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- **Published by:** The Organization for Defending Victims of Violence (ODVV)
- **ODVV Director:** Siavash Rahpeik
- **Complied by:** Farzaneh Mostofifar
- **Advisory Board in this issue:** Haroot Azarian, Dr.Mahmoud Reza Golshan Pazhooh, Majid Feizikhah, Hamideh Aboutorabi , Leila Enayati
- **Design:** Mohammad Taheri

The articles and papers published in the Defender,s Newsletter do not necessarily reflect the views of the ODVV.

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Editor's Note

Achieving a satisfactory level of human rights in the world is one of the most important wishes of human rights defenders, and endless efforts have been made towards this aim. The point that is contemplating is that universal solutions for the improvement and promotion of human rights, since in some instances it has been selective and also influenced by politics, the way for the presentation of justification has been open for human rights violators. As one of the most important international mechanisms for the promotion of human rights, the Universal Periodic Review has placed interactive dialogue and cooperation in its top objective and tries to stay clear of political influences.

Iran's first round of the UPR took place in 2010, and received 189 recommendations on various subjects. The second round of the UPR on Iran is currently under way, and Iran is reviewing the 291 recommendations to accept them or reject them. The UPR on Iran gave us a good opportunity in order to dedicate this issue of Defenders as a special issue on this subject. The subject of the second round of the UPR, comparison of the first round with the second round, a statistical look at the given recommendations to Iran in the second round are some of the subjects that in articles and notes our researchers have tried to analyse.

Also since parts of the first round recommendations were to do on subjects such as minorities, refugees, women and etc. through short research articles to be in the level of presenting in this issue of Defenders, it has been attempted to help human rights issues with a balanced look. Since NGOs have an active role in the UPR process, in this issue we had a glance at summary of the reports of some of the NGOs who submitted reports to the second round of the UPR on Iran.

In the years following the first round of the UPR, the ODVV has conducted numerous activities towards recommendations accepted by Iran, which are presented as reports in this issue. In spite of this issue of Defenders being a special issue on the UPR mechanism, but its coincidence with extremists violence which has resulted in Islamophobia in the world, and the letter of the Supreme Leader of the Islamic Republic of Iran addressed to western youths is also published in full in this issue.

With the hope for the day that such activities as these result in the reduction of violence in the world and the promotion of human rights.

Editorial

Introduction

In 2007, the Human Rights Council which had replaced the Commission on Human Rights a year ago, approved a comprehensive process for the review of the human rights situation of all UN member states, called the Universal Periodic Review. According to this procedure, all member states had to provide answers for the human rights situation in their countries every four years, to three monitoring groups, i.e. other states, UN bodies and also civil society institutions. These governments would receive recommendations for the improvement of their human rights.

Following the end of the first round of the UPR by 2012, all UN member states (192 at the time) an overall review took place of this procedure, and on that basis it was decided that the reviews should

take place more calmly and accurate than the first round. That is why the number of countries under review in each working group's session was reduced from 16 to 14, and the review sessions time was increased from 3 to four hours. On this basis unlike the first round of the UPR where countries were reviewed once every four years, now they would have to wait four and a half years.

As a supporter of the UPR process, the government of the Islamic Republic of Iran played a key role in all sessions and believing the necessity for universal review and not selective review of human rights, showed good cooperation with the Human Rights Council. On this basis the first round of the UPR on Iran's human rights situation took place in 2010 at the Human Rights Council. It must be said that one of the reasons for

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Golshanpazhooh
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of directors

A Review of the Second UPR Report on Iran

October 2014



the UPR being comprehensive is the vast expanse of human rights discussions that take place in the session. On this basis one report is published by the government under review on the strong points and improvements and also existing problems in the way of the promotion of human rights internally, one report from treaty, developmental and protection bodies of the UN on human rights, which indicate the actions and positions of the country under review against UN treaties and bodies, and ultimately a report from NGOs and civil society institutions from all over the world, which in a way is indicative of the image of the country under review on public consensus; these reports are reviewed and assessed by states in the UPR session.

The Second Report on Iran

In the 2010 session on Iran, ultimately 188 complementing and encouraging or criticising were given to Iran, and the Iranian delegation accepted 126 of the recommendations, reviewed and studied 16 recommendations and rejected 46. October 2014 was the time for the second report on Iran. On the basis of the Human Rights Council regulations, this report concentrated on the 126 commitments that Iran had accepted in the previous session. On this basis another three reports from the government, UN bodies and civil society institutions were submitted and readily made available to all member states.

In its national report, the Islamic Republic of Iran had tried to determine its country human rights improvements between February 2010 and October 2014, and to clarify some existing ambiguities in understanding of human rights policies and also relevant religious laws. In the UN High Commissioner for Human Rights report regarding the human rights situation in Iran against UN treaties and monitoring and support bodies, it tried to while pointing out human rights treaties that Iran was not state party to, to review the Islamic Republic's reporting to treaty bodies to which it is state party to. In the last report, meaning the report

prepared from a collective of information submitted by civil society institutions from around the world, in total 49 NGOs stated their views on the human rights situation in Iran, 23 of which submitted their reports to the UNHCHR from inside Iran. Although in this report, the points that Iranian NGOs had made mostly in the dynamicity of society and their balanced recommendation to the government for the improvement of human rights situation of the country, they were much less than other NGOs reports. There were 19 quotations from Amnesty International, 13 mentions of the Centre for Human Rights Documents on Iran, 10 from Human Rights Watch and 7 from Bahai International, compared to one quotation from each of the domestic Iranian NGOs reports. These indicated that a fair and balanced approach was unfortunately not in the UNHCHR report.

Points on the Review of the Iran Report Session

- The atmosphere of the session was much calmer and balanced in comparison to the 2010 session. Perhaps part of the reason was the more positive atmosphere that had come for the Islamic Republic with the coming into office of Dr. Rowhani and his actions as president and the other part the more balanced approach of the Iranian delegation.

- Since 104 countries had requested submission of statements in the Iran session, a 65 seconds opportunity was given to each one. Using this opportunity, the said governments over a 2:40 hour period they mildly or strongly criticised and also welcomed Iran's human rights actions, and the Iranian delegation also in 80 minutes presented its human rights achievements and also answered some of the ambiguities raised by some countries.

- Three subjects of "high number of executions", "collective of recommendations regarding women" and claims regarding the "violation of minorities rights, within a group of religious minorities and even gender minorities" had the most number of



In its national report, the Islamic Republic of Iran had tried to determine its country human rights improvements between February 2010 and October 2014, and to clarify some existing ambiguities in understanding of human rights policies and also relevant religious laws.

criticising recommendation which includes from governments.

- At the end of the session a total of 291 recommendations were given to Iran. Iran has till the end of March 2015, and before the 28th Session of the Human Rights Council, to present its comments on the said recommendations to the Council; and accept some and reject some. From then till 2019 when the third round of the UPR on Iran is scheduled, the Islamic Republic must show its commitments towards accepted recommendations.

Conclusion

Continuation of positive measures for subjects and institutions to have



If we consider the human rights atmosphere of the country within this framework and all the said variables, the efforts of the government and nongovernmental institutions for the promotion of human rights situation in the country will become more visible and understandable

empty hands, and who only survive with increased Iranophobia, promotion and making more visible of the government's measures on minorities, citizen's rights and improvement of the economic, social and cultural conditions of society, the continuation of improvements in judicial process, and also showing correct, smart and creative measures for the international audience are some of the measures that can help Iran over the next four and a half years to prepare a strong report on the promotion of human rights situation in the country and submission of the report to the Human Rights Council.

