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7 March 2013

To Permanent Representatives of Members of the UN Human Rights Council

Re: Renewal of the mandate of the Special Rapporteur on the situation of human rights in Iran

Your Excellency

On 21 or 22 March 2013, the United Nations Human Rights Council (HRC) will vote on the renewal of the mandate of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran. The situation has continued to deteriorate since the adoption of the last resolution by the Council in March 2012. Yet the government of Iran has refused to cooperate with the UN Special Rapporteur on Iran. It remains critical that the Human Rights Council affirm that the abuses in Iran should end and continue to mandate an in-depth monitoring of the situation in the country, in particular ahead of the presidential election scheduled for June 2013.

We therefore urge the Member States of the UN Human Rights Council to:

- Support the resolution renewing the mandate of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran;
- Strengthen the resolution of the Human Rights Council by condemning the patterns of systematic violations committed in Iran and the continued crackdown on dissenting voices and repeated failure to investigate both current and longstanding violations.

In his report to the 67th session of the UN General Assembly, the Special Rapporteur gave a glimpse of “the systematic issues that pose obstacles to the ability of Iran to comply with its international obligations.” The report documented cases of long periods of solitary confinement without charge or access to legal counsel, physical and psychological torture during interrogations such as sleep deprivation, mock hangings, electrocutions, rape, unfair trials, long-term internal exile and long-term activity and travel bans. The Special Rapporteur concluded that “these violations are products of legal incongruities, insufficient adherence to the rule of law, and the existence of widespread impunity.”

Despite being once more denied access to the country, the Special Rapporteur had the opportunity to follow 124 cases between February and June 2012. He conducted 99 interviews between February and June 2012, and 169 interviews between September and December 2012 with individuals located inside and outside the country¹. Despite asserting that it cooperates with the UN human rights mechanisms and standing invitation, Iran has continued to ignore the pending requests for visits by eight thematic Special Procedures. In 2012, Iran replied to only 8 out of 28 Special Procedure communications. Since the adoption of the previous resolution of the Human Rights Council, Special Rapporteurs of the Human Rights Council released 11 public statements denouncing abuses occurring in Iran.

Patterns of abuses in Iran range from severe restrictions on free speech and a continued crackdown on human rights defenders and activists to an extensive use of the death penalty, torture, amputations, and also violence and discrimination faced by women and minorities. Exercise of the rights to freedom of expression, association and to information are subjected to severe restrictions. The Computer Crimes Law *inter alia* compels Internet service providers to document and store the computer histories and personal details of their users, systematically block websites, slow internet speeds and jam of foreign satellite broadcasts.

In July 2012, an appeal court sentenced Mansoureh Behkish, blogger and supporter of the Mourning Mothers, to 3.5 years suspended, 6 months custodial of detention for propagating against the regime. In September 2012, authorities summoned journalist Jila Baniyaghoob to serve a one year prison sentence for “spreading propaganda against the system” and “insulting the president,” and banned her from journalism for 30 years. Dozens of journalists and bloggers are still detained in Iran’s prisons.

The death of blogger Sattar Beheshtin custody, allegedly under torture, in November 2012 sparked domestic and international outrage. A parliamentary committee announced in January that several arrests had been made in connection with Beheshti’s killing. The committee said investigations were ongoing but there are no signs that the case has been taken up by Iran’s courts. In October 2012 security forces arrested a blogger and outspoken critic of the government, Dr. Mehdi Khazali, for unknown reasons. Despite an apparent order by the presiding judge allowing Khazali to post bail, authorities have so far prevented his release. He has been on a hunger strike protesting his detention and is reported to be in ill health.

In February 2013, a group of UN independent human rights experts denounced the arrest of 17 journalists, the majority of whom work for independent news outlets in Iran, and the imprisonment of 40 other journalists. The group of experts warned that “ahead of the June 2013 elections, the recent arrests may serve to reinforce self-censorship and severely constrict freedom of opinion and expression at a key moment in Iran’s political development.”² Two former presidential candidates Mehdi Karroubi and Mir Hossein Mousavi, and his wife, Zahra Rahnavard, have remained under arbitrary house arrest since February 2011 even though no formal charges have been brought against them³.

Human rights activists continue to be persecuted by the regime. An appeal court sentenced human rights lawyer Abdolfattah Soltani in early June 2012 to 13 years in prison and barred him from practicing law for 10 years for establishing the Center for Human Rights Defenders (CHRD), co-founded with Nobel peace laureate Shirin Ebadi⁴. In April, an appeals court informed defence lawyer Mohammad Ali Dadkhah that it had upheld his nine-year sentence on charges related to his interviews with foreign media and membership of the CHRD. He was barred from practice and teaching for 10 years. Authorities have detained lawyer Nasrin Sotoudeh since her arrest in 2010, frequently held her in solitary confinement, and prevented her from regularly meeting or speaking with her family. An appeal court sentenced her to six years’ imprisonment and a 10-year ban on lawyering. Other rights defenders in prison include defence lawyer Mohammad Seifzadeh, another CHRD founder who is currently serving two years and was sentenced to six more years, and Mohammad Sadiq Kaboudvand, the president of the Human Rights Organization of Kurdistan, who is serving an 11-year sentence.

Iran’s use of the death penalty remains a serious concern. According to Amnesty International, the authorities carried out more than 600 executions in 2011 and more than 500 in 2012 – many of them not officially announced by the government. The number of executions by public hangings has also increased dramatically. According to the Office of the High Commissioner for Human Rights, 55 public hangings took place in 2012⁵. The authorities have carried out public hangings in major metropolitan squares as well as sports stadiums. Crimes punishable by death include – along with murder, rape, and espionage, – repeat conviction for alcohol consumption, adultery, sodomy, and drug trafficking and possession, as well as economic and security offences.

