations result in numerous civilian casualties in Iraq. The Iranian military claim to target "terrorists" and that the attacks are against the Iranian Kurdish armed group Party for Free Life of Kurdistan. However, women and children are among the many killed and injured.

WIDESPREAD AND SYSTEMATIC HUMAN RIGHTS VIOLATIONS

Death penalty

Iran systematically ranks among the top executioner countries across the globe. In 2015, Iran was accounted for 82% of all recorded executions in the Middle East.¹ The majority were executed for drug charges (which does not meet the threshold of the most serious crimes under international law) as well as murder or vague security charges. Among those executed in Iran are members of ethnic and religious minorities convicted of "enmity against God" and "corruption on earth" including Kurdish political prisoners and Sunni Arabs. In many cases, the death sentences are imposed following

¹ Joint alternative report by civil society organizations on the implementation of the Convention on the Rights of the Child by the Islamic Republic of Iran, Rights Of The Child In Iran, 2015.

grossly unfair trials. Iran continues to disregard the prohibition against the execution of juvenile offenders in a clear breach of international law.

Torture and other cruel, inhuman and degrading treatment and punishment

In Iran, torture and ill-treatment of detainees and prisoners with the aim to obtain confession is a regular practice. Prisoners suffer from prolonged solitary confinement, overcrowded and insanitary conditions with inadequate food and exposure to extreme temperatures. Different forms of cruel and degrading punishment are decided by courts and executed in public: within the framework of the so-called “retribution-in-kind” (qesas) these punishments include flogging, blinding and amputation. For instance, the Deputy Prosecutor General in Shiraz announced that 480 out of 500 arrestees were tried and convicted within 24 hours for publicly breaking their fast during Ramadan and received flogging sentence in June 2015. The Iranian Civil Code’s minimum age of criminal responsibility for boys is 15 years and for girls is 9 years which is incompliant with special protections afforded to children under the UN Convention on the Rights of the Child that Iran is party to.

Persecution of religious and ethnic minorities

The groups targeted include the Hazaras, Pashtuns, Balochs, Azeris, Baha’is, ethnic Arabs and non-Shiites of the neighbouring countries. They face different human right violations, from forced displacement to mass killing, including denial of the right to education and to access to healthcare. Furthermore, every attempt at protesting by peacefully denouncing these violations has resulted in people injured or killed.

Women’s rights

Women in Iran are subject to discrimination in law and in practice. Women and girls are not adequately protected against sexual and other violence, harassment and imprisonment for lack of compulsory “veiling” (hijab), as well as early and forced marriage. Iranian Parliament reviewed several draft laws that will worsen the situation when enacted. For example, the Bill to Increase Fertility Rates and Prevent Population Decline will negatively affect sexual and reproductive health rights by blocking information on contraception and voluntary sterilisation. A Draft Comprehensive Population and Exaltation of Family Bill will further strengthen the policy of domestic violence as a private “family matter” including marital rape.

Forced displacement

Despite being a signatory of the 1966 International Covenant on Civil and Political Rights, Iran has for years used forced displacement as another tool to achieve their “ethnic restructuring programme”. This program is implemented in different ways among ethnic lines, including the confiscation of lands, diversion of rivers and “pre-fabricated natural disasters”. The river flows are diverted from the furthest provinces to the more central areas of Isfahan, Yazd and Kerman for irrigation purposes. Ethnic Arabs faced terrible drought with scarce or highly-polluted water, crop failures and resulted in serious waves of internal displacement. Arab-inhabited villages in fertile areas were demolished and their population subjected to forced displacement and soon after replaced with ethnic Persian farmers. Pre-fabricated natural disasters included the orchestrated regular floods over Arab villages due to the government’s constructed river dams, also known as “Arab killer dams”. The authorities would then classify the areas as “flood prone” and force the inhabitants to move elsewhere. Much of this land is then turned into large sugar cane plantations that place a heavy toll on the local water reservoirs. Another way of achieving displacement at the hands of the Iranian authorities is the confiscation of lands under the pretext of conservation zone to be protected, particularly in the al-Ahwaz province.

Limitations on freedom of expression, association and assembly

The authorities continued to severely restrict freedom of expression, association and assembly. They blocked Facebook, Twitter and other social media websites, closed or suspended media outlets including the Zanan monthly women’s magazine, jammed foreign satellite television stations, arrested and imprisoned journalists and other critics, and suppressed peaceful protests. In August 2016, the Ministry of Communications and Information Technology announced

the second phase of “intelligent filtering” of websites deemed to have socially harmful consequences, with the support of a foreign company. The authorities continued efforts to create a “national internet” that could be used to further impede access to information via the internet, and arrested and prosecuted those who used social media to express dissent. In June 2016, a spokesperson for the judiciary said the authorities had arrested 5 persons for “anti-revolutionary” activities using social media, and 5 more persons for “acts against decency in cyber-space”. The opposition leaders Mir Hossein Mousavi, Zahra Rahnavard and Mehdi Karoubi remained under house arrest without charge or trial. Scores of prisoners of conscience continued to be detained or were serving prison sentences for peacefully exercising their human rights. They included journalists, artists, writers, lawyers, trade unionists, students, women’s and minority rights activists, human rights defenders and others.

RECOMMENDATIONS:

We, NGOs signatories to this statement recommend the UN Human Rights Council, the Treaty-based mechanisms and the Special Procedures:

- to demand from Iran to stop the military engagement in the region as its interference contributes to sectarian tensions, worsens the human rights situation and further deteriorates the humanitarian crisis in the Middle East;
- to denounce widespread and systematic human rights violations and pressure Iran to allow country visits by the Special Mechanisms and to ensure the implementation of their recommendations;
- to advise Iran to bring the domestic legislation and policies into compliance with its international human rights commitments;
- to continue advocating for abolishment of the death penalty;
- pressure Iran not to fuel the conflicts in the region with its sectarian intervention.

*Geneva International Centre for Justice (GICJ), The Arab Lawyers Association- UK, The Brussels Tribunal, The Iraqi Commission for Human Rights (ICHR), Association of Humanitarian Lawyers (AHL), Association of Human Rights Defenders in Iraq (AHRD), General Federation of Iraqi Women (GFIW), Organisation for Justice & Democracy in Iraq (OJDI), Women Will Association (WWA), Alliance to Renew Co-operation among Humankind, The Iraqi Centre for Human Rights, The Perdana Global Peace Foundation, The International League of Iraqi Academics (ILIA), Women Solidarity for an Independent and Unified Iraq, Organization for Widows and Orphans (OWO), International Anti-Occupation Network (IAON), Kuala Lumpur Foundation to Criminalise War, Spanish Campaign against the Occupation and for Iraq Sovereignty- CEOSI, Arab Cause Solidarity Committee, Iraq Solidarity Association in Stockholm, NGO without consultative status, also share the views expressed in this statement.