It must not be forgotten that following the massive participation of the people in the presidential elections, the main concentration of the critics of the human

rights situation in Iran, on one hand want to show Dr Rowhani's government's failure in improving the human rights situation, and his human rights promises, and on the other hand showing the failure of overall legal, judicial and legislative systems in support of human rights. With certainty, NGOs and human rights activists know that the promotion of human rights is not a quick fix and extensive developments must take place calmly and gradually. On this basis many human rights activists and NGOs inside the country through various methods such as holding meetings with the legislators in Iran, transference of their own views to the diplomatic core of the country, raise society's awareness on their rights and human rights responsibilities, leave a calm and lasting effect on the Iranian society. Following the revolution, the Iranian society spent a major part of its capacity to overcome the negative effects of the 8 year war started by Saddam Hussein, and for years now it is struggling with the negative and anti human rights effects of sanctions that have been imposed on the pretext of Iranian nuclear activities. The geopolitical situation of Iran, has also caused the country to be faced with a number of regional neighbouring countries, most of which are cause for concern to the security of the country. The presence of Taliban in the past and now IS and their negative repercussions does not let the security concerns of the country to go away easily.

If we consider the human rights atmosphere of the country within this framework and all the said variables, the efforts of the government and nongovernmental institutions for the promotion of human rights situation in the country will become more visible and understandable.

This is the same approach that human rights activists in the country hope will be noted in the views of their international peers and useful.



A statistical look at Second Round of the UPR on Iran

The second round of the UPR on Iran took place in the 20th Session of the Human Rights Council on Friday 31 October 2014. In total 291 recommendations have been given to Iran. Below we shall take a statistical look to the subjects to which recommendations have been given.

The recommendations cover numerous areas. And each recommendation might include one or several points. But in a glancing look the dispersal level of the reference of those giving the recommendations has been as seen further on in this article. The aim of these statistics is to present a picture of the type and weight of each human rights demands of countries within these recommendations. In other words, one recommendation can include one or more cases from below. Furthermore it must be said that this classification has taken place by placing small cases in a general collective paragraph, and it is possible to have different statistical analysis on the basis of other categorizations too.

a) Protection of women's rights, elimination of inequalities, and improvement of women's conditions and creation of equal job opportunities and also recommendation of the right for an Iranian woman national to have her child be an Iranian national too, in the event of her marrying a foreign national: 52 instances.

b) Opposition to any form of capital punishment: 39 instances; the abolishment of the death penalty in general form: 24 instances; abolishment of the death penalty in specific terms for individuals under 18 or under 18 year old criminals: 12 instances; suspension of punishment by stoning: 3 instances.

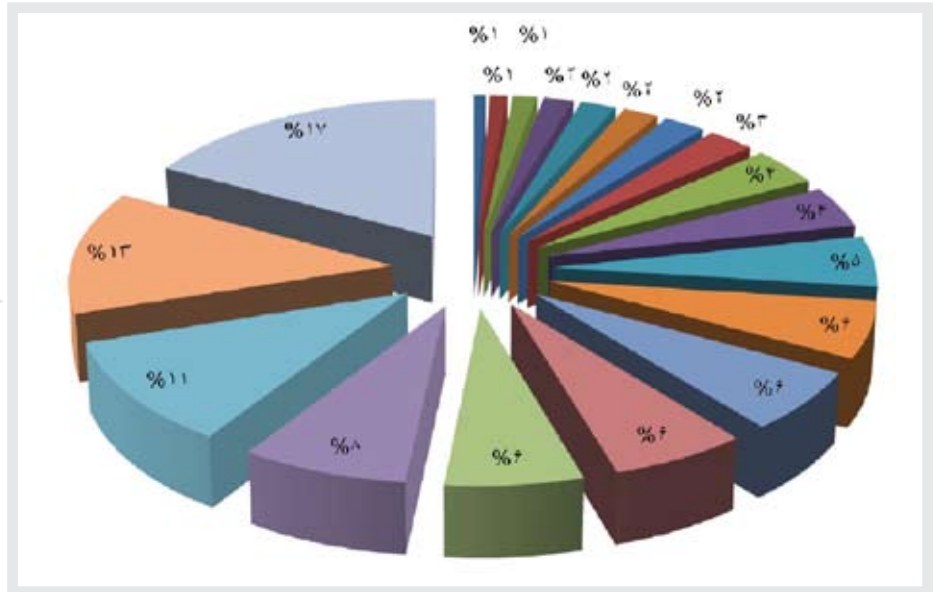
c) Economic, welfare and employment development: 26 instances

1. Rural development: 5 instances



The aim of these statistics is to present a picture of the type and weight of each human rights demands of countries within these recommendations. In other words, one recommendation can include one or more cases from below

- 1- Prohibition of marrying stepchildren
- 2- Access to the internet
- 3- Necessity to end house arrest cases
- 4- Prohibition of forced and premature marriages of children and juveniles
- 5- Observation of the rights of homosexuals and restraint from their execution
- 6- Migrants and refugees rights
- 7- Necessity to have access to a healthy judicial system and lawyer and protection of political prisoners and journalist prisoners and improvement of temporary detention centres' conditions
- 8- Necessity to have access to a healthy judicial system and lawyer and protection of political prisoners and journalist prisoners and improvement of temporary detention centres' conditions
- 9- Protection of journalists and the media
- 10- Provision of political freedoms such as assemblies, freedom of expression...
- 11- Attention to ethnicities and minorities and elimination of inequalities
- 12- Allowing UN Special Rapporteur on human rights access
- 13- Support for the expansion of human rights overall
- 14- Setting up of a "national human rights institution"
- 15- Prohibition of torture and physical punishment and joining the Convention Against Torture
- 16- Improvement of the religious minorities conditions overall
- 17- Economic, welfare and employment development
- 18- Opposition to any form of capital punishment: 39 instances; the abolishment of the death penalty in general form: 24 instances; abolishment of the death penalty in specific terms for individuals under 18 or under 18 year old criminals: 12 instances; suspension of punishment by stoning
- 19 - Protection of women's rights, elimination of inequalities, and improvement of women's conditions and creation of equal job opportunities and also recommendation of the right for an Iranian woman national to have her child be an Iranian national too, in the event of her marrying a foreign national



2. Eradication of poverty: 3 instances
3. Support for the disabled: 7 instances
4. Development of the health and treatment and insurance systems: 11 instances.
- d) Improvement of the religious minorities conditions overall: 23 instances
- e) Prohibition of torture and physical punishment and joining the Convention Against Torture: 19 instances
- f) Setting up of a "national human rights institution": 19 instances (most recommendations came from Africa and South Asia, and only Portugal from Europe)
- g) Support for the expansion of human rights overall: 19 instances
- h) Allowing UN Special Rapporteur on human rights access: 18 instances (mostly North American and European countries)
- i) Attention to ethnicities and minorities and elimination of inequalities: 10 instances
- j) Provision of political freedoms such as assemblies, freedom of expression...: 13 instances (Canada in its references, which has been documented, and indicates the use of a professional group in this regard, points out that these instances have also stated in the Constitution of the Islamic Republic of Iran)
- k) Protection of journalists and the media: 12 instances
- l) Necessity to have access to a healthy judicial system and lawyer and protection of political prisoners and journalist prisoners and improvement of temporary detention centres' conditions: 8 instances
- m) Protection of children's rights: 7 instances
- n) Migrants and refugees rights: 6 instances
- o) Observation of the rights of homosexuals and restraint from their execution: 6 instances
- p) Prohibition of forced and premature marriages of children and juveniles: 5 instances
- q) Necessity to end house arrest cases: 4 instances
- r) Access to the internet: 3 instances
- s) Prohibition of marrying stepchildren
- t) Call to join the following conventions: 12 instances:
 1. Convention on the Elimination of All Forms of Discrimination Against Women
 2. Convention against Torture
 3. Rome Statue of the ICC (which has been signed by Iran but the Parliament has not ratified it)
 4. Convention on the Rights of Migrant Workers.

The Role of the Human Rights Council in the Improvement of the Accountability of States towards Human Rights

By: Farzane Mostofi
Researcher of
International Relations

One of the main duties of international organizations today is the creation of an atmosphere of conciliation and cooperation among the actors and reducing tensions. Therefore international organizations must pursue avoidance of the politicization of international relations or in other words, reduce the dominance of tough policies (military-political) and strengthen soft policies (cultural, social and environmental).

To this aim, as the main international human rights organization, the Human Rights Council, has placed the increasing of states' accountability towards human rights issues in its working agenda via a universal mechanism.