Iran leads the world in the execution of juvenile offenders. Iranian law allows capital punishment for persons who have reached puberty, defined as 9 for girls and 15 for boys. According to Human Rights Watch, in late 2012, there were more than 100 juvenile offenders on death row. The Special Rapporteur flagged the case of two men sentenced to death in June 2012 for consuming alcohol for the third time.

The judiciary in 2012 ordered and implemented an increasing number of cruel and inhuman punishments, such as limb amputations, in many cases amounting to torture. Many of these sentences were carried out in public and the authorities extensively publicised them, including by circulation of pictures of the amputation act, legitimising the use of cruel, inhumane and degrading punishments before the Iranian public. On November 13, 2012, four fingers of two individuals convicted of theft were amputated in public in Yazd province⁶. More recently, on January 24, 2013, authorities amputated fingers of a 29-year-old convict in the city of Shiraz⁷.

Iranian women continue to face legalised discrimination in the Constitution, penal code, as well as the civil code, personal status matters related to marriage, divorce, inheritance, and child custody. Several universities banned female enrolment in several academic fields.

Dissident Shi'a clerics and Shi'a-born adherents to informal associations and Muslim minorities, including Sunnis, face discrimination in political participation and employment. The authorities deny freedom of religion to adherents of the Baha'i faith, Iran's largest non-Muslim religious minority, and regularly target Sufis and members of Iran's home church movement. The government has restricted cultural and political activities among the country's Azerbaijani, Turkic-speaking, Kurdish, Arab, and Baluch minorities. Security forces detained, tortured, and executed dozens of Iranian Arab activists in south-western Khuzestan province since 2011; several Baluch were executed in January and February and Kurdish political prisoners were on death row.

The HRC country mandate has made Iranians both inside and outside the country more aware of human rights standards and facilitated their engagement with the international community. Victims and activists have told human rights groups that they see the office of the Special Rapporteur as an objective, 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 fulfils an important, unique and independent role exposing human rights violations in Iran. As human rights violations in Iran relate to broad and diverse categories of human rights, the mandate of the Special Rapporteur ensures that the full range of such abuses are documented and the government of Iran made accountable for them. The role of the Special Rapporteur will be even more crucial in bringing particular attention to the human rights dimension in the lead up to the June 2013 elections.

Extending the Special Rapporteur mandate will send an important message to the Iranian authorities that violations should stop and urge them to comply with their international obligations, to restore the dialogue with the international community and to genuinely cooperate with international human rights mechanisms.

The Human Rights Council should also adopt a resolution which condemns the patterns of systematic violations committed in Iran and reflects the concerns expressed by the General Assembly, as well as the conclusions of the reports of the United Nations Secretary-General and of the Special Rapporteur on the situation of Human Rights in Iran.

For these reasons, we urge your delegation to support the adoption of the resolution and the renewal of the mandate of the Special Rapporteur in Iran during the upcoming session of the Human Rights Council in Geneva.

Sincerely

- Amnesty International
- Asian Forum for Human Rights and Development (FORUM-ASIA)
- Cairo Institute for Human Rights Studies (CIHRS)
- CIVICUS World Alliance for Citizen Participation
- Commonwealth Human Rights Initiative (CHRI)
- Conectas Direitos Humanos
- East and Horn of African Human Rights Defenders project (EHAHRDP)
- Egyptian Initiative for Personal Rights (EIPR)
- Freedom From Torture
- Human Rights Watch
- International Campaign for Human Rights in Iran
- International Federation for Human Rights (FIDH International Federation for Human Rights (FIDH)
- International Service for Human Rights (ISHR)
- International InhfjdhfjdhinWorld Organisation Against TortureUnited 4 Iran
- West African Human Rights Defenders Network (WAHRDN)
- World Organization Against Torture (OMCT)

END NOTES

¹ Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, September 13th, 2012. Available at: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N12/508/13/PDF/N1250813.pdf?OpenElement>

² UN experts call on Iran to stop journalist arrests and release those detained. February 5th, 2013. Available at : <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12967&LangID=E>

³ Opinions adopted by the Working Group on Arbitrary Detention at its sixty-fourth session, 27–31 August 2012 - No. 30/2012 (Islamic Republic of Iran), <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G12/183/28/PDF/G1218328.pdf?OpenElement>

⁴ Among other cases, an appeal court sentenced human rights lawyer Abdolfattah Soltani in early June 2012 to 13 years in prison and barred him from practicing law for 10 years for establishing the Center for Human Rights Defenders (CHRD), co-founded with Nobel peace laureate Shirin Ebadi" <http://www.fidh.org/IRAN-United-Nations-Working-Group-12849>

⁵ UN human rights office condemns execution of Iranian juvenile, January 22, 2013. Available at: <http://www.un.org/apps/news/story.asp?NewsID=43980&#.USuRU47nsoR>

⁶ Four Fingers of Two Individuals Convicted of Theft Amputated in Public in Iran, November 16, 2012. Available at: http://www.iranhumanrights.org/2012/11/amputation_yazd/

⁷ Amputation Machine, February 7, 2013. Available at: http://www.iranhumanrights.org/2013/02/photo_3/; and original link for the picture of the amputation machine on the semi-official Iranian news website (ISNA) as follows: <http://fars.isna.ir/Default.aspx?NSID=5&SSLID=46&NID=23776>