To what extent have international

these mechanisms have played a role in prevention of global and regional crises resulted by human rights violations, but to what extent countries have cooperated with these mechanisms, is one of the instances that requires further review.

Another problem that prevents our question be answered with certainty is the issue that in nature failure and success are relative concepts, meaning that because international organizations are made up of a number of actors (mainly rivals), and each one have become members of the organization with a specific objective, therefore from their own aspects and based on achieving their own objectives, they look at it's failure or success. On the other hand, any theory and approach have different interpretations of international relations and players realities, and each are from their own principles and assumptions that originate from different ontology and epistemology and methodology, views the subject of cooperation of states on that basis and draws a different model to achieve it.

Another point that must be considered is that, today with the changes in the rules of the international order, we also witness the changes in the views of the powers and international organizations in all of this without a doubt are one of the most influential players which have ultimately caused a change in the type of game. In other words, governments have clearly understood that in the new century and the highlighting of subjects such as human rights, the environment,



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mechanisms by international organizations, have reached the target which is states' accountability towards human rights issues, have been successful is a question cannot be answered with certainty; because there is no way to prove with certainty some issues. We cannot count the number of human rights violations that international mechanisms and organizations have been able to prove, nor can we say with certainty that

drugs and international terrorism, are increasing issues related to supranational policy settings which do not corroborate with national governances and existing political unions; and their effective resolution requires international cooperation through international organizations.

A lot of theoretic efforts have been made in the organized and legal explanation on international relations cooperation, and the accountability of countries can be pursued as one of the cooperation parts in this process, but there is no general single theory with regards to international cooperation that is accepted by all international thinkers and policy setters. Each person is within the theoretic, world seeing, values, discourse and assumption and different views from the realities that society and

conclusive solutions for these issues. Human rights issues and countries relations are so complex that it cannot be understood with one theory and one school of thought, and to rely on that to solve problems. Our complex world requires a complex and comprehensive mentality, and this means the necessity to benefit from all ideas to understand international relations and the subject of the accountability of countries towards international human rights institutions. Therefore, it is better that instead of adopting a single solution to define the behaviour and accountability of countries towards human rights issues and international organizations that are custodians of these rights, to arrange different ideas. Competition between ideas, helps to show their weak and strong points, and will be a catalyst for their correction and evolvement. But we must have creativity in selecting and combining these ideas, and avoid the abandonment of one and selecting another.

Therefore it can be concluded that liberal ideologies and its sub divisions can alongside benefiting from realism ideologies can better function in the “accountability of countries towards international human rights institutions” issues.

The Human Rights Council and the UPR mechanism have placed principles such as universality, mutual coherency and dialogue among countries for the promotion of human rights, in its top agenda. At the same time one of the positive points of the new process compared to previous mechanisms is the glimmers of hope that is established among nations that continually are targeted by a coalition of countries solely on political purposes and not human rights ones. Although there are discrepancies in this method too, but in comparison with the former Commission on Human Rights, the procedure can be much fairer, because in this method, the



Therefore it can be concluded that liberal ideologies and its sub divisions can alongside benefiting from realism ideologies can better function in the “accountability of countries towards international human rights institutions” issues.

international relations have, view this issue.

Of course the findings of the author, there is a possibility of the liberalism school and its sub-divisions has a better cover in regards to the theory of increased accountability of countries in international circles. This subject is due to the optimistic view that the followers of this school of thought have. Nonetheless, the liberalism view cannot be seen as the inclusion of all realities of international relations. No single solution can fully determine the complexity of human rights in the foundation of today’s world of policies and communications, and present

documentation of human rights violation cases are brought to attention for all countries, even powerful ones.

There is no doubt that the lack of functionality and or the weakness of international organizations, particularly in the area of protection of human rights, in the attention of countries that failing to provide answers, weaken the said organizations, and miss the opportunities to grow and develop and they have tried to the maximum to prefer their own national interests against international communities' interests, by ignoring the international characteristics of these bodies.

In this regard it seems that the establishment of the Human Rights Council and mechanisms such as the UPR is a big step for confrontation with violation of human rights through making countries accountable, but it is not a definite solution.

In other words the thought that with the establishment of the Human Rights Council, human rights catastrophes will be stopped and countries are fully held to count, is not a complete thought. Of course a point that must not be forgotten such an improvement must not be deemed as less important, but by itself it will not result in the accountability of countries. A thematic study has been conducted on Israel and the United Kingdom, and clearly the complexity of issues relating to communications, cooperation and accountability with regards to the UPR mechanism is clearly visible.

In view of the conclusions of conducted researches, it seems to me that for the purpose of the promotion of human rights and increased accountability of countries towards human rights mechanisms, more than standardization and principle making, the international community needs to guarantee the implementation and making countries to be accountable towards observation of human rights principles. The serious and continued activity of the Council



towards reaching its objectives requires necessary condition and commitment of all countries towards human rights commitments and cooperation with the Council is necessary condition for the success of the Council and ultimately the international community, and this is how human rights principles will become more successful in the application process.

The author believes, the establishment of human rights protection mechanisms must overall be deemed as a positive step and hope that what is known as the Universal Periodic Review, be towards the accountability of countries to international organizations.

Therefore based on the findings of this research, the author reaches the conclusion that the existence of mechanisms such as the Universal Periodic Review within the Human Rights Council will increase the accountability of countries towards human rights violation cases to the Human Rights Council.



In its national report, the Islamic Republic of Iran had tried to determine its country human rights improvements between February 2010 and October 2014, and to clarify some existing ambiguities in understanding of human rights policies and also relevant religious laws.

A brief review of the summary of reports of a number of NGOs in the second round of the UPR on Iran

The UPR Brings an opportunity to NGOs so that they can Present Views regarding their activities in the form of Human Rights reports. below is a Brief narrativ of the reports of a Number of NGOs in the Second raund of the UPR on IRAN:

Armageddon Cultural Institute

This report studies the situation of religious minorities in Iran and the subject of dialogue among civilizations and religions. Through its researches this Institute has reached the conclusion that the subject of religious minorities in Iran is not an issue and only officially recognised religions such as Judaism, Zoroastrianism and Christianity have certain rights in Iran as religious minorities. The overall conclusion of this research is that despite all the efforts taken place in Iran, the social and civil participation of religious minorities has dropped in comparison with the past, and this is while the population of religious minorities has seen a growth. Also despite the initial recommendations given regarding dialogue among civilizations from Iran, due to a number of problems, within the organizational structure, this proposal has not been able to achieve the results that it should have.

. This report deals with the existing challenges and problems and ultimately recommendations for the removal of problems and also answering the recommendations from the first round of the UPR on Iran:

- Increasing educational, propaganda and cultural programmes of governmental, nongovernmental and people's manpower regarding religious minorities.

- Request from the Iranian government





Also in this report while highlighting legislative and executive improvements, the social factors situation: family damages, road traffic and economic fatalities, cultural, political and judicial challenges and how human rights can be taught in schools and universities were reviewed and in the end we gave some recommendations.

for the creation of further space for the activities of NGOs that work in the field specifically

- Creation of suitable organizational mechanism by the government in the governmental sector.
- Request from other governments to share their international experiences with this problem.
- Cooperation of international organizations and governments and NGOs for the removal of problems and challenges.

Dadandishan Pasargad Institute

This report is compiled by a group of jurists, economists and culture lovers of the Dadandishan of Pasargad Institute by using the eyewitness and library studies methods and based on the analysis of data. This report attempts to review the challenges and threats against the right to development, fair trial, civil, political and economic rights, all of which are part of the recommendations given to Iran in the first round of the UPR.

The first universal declaration of human rights which was issued by Cyrus the Great is a clear evidence of the shining human rights history of Iran. In the contemporary times too, Iran was a forerunner in joining international documents such as the International Covenant on Civil and Political Rights and also ratifying useful and constructive domestic laws, but with limited application however.

Also in this report while highlighting

legislative and executive improvements, the social factors situation: family damages, road traffic and economic fatalities, cultural, political and judicial challenges and how human rights can be taught in schools and universities were reviewed and in the end we gave some recommendations.

Some of the recommendations include: setting up of a citizen's rights supreme council; removal of some legal vacuums by legislating comprehensive laws in support of the socially harmed; reduction of dependency on oil and gas incomes, going forward with development in things like renewable energies, appointment of a special rapporteur to review the anti human rights effects of international sanctions on human rights.

Javdan Cultural House

This report reviews the situation of the protection of visible and invisible cultural heritage in Iran, and the cultural rights of Iranian ethnic groups. Our reviews and studies on the situation of the protection of historical relics and monuments and Iranian macro-cultures by governmental and nongovernmental custodian organizations in Iran over the last few years, particularly 2010 to-date. But due to the abundance of historical and cultural treasures and the dominant social and economic conditions in the country, there is further need for protective and repair activities.

This report deals with the extensive

welcome and cooperation of Iranian ethnic groups and NGOs and some governmental organizations in identifying, introducing and protecting of the visible and invisible cultural heritage of the country and at the end some recommendations are given for further accessing of all Iranian ethnic groups to cultural rights regarding cultural heritage and move in the direction of the realisation of the recommendations from the first round of the UPR.

Some of the recommendations are:

- a) Increasing public education on the promotion of the people's recognition of the ethnic historical and cultural heritage and their protection
- b) Setting up a body to coordinate between NGOs and GOs for the protection of the cultural heritage of the



This report deals with the participation of NGOs in the eradication of the poverty and unemployment problems, and scientific and educational promotion and economic and social empowerment of women.

country.

- c) Further encouragement of ethnic groups to observe their traditional customs and promote these customs.

International Association of Justice Watch

This report reviews the subject of development in the Islamic Republic of Iran. Since the end of the Iraq-Iran Enforced war, the Iranian government has implemented 4 five year development plans. In continuing its efforts on the path to reaching development, from 2010 Iran implemented a developmental economic plan, the removal of subsidies programme and implementation of the Mehr Housing Projects, and action towards eradication of poverty, and the MDG. Meanwhile the negative effects of economic sanctions imposed on Iran have caused problems in the income

environment of the people, where as well as economic pressures, the imports of drugs and medicines have also been greatly affected. These sanctions have also slowed down the development process in Iran.

Another part of this report reviews the human rights education situation in Iran. In continuation of its efforts on the path of reaching development, from 2010 by increasing the capacity of human rights and humanitarian law education, and holding of workshops and technical education courses, the Islamic Republic of Iran has taken positive steps towards education and expansion of human rights. Meanwhile not enough attention towards the quality of education and some structural problems, have slowed down satisfactory accomplishment.

On this basis some of the recommendations are as follows:

- a) To make transparency in economic processes, the Iranian government must set banking and financial policies and adopt them so that the hidden hands are cut off from the economy.

- b) More than anything, the economic sanctions against Iran have affected the people more than the government, in such way that in some instances fundamental human rights principles have been violated. Because imposing economic sanctions without consideration of their repercussions such as the effects of the cutting of the import of medicines to the country under sanction, is in fact a blatant violation of human rights. On this basis, international organizations must review and reconsider the sanctions.

- c) Reduction of the government's interference in the economy and amendment of the tax system towards the realisation objectives such as the fight against money laundering and the removal of the invisible hands from the economy.

- d) The preparation of mechanisms needed for human rights education in

universities and their expansion through holding education workshops, and international courses.

e) Holding of human rights education courses for judges and the police, and also launching of a police human rights deputy, and a human rights advisory unit in law enforcement and judicial centres.

Comprehensive Nongovernmental Centre for Empowerment, of Women and the Family

This report from the Comprehensive Nongovernmental Centre for Empowerment of Women and the Family reviews the social and economic participation and employment and job creation for women in Iran. Based on its researches, our Association occluded that although the Islamic Republic of Iran in the past years, 2010 onwards in particular, made full efforts towards women's employment, nevertheless the subject of women's economic and social participation is a debatable subject which requires further study.

This report deals with the participation of NGOs in the eradication of the poverty and unemployment problems, and scientific and educational promotion and economic and social empowerment of women. In the end of this report some recommendations for Iran's move in the direction of eradication of poverty and also providing answers to the recommendations given in the first round of the UPR on the country.

Some of the recommendations are as follows:

- Raising awareness and knowledge of state bodies (legislative, executive and judicial) towards the empowerment of women
- Interaction and the use of the experiences of international organizations and nongovernmental organizations of other countries.
- Training of government workers and also public opinion for better understanding of women's economic and social participation.

Prevention Association of Social Harms

Executive Summary:

The right to health is a human right which has been recognised in the statute of the World Health Organization. According to article 12 of the International Covenant on Economic, Social and Cultural Rights: The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health. And paragraph 2c of the same article states: The prevention, treatment and control of epidemic, endemic, occupational and other diseases.

This report reviews the negative effects of economic sanctions on Iran



in the treatment of people infected with HIV/AIDS, which have directly targeted the health of the citizens of the country, Because of Iran and Iranian banks being in the list of sanctions and therefore the inability to transfer funds through the banking system, international drugs manufacturers refrain from dealing with Iranian buyers, and in view of the efforts of nongovernmental organizations and the cooperation of governmental organizations for education and prevention and treatment of HIV/AIDS, the import of drugs for this disease has been disrupted over the last four years, and the patients are put in danger, and

the conditions are even getting worse. Although Iran tries to plan towards the realization of the sixth MDG in fighting this disease, but imposed sanctions are preventing the realisation of these plans, but the imposed sanctions are an obstacle in their realisation. This Institute recommends the following:

- Separation of human issues particularly the right to medical treatment from diplomatic and political issues.

- Appointment of a Special Rapporteur to investigate the human damages caused by economic sanctions imposed by others.

- Creation of cooperation conditions with international financial institutions by exempting the sales of drugs to Iranians from the sanctions and easing of the transfer of money

- Reconsideration of the sanctions by the international community.

RahbordPeymayesh Institute

This report reviews the cultural and social factors related to the participation levels of women in family and outside



family (social, political, economic and cultural) issues. Believing that achieving sustainable development is not possible without the participation of women in all levels (including family, economic and social) is not possible, and stressing that unfortunately in many

development plans the fundamental and determining role of women is not taken very seriously, and this causes failure in many development programmes and projects particularly the rural regions, the RahbordPeymayesh Institute has conducted studies in this regard which shows social and cultural factors, and the varied expectations of society from men and women, have created important obstacles in the way of women's participation (particularly women heads of household who as well as playing the role of the mother they must also play the role of the father for their children).

The research findings of this Institute regarding the subject, indicates that approximately 21 percent of women have low participation in family and outside family (society) matters, and against that approximately 25 percent have a high participation and 53 percent average participation. The results show that the economic and social foothold of women are some of the key variables that can noticeably affect their participation levels in two "participation behaviour and economic behaviour" dimensions. In other words with the increase in women's economic and social foothold, their participation increasingly goes higher.

Ultimately this Institute presents recommendations for Iran to take steps to remove the existing obstacles and provide answers to the first round of the UPR of the country. Some are as follows:

- Avoid concentrationism and the belief men are only pertinent in development planning.

- Strengthening self confidence, self expression and self reliance for blooming women's hidden talents and creativity.

- Raising knowledge and views of women and presentation of cultural services to them.

- Expansion and strengthening of women's organizations (particularly

in the form of cooperatives and associations)

- Capacity building of women alongside men.
- Fight against women's cultural and social poverty.
- Attention to education and planning for women through holding job creation and skills education workshops.
- Creation of necessary facilities for women's participation in all management levels by the authorities.
- Drawing the cooperation and participation of men in domestic matters.

Friends of Successful Families Association

This report respectfully is a review of the status of women and girls in Iran by the Friends of Successful Families Association. According to our researches we have concluded that although the Islamic Republic of Iran in the past years, particularly 2010 onwards, made all sided attempts to promote the status and character of women, and strengthening the family, nevertheless the subject of the promotion of the status of women is a debatable subject which requires further attention.

This report reviews the participation of NGOs for the elimination of the increase in the age of marriage for girls, the remaining single problems, promotion of women and girls status, and the scientific and educational and capacities promotion, and ultimately this Association gives recommendations for Iran to move towards the elimination of this problem and answerability to the presented recommendations in the first round of the UPR on the country.

Some of these recommendations are:

- a) Request the Iranian government to further pay attention to the Constitution, and the Rights and Responsibilities of Muslim Women's Charter, and the Perspective Document.
- b) Interaction and the use of the experiences of international organizations

and other countries' NGOs.

c) Training of governmental manpower and also public consensus for better understanding of the status of women and girls.

d) Removal of obstacles in the way of young people getting married and encouragement to start families.

The Supporters of Clean Nature Institute

This report is compiled by the jurists and environmental experts group of the Supporters of Clean Nature Institute by eyewitness observations, library studies and based on the analysis of data and focused on the recommendations on the right to development, cultural heritage and tourism, and the environment. The first universal declaration of human rights issued by Cyrus the Great is evidence of the shining history of human rights in Iran. In the contemporary era too, Iran was one of the forerunners in signing environmental, the Ramsar, cultural and natural heritage conventions, and legislation of useful and constructive domestic laws.

In this report the destruction of ancient artifacts and contemporary works destruction trend and the abuse of natural resources, jungles and habitats, the pollution of the Persian Gulf and Caspian Sea, drying up of Lake Urumia, and some international ponds and lagoons have been mentioned, and also legislative and executive advancements and NGOs' campaigns in this regard to resolve similar problems, and at the end the institute presents a number of recommendations for the improvement of conditions.

Some of the recommendations are: setting up of a comprehensive natural resources, forests, cultural heritage data bank that guarantees advancements, holding of education workshops and information dissemination, appointment of special rapporteur to investigate the inhuman effects of international sanctions.



The research findings of this Institute regarding the subject, indicates that approximately 21 percent of women have low participation in family and outside family (society) matters, and against that approximately 25 percent have a high participation and 53 percent average participation.

Report of ODVV Activities Regarding the Recommendations Given of the UPR on Iran

By: Hamideh Abotorabi



Accepting the abovementioned fact in the promotion of human rights, the ODVV's focal point of programmes is dedicated to the accepted recommendation of the UPR on Iran, and based planning its education, research and promotion projects on this basis.

In line with moving towards its objectives, which is the promotion of human rights, while having active presence in the Human Rights Council sessions and submission of written and oral statements, holding sideline panels, the ODVV has tried to design its programmes in line with national and international developments and decisions in the field of human rights.

To this aim, following the human rights procedure in the UPR took up a particular significance for the ODVV.

Iran's UPR took place in 2010, and 188 recommendations were given by countries, and Iran accepted 126 of those. The second round of the UPR on Iran took place in 2014. In the second round 291 recommendations were given which are being reviewed by Iran for acceptance or rejection. Overall it can be said that the accepted recommendations in the UPR is a consensus of the international community, the United Nations, the country in question, national institutions and NGOs in the promotion of human rights. Accepting the abovementioned fact in the promotion of human rights, the ODVV's focal point of programmes is dedicated to the accepted recommendation of the UPR on Iran, and based planning its education, research and promotion projects on this

basis. While planning its activities in line with the recommendations, the ODVV has put in its top priority interaction with governmental bodies and holding colloquium sittings. Also playing the role of facilitator for other NGOs whose activities are in line with the accepted recommendations, is in the working agenda of the ODVV.

What follows is a brief report of ODVV's activities as a nongovernmental human rights organization towards the accepted responsibilities in the UPR on Iran process.

Relevant Recommendations: Support for the Expansion of Human Rights in General Form Improvement of the Conditions of Religious Minorities

The activities of the ODVV towards the reduction of human rights violations and promotion of human dignity is done without consideration of colour, race and belief, and the expansion of human rights culture that includes the implementation of projects, commemoration of international days and international conferences, education workshops and publication of books.

- Implementation of project

1 - Promotion of the Capacity and Influence of NGOs in the UPR on the Human Rights Situation of Iran Process

This project was implemented in two 2-day stages on 14-15 August and 28-29 August 2012.

The ODVV designed a project based on the promotion of the capacity and influences of Iranian NGOs in the UPR process, and subsequently with the drawing up of and organization of a vast area of educational, research and information dissemination activities, the basis for the presence and playing role of Iranian NGOs in human rights mechanisms is brought about. One of the outcomes of this course was the introduction of NGOs to international human rights mechanisms of the UN such as “agencies and treaties” in general terms, and the “Human Rights Council and the UPR mechanism” in specific terms.

2 - Effective presence of NGOs in the 2010 Iran UPR



For the purpose of the playing of a constructive role for NGOs in the UPR, a project entitled “the effective presence of NGOs in the 2010 Iran UPR” was placed in the working agenda of the ODVV.

This project consists of four main parts that include education courses on the introduction to the Human Rights Council and report formulation for the UPR, facilitation in the sending of NGOs’ reports to the Iran UPR, and meeting with governmental department officials, and participation in the HRC sessions.

- Commemoration of International Days

1 - Commemoration of Nelson Mandela International Day

On the occasion of the Nelson Mandela International Day on 16, 2012 July the ODVV held a commemoration ceremony with the aim of expansion of the culture of peace, with the participation of representatives from a number of governmental and nongovernmental organizations.



According to the ODVV public relations in line with the promotion of human rights and establishment of equalities and conciliation between races, and conflict resolutions among races, the UN has named 18 July, the birthday of former South African president and Nobel Peace Prize winner, Nelson Mandela, the Nelson Mandela International Day.

The UN Secretary General’s Message for the day was read by a representative from UNIC in Iran.

2 - Universal Human Rights Day



On the occasion of the 10 December 2012, the Universal Human Rights Day, the

ODVV held a sitting with representatives from GOs and NGOs. At the start of the sitting the UN Secretary General's message for the day was read by the representative from UNIC in Tehran. It must be said that the this year's UN slogan for the day was "My Voice Counts"



Secretary General's message for the day by Maria Dotenko the UNIC in Iran Resident Coordinator.

In this workshop the Iranian couples and families relationships and the presentation of suitable models for family therapy were reviewed. At the end of the workshop, with the presentation of a therapy model for counselors, psychologists and social workers active in the field of the family, systemic family therapy model based on interaction between members of Iranian families was presented.

3 - International Day of Peace



On Wednesday 21 September the ODVV held the "Fair Peace, Lasting Peace" seminar in commemoration of the International Day of Peace. This seminar was held with the cooperation of ICRC, Red Crescent and UNIC in Tehran, Victims of Chemical Weapons Support Association and UNA Iran.

The participants included university science groups' members and 40 representatives from governmental and nongovernmental organizations.

The ceremony the reading of UN Secretary General's message for the participants were introduced to the "role of international law in international peace and security", the "position of international crimes in international peace", "peace and justice in Persian culture and literature", "determination of the status of peace and justice from Islamic jurisprudence", and "rights of Palestinians in Jerusalem and the fair peace paradigm".

4 - International Day of Families

The Systemic Family Therapy technical sitting was held by the ODVV in May 2014 on the occasion of the International Day of Families. Twenty psychotherapists and family counsellors participated in this sitting. The sitting commenced with the reading of the UN

- Holding International Sittings

1 - Sitting on the Sidelines of the 16th Session of the HRC on Islamophobia



and Human Rights

Islamophobia and Human Rights: This first panel was held on 13 March in which approximately 90 people participated. The sitting which was chaired by Dr. Alireza Deihim, had guest speaker Dr. Amir Saeed, lecturer from Sunderland University who spoke about the media and its role in the promotion of Islamophobia, Dr. Mohammad Javad Javid lecturer from Tehran University who spoke about Islamophobia and the right to morality in the west and Dr. Stephan Sheehi from University of South Carolina who spoke on the subject of American Islamophobia as a cultural ideology.

2 - Sitting on the Violation of the Rights Shia Minorities



At the same time as the 24th Session of the Human Rights Council the ODVV held a sidelines panel on the Violation of the Rights of Shia Minorities. The sitting was held in September 2013 in Room XXII. The moderator of the sitting was Dr. Alireza Deihim and there were 53 participants. Dr. Bashar Baghdadi from Britain gave a speech on the violation of the rights of Shia minorities with a thematic study on Syria, Hussein Naghavi from Manchester England speech was on the violation of the rights of Shia minority equal to genocide with a thematic study on Pakistan, and Sheikh Meisam Salman from Bahrain spoke on the subject of the violation of the Shia rights in Bahrain. The panel ended with a Q&A session with the audience.

3 - Sitting on Crimes against Humanity in the Middle East



For the first time by holding a sideline panel on “Crimes against Humanity in the Middle East” the ODVV reviewed the crimes of ISIS and Israel side by side under the heading of crimes against humanity. At the start of the panel a documentary was played called, “What the Western Media Won’t Tell You”, which had been produced by the ODVV. The documentary centred on the suffering and resistance of the people of Gaza, and some Israeli action

cases which are tantamount to war crimes and crimes against humanity.

Other sittings held by the ODVV during its continued presence in the Human Rights Council over the recent years are: the sitting on the violation of human rights on the pretext of the fight against terror which was held on the sidelines of the 16th Session of the HRC, violation of human rights on the pretext of sanctions on the sidelines of the 19th Session of the HRC, terrorism and human rights

- Education Workshops

1. Guide to Acquiring Consultative Status from ECOSOC Education Workshop

These education workshops began in 2000 and continue on and with the presence of governmental and nongovernmental representatives with the aim of increasing international credibility and opportunity for dialogue of NGOs at the international level. Participants in these workshops scientifically and practically were introduced to the NGOs Committee of ECOSOC and its duties.

2. Project Formulation Education Courses towards the Recommendations presented in the UPR on Iran

The Project Formulation towards the Recommendations presented in the UPR on Iran education courses were held over 3 days in July 2012 with the attendance of 25 representatives of Iranian NGOs from Fars, Isfahan, Yazd and Tehran provinces. This course was held with the aim of empowerment of NGOs towards preparation of international projects related to the UPR recommendations and the empowerment of 25 NGOs for writing executive projects in accordance with national and international standards.

3, Introduction to the Human Rights Council Education Workshop

This workshop was held in September 2011 with the attendance of 50 international law experts and representatives from a number of NGOs with the aim of introduction to the structure of the United Nations. The participants were introduced

to the history of the UN, how it was formed, the Human Rights Council, CONGO, the NGO Liaisons Office, the UPR on Iran and thematic rapporteurs of the UN.

4. Human Rights Education Course for Religious Minorities

Minorities rights is a challenging example of human rights. With an understanding of the subject and towards the protection of the rights of minorities, the ODVV held two education courses for religious minorities in 2009. The participants in this education workshop were introduced to the concept and history of human rights, Iranian and international human rights documents, minorities rights within domestic laws, governance of the majority, minorities rights, protection mechanisms in support of minorities rights (regional and international), and



genocide and protection of minorities in international documents.

Also towards interaction with other NGOs and active participation in international conferences the ODVV has conducted the following activities and projects. Participation in the Organization for the Prevention of Chemical Weapons sitting, Increasing the capacity of NGOs for effective presence in international arenas project, Human rights defenders education course for the provinces, and humanitarian law education course for the provinces.

Protection of Human Rights Expansion in General Terms:

Necessity for access to a healthy justice system and lawyer, and protection of the rights of political prisoners and journalists prisoners, and improvement of temporary detention centres:

The reflection of the ODVV publication activities as a nongovernmental organization in international conferences can be a positive action towards the ODVV's playing of active role in the human rights sphere.

- Writing and Publication of Books

1. Human Rights Situation of Bahrain Booklets

These booklets were prepared in 4 volumes and at the same time as the UPR on Bahrain, were distributed in the 21st Session of the Human Rights Council. The titles of these booklets are as follows: Violation of Civil and Political Rights; Violation of Social, Economic and Cultural Rights; Violation of Judicial Rights; and Violation of the Rights of Specific Groups.

2. Human Rights in the Judicial System Book

This book, A Guide to the Introduction to Human Rights for Judges, Lawyers and Jurists was translated into Farsi in 2 volumes (1100 pages) in 2009 and distributed with the aim of raising the awareness and increasing capacity of judges, lawyers and jurists and preparation of an educational package on human rights standards for the legal professions.

Related Recommendations:

Migrants and Refugees Rights

Protection of the Expansion of Human Rights in General Terms

Improvement of the Conditions of Religious Minorities in General Terms Attention to the Situation of ethnicities and Elimination of Inequalities

As a nongovernmental organization, the ODVV conducts part of its activities in the international arena, and by acquiring a special consultative status from ECOSOC the ODVV endeavours to by participating in international conferences to create new opportunities and capacities in the international scene

- Presence in International Conferences

1. Participation in the UNHCR Annual Consultation Sitting with NGOs Active in the Refugees Field – Geneva

This sitting takes place every year in Geneva, Switzerland. With the background of education cooperation with the UNHCR in Tehran, the ODVV has an active presence in these sittings every year.

2. Participation in the 6th Forum on Minorities

The representatives of the ODVV participated in the 6th Minorities Session in the framework of 6 items, which was held on 26-27 November 2013 in the European Headquarters of the United Nations in Geneva, Switzerland and read two statements on the two items in support of the protection of the right to existence and prevent of violence against religious minorities and promotion and protection of the identities of religious minorities.

3. Participation in all Human Rights Council Sessions



As a nongovernmental organization in Special Consultative Status to ECOSOC, the ODVV continually and annually participates in all Human Rights Council Sessions, The reports of all these activities are available at the ODVV offices.

4. Participation in the 58th Session of the Committee on the Elimination of Discrimination against Women

The ODVV took part in this Session of the Committee on the Elimination of Discrimination against Women, the theme of which was the right to education for girls and women. This session was held on 18-30 July 2014 in Geneva by the Committee Elimination

of all Forms of Discrimination Against Women, which monitors the implementation of the contents of the Convention on the Elimination of all Forms of Discrimination against Women. The ODVV submitted its statement in this Session. Another of the ODVV activities at the international level is participation in the 7th Minorities Forum of the Human Rights Council, and the 20th Session of the Working Group of the UPR.

Related Recommendation:

Migrants and Refugees Rights. Attention to migrants and refugees is another human rights activity of the ODVV, which has particular attention. - Education Projects on Refugees



1 – Prevention of Domestic Violence and Life Skills for Afghan Refugees in Varamin Project– 2014

2 – Prevention of Domestic Violence and Life Skills for Afghan Refugees in Kan Project – 2013

3 – Promotion of Mental and Social Health of Afghan Refugees in Shahr-e-Rey Project

4 – Strengthening of the Family Institution and Prevention of Violence Project

5 – Promotion of Community Based Awareness for the Prevention of GBV Project



The abovementioned projects were planned and implemented over a five

year period through the signing of a tripartite agreement between the ODVV, BAFIA and the UNHCR. These projects have trained approximately 960 Afghan refugees resident in Tehran province that include men and women and with the aim of reduction of violence, strengthening the family institution, life skills and prevention of child abuse in the family training.

**Related Recommendation:
Ban on Torture and Physical
Punishment and Joining the
Convention against Torture**

The ODVV has always worked hard towards the rehabilitation of victims of torture, particularly when considering the ODVV is a member of IRCT and also member of the Central Council of this Council.

- Torture

**1. Commemoration of the
International Day in Support of
Torture Victims**



As a member of IRCT, the ODVV commemorates this international day every year in the form of education workshops which open with the reading of the UN Secretary General's message for the day by representative from UNIC in Tehran. In these workshops which are held with the presence of NGOs and mental health experts, the common psychotherapy damages caused by torture, various types of torture, existing treatment methods in facing victims are reviewed and debated theoretically and

practically.

It must be said that the ODVV has continuous presence in all international sittings and conferences such as the AMMAN Network in the Middle East and North Africa, IRCT annual conference, which is made up of 144 rehabilitation centres from around the world.

Also a book entitled "Review of the Dimensions of Torture in the Islamic Legal System, Domestic Iranian Laws, and International Documents" has been published by the ODVV. The Istanbul Protocol is another example of ODVV's activities in the field of torture which it translated to Farsi and published it.

**Related Recommendation:
Economic, Welfare and Employment
Development**

The International Day for the Eradication of Poverty is commemorated each year by the United Nations. With the aim of raising awareness of economic rights, on the occasion of this day in 2008 the ODVVV implemented a project in a simultaneous way with the participation of more than 40 schools in Tehran with 16,854 students, and thus Iran joined this global project. In this ceremony the UN Secretary General's message for the day was read by a representative from UNIC in Tehran.

**Related Recommendation:
Protection of Children's Rights
Protection of women's rights,
elimination of inequalities
and improvement of women's
conditions and creation of equal
job opportunities and also
recommendation for Iranian women
that are married to foreign nationals
to have the right of citizenship for
their children.**

Through holding education workshops and commemoration of international days and with the belief in justice, equality and observation of everyone's rights, particularly women and children, the ODVV endeavours to promote a culture of nonviolence.

- Women and Children

1. Commemoration of the International Day for the Elimination of all Forms of Discrimination against Women



On the occasion of this international day, with the cooperation of UNIC in Tehran, the ODVV hold commemoration ceremonies in the form of speeches and education workshop with the presence of lecturers and university science group members and governmental and nonogovernmental experts in the ODVV conference hall.

2. Women's Rights in the Judicial Justice Process International Conference



In 2008 this international conference was held with the presence of researchers and jurists from Iran, Pakistan, Bahrain, Iraq, Sudan, Australia, Italy, and Switzerland, by the ODVV and with the cooperation of the High Council of Human Rights of the Judiciary, the Tehran General and Revolutionary Court Prosecutor's Office, the General Justice Department of Tehran, Charitable Institute for the Protection of Social Victims and UNA-Iran. The aim of this conference was the promotion of the role of women judges in the justice process and issuing of sentences, promotion of the capacity of women and presentation of practical methods for further access to justice and transfer of useful international achievements and experiences in the judicial justice process for the realization of women's rights. It must be said that the International Day of the Family and the Strengthening of the Family Institution with Reliance on

Reduction of GBV, and the preparation and publication of the Beijing +15 book, sitting on the review of panning a working agenda for safe family are some of the other activities of the ODVV in the field of women.

3. World Free of Violence Worthy of Children Conference



The World Free of Violence worthy of Children Conference was held on the occasion of Universal Children's Day, within the framework of the Cluster Project on the Promotion of Human Rights and Greater Access to Justice. The aim of the raising of the addressees awareness of the rights and needs of children, and their sensitisation towards children's suffering and the promotion of a culture of respect to children's rights.

4. Commemoration of the World Day for the Prevention of Child Abuse



Each year on the occasion of Universal Rights of the Child Day, the ODVV holds workshops on various subjects, such as "family therapy based on outward disorders in children and juveniles", "the pathology of abusive parents, and psychotherapeutic new treatments for abused children", and "prevention of child abuse. The UN Secretary General's message for the day is read on these commemoration days. Also regarding children, education workshops that include analytical psychotherapy, parenting skills, legal and psychological dimensions review of child abuse, and the children, silent victims of war conference was held on the occasion of the International Day of Child Victims of Violence and Military Aggression.

Violation of Human Rights in The United States of America

- Organization for Defending Victims of Violence (ODVV)

- Society for Supporting Victims of Domestic Violence (SVDV)

Submission to the UN Universal Periodic Review

22nd Session of the UPR Working Group of the UN Human Rights Council

April-May 2015



The Organization for Defending Victims of Violence (ODVV) is a nongovernmental, nonpolitical and nonprofit organization in Special Consultative Status to ECOSOC, and was founded in 1988.

Executive Summary:

1- This report deals with practical, monitoring and research actions of the Organization for Defending Victims of Violence & Society for Supporting Victims of Domestic Violence in some fields' namely international instrument, women, children, minorities, and detention to the second round of United States' UPR. Although there are problems and challenges in all aforementioned areas which the United States government must make more efforts to improve them.

2-ODVV & SVDV the preparers of this report, towards practical, monitoring and research actions that have done on the abovementioned subjects, present the following recommendations for the improvement of human rights in these areas:

About us

3- The Organization for Defending Victims of Violence (ODVV) is a nongovernmental, nonpolitical and nonprofit organization in Special Consultative Status to ECOSOC, and was founded in 1988. Some of the benefits of the 25 year history of the ODVV is the provision of legal and humanitarian services, holding of education courses, holding of general and thematic researches by using experienced and expertise teams in the issues that are required by society, production and publication, transfer of experiences and effective presence in international conferences.

4- The ODVV is associated to or member of the following organizations and associations:

- Network of NGOs for the formation

of the international criminal court

- The International Rehabilitation Centre for Torture Victims (IRCT) (membership in its Central Council)

- CONGO

- The AMAN Network of Rehabilitation Centres for Torture Victims in the MENA region, (Network's First Deputy)

- Asia Youth Network

- In Association with UNDPI

5- To-date (2014) the ODVV has taken part in all Human Rights Council Sessions and submitted written and oral statements held sideline panels, submitted consultative reports on human rights to UN mandate holders.

6- Society for Supporting Victims of Domestic Violence (SVDS) is an institute studying social issues. This center conducts studies in the fields of human rights, protecting victims of domestic violence & social harms.

Data collection method

7- To present a factual picture on arrears which this report covers, the preparers adopted a practical method based on the findings of exclusive and field researches, thematic researches, legal monitoring and also media monitoring regarding the activities taken place on the subject.

Challenges and Difficulties

International instrument and CP rights

8- Despite accepting recommendations based on the adoption of appropriate laws for the prevention of the violation of individual privacy, the US Government is on a daily basis increasing the monitoring of the internet and telephone conversations by intelligence agencies,

and also the surveillance and body search of individuals is on the increase.

9- A recent report by the American Civil Liberties Union revealed that the FBI had been spying on political groups. The FBI and the Inspector General claim that the investigations into these groups were not inspired by their political beliefs, but instead on “speculation that the groups might commit a federal crime in the future.”

10- According to the Center for Media Justice, “though the spotlight is mostly on the National Security Agency’s domestic spying program, telecommunications companies are working hand in hand with the government – and its marginalized communities that are paying a hefty price.” As technology has grown, so has law enforcement’s ability to collect and retain unfathomable amounts of data on innocent Americans. What used to require a physical intrusion can now often be achieved remotely with little trace of government intrusion. Through a program, called Upstream, the NSA intercepts internet communications traveling through the United States collecting approximately \$26.5 million internet transactions annually. Despite the massive scope of this program, it accounts for only 9% of the internet content being collected and analyzed by the NSA. The other 91% of communications collected comes from a program called PRISM. Through PRISM, the NSA receives and stores content directly from Internet Service Providers like Google, Apple, Yahoo, and Facebook. Content collected can include e-mail, chat, video, social networking info, and file transfer. PRISM and related programs gave NSA analysts the unprecedented ability to re-quest surveillance on anyone, even domestically, using only their e-mail.

11- According to the American Civil Liberties Union, agents/informants were not only tasked with observing but they also enticed or provoked the commission of illegal acts. Their investigations

targeted many peaceful activist groups such as “School of the America’s Watch, Green-peace, and People for the Ethical

Treatment of Animals, the Rocky Mountain Peace and Justice Center in Colorado, and the Thomas Merton Center for Peace and Justice in Pennsylvania, among many others.”

11- Furthermore millions of American workers the majority of which are the parents of innocent children are working in different sectors, but due to bad working conditions and existence of discrimination against workers, they are faced with many problems in providing a living.

12- In November 2013, Attorney General Eric Holder, addressing 556 federally recognized tribes, addressed the problem that “nearly half of all Indian women and girls have experienced rape, physical violence, or stalking by an intimate partner [and] Indian women are murdered at a rate that – in some places – is more than 10 times the national average.”

Migrant and seasonal workers:



13- Teenagers have the highest unemployment rate at 22.7% and Black teens find themselves in a particularly precarious position with a 38.2% unemployment rate compared to white teens with 20.5%.

14-Many of the occupations with the largest projected job growth are minority and female-dominated, but they are jobs such as home health aides and personal care aides, with earnings of only about 20,000 dollars per year.”

15-According to the Bureau of Labor Statistics, more than one farmworker dies and hundreds are injured in work-related

accidents every day while 30% of all farm workers had a family income below the federal poverty line.

16- Having a criminal record can keep many people from obtaining employment . People of color “face an implicit racial bias throughout the criminal justice system. They are more likely than whites to be stopped by police and arrested, they often have inferior representation in court, and further, they receive harsher sentences.”

17- According to a new study by the National Domestic Workers Alliance, 23% of domestic workers make less than the state minimum wage, and nearly half are paid below the level needed to adequately support a family as employers routinely withhold compensation or refuse to pay overtime. The study “found that domestic workers who were [undocumented] immigrants earned considerably less than those who were American-born or naturalized citizens.”

Right to Education, Health & Housing



18- “African Americans who complete high school still have 18 percent unemployment, twice the white rate.

19- Wage inequalities based on race and gender is a significant human rights violation. On average, white women earn 81 cent for every dollar that white men earn.

20- In 2012, 47 million non-elderly Americans were uninsured.

21- As of September 2013, the uninsured rate for Hispanics was 29.1%. For Blacks it was 19%, and for Asians it was 15.1%, which is significantly higher

than for non-Hispanic whites at 11.1%.

22- Below poverty are at the highest risk of being uninsured, and this group accounts for 38% of all the uninsured.

23-... “Today, children in the United States continue to be segregated by race and socioeconomic status and attend schools that are not only separate but grossly unequal in both resources and academic outcomes.”

24- According to the Leadership Conference on Civil and Human Rights, “American students continue to attend schools that are deeply segregated by both race and class, and schools serving low-income families and racial minorities consistently lack the funding, resources, and faculty experience and expertise necessary to improve the education outcomes of minority students.”

25- “In low-performing schools, principals and all or half of the staff will be fired. Schools that continue to get low test-scores will be closed or turned into charter schools or handed over to private management.”

26- Domestic violence is a leading cause of homelessness, “especially for women and their children, and for unaccompanied youth. One in three women suffers abuse by an intimate partner [while] 43 percent of homeless youth leave home after enduring abuse by a caretaker.”

Women’s rights and Children’s right

27- Many of the occupations with the largest projected job growth are minority and female-dominated, but they are jobs such as home health aides and personal care aides, with earnings of only about 20,000 dollars per year.”

28- Still, on an average day about 70,000 young men and women under the age of 21 are confined, overwhelmingly for non-violent offenses, and 7,560 youth under the age of 18 are held in adult jails.

29- Children of color, particularly African-American and Hispanic youth, are more likely to be arrested, charged, and tried as adults. They are also more likely to receive longer sentences, and are

more likely to be in locked facilities when charged with the same offense as whites.

30-The ACLU shed light on the 3,728 people who currently serve life sentences for non-violent crimes, detailing that “it was nonviolent offenses like stealing a \$159 jacket or serving as a middleman in the sale of \$10 of marijuana. An estimated 65% of them are Black. Many of them were struggling with mental illness, drug dependency or financial desperation when they committed their crimes. None of them will ever come home to their parents and children. And taxpayers are spending billions to keep them behind bars.”

31- The extensive life sentences dished out to juveniles without the possibility of pardon is another case that is criticized by human rights defenders in America. They say that these punishments result in juveniles being deprived of their rights and face a grim future.

32- In 2012 Human Rights Watch reported that 500 juveniles that had been sentenced to life imprisonments in America without possibility of pardon had been subjected to sexual exploitations and physical violence by guards or fellow inmates.

33- According to international law individuals under 18 must be tried in juvenile courts and if found guilty must be kept in special juvenile prisons. This gives the children a chance to not be faced with moral exploitations and other forms of violence.

34- Many prisoners and even individuals under 18 are placed in solitary confinement for weeks and months. In July approximately 30,000 prisoners in California (a State which has the most solitary confinement prisoner population) went on hunger strike over their conditions.

35- The United States is one of the few countries that has not joined the CEDAW and the Convention on the Rights of the Child. And this causes notable problems in the protection of women and children’s rights in this country even though according to the accepted recommendations from the first UPR,

the United States has been committed unconditionally join these conventions, but to-date we have not seen any efforts in this regard.

36- “African American women earn 36 percent less than white men and Latinas [45 percent less than white men]. Today, in spite of increasing educational gains, women of color are especially likely to work in minimum-wage jobs, where even a full-time, year-round worker will earn just 14,500 dollars a year, scarcely enough to keep one person – let alone a family – afloat. In 2011, nearly 360,000 black and Latina women were paid hourly rates that were less than the minimum wage. Since Social Security benefits are based upon an individual’s lifetime earnings, these low wages hurt women well into retirement, leaving many elderly women in poverty or on the brink.”

37-American women are faced with discrimination in employment and income. (According to Employment Department information and statistics women make up approximately two



thirds of the work force in America, who in 2011 received only 61 percent of the minimum full time work wages).

38-This is while increasing activities towards the promotion of women and minorities’ economic and social rights, bringing about equal decent employment opportunities, and the reduction of the number of the homeless and putting an end to child prostitution, violation against women, and armed aggression are all commitments made by America in its first UPR.

39- High number of crimes, violation



According to the report of the National Centre for Disappeared and Exploited Children, each year at least 100,000 children are trafficked across America. Sexual exploitation of children is another public health issue in America

of the lives of individuals, the high statistics of arrests and the possession of firearms are all examples of human rights violations in the United States of America. Over these last few years we have witnessed several instances of gun related violent crimes in America which is indicative of the lack of enough protection of the lives of the citizens and problems with personal safety in the country.

(According to figures published by the Federal Bureau of Investigation in September 2012, in 2011, approximately 386.3 crimes took place in every 100,000 population of the country).

In January 2013, President Obama proposed a 23 stage plan for gun control, but in April the Senate voted against this proposal.

40- Estimates are that there are 1.6 to 2.8 million children living on the street and 42% percent of homeless youth experienced homelessness for one or more nights at some point in their lives following foster care

41-According to the report of the National Centre for Disappeared and Exploited Children, each year at least 100,000 children are trafficked across America. Sexual exploitation of children is another public health issue in America. (According to a 5 November 2012 report, researches announced that 20 percent of adult women and between five and fifteen percent of men in America had experienced sexual abuse during childhood adolescence.) Every year more than 3 million reports of child abuse are made in the United States involving more than 6 million children (a report can include multiple children). The United States has one of the worst records among industrialized nations – losing on average between four and seven children every day to child abuse and neglect.

Detention Condition

42- With 2.2 million people currently in the nation's prisons or jails, representing a 700% increase since 1970 the United States re-mains the world's leader in incarceration. Despite the fact that Americans constitute only 5% of the

world's population, the U.S. has 25% of world prisoners. The growth of for-profit imprisonment and the concomitant growing influence on federal and national policies has resulted in harsh sentencing and detention laws.

43- It is said that life in prison without possibility of parole or pardon is one of the reasons behind the overcrowding of prisons in America, which results in the aging of the prison population. This has caused a lot of problems in prisons. Statistics show that till the end of 2011 there were 26,136 prisoners over the age of 65 in Federal and State prisons.

44- Due to felony disenfranchisement, 5.85 million Americans, and one in every thirteen African-Americans, are prohibited from voting due to laws that disenfranchise citizens convicted of felony offenses.

45- Over the last two decades, prisons in the United States have increasingly relied on solitary confinement, even building entire facilities which primarily serve to hold individuals for years and sometimes even decades in extreme isolation. Currently, there are over 80,000 people held in solitary confinement in America.

46- The findings of a study conducted by the American National Science Academy shows that more than 4% or 1 out of every 25 prisoners sentenced to death are innocent.

September 2013 was the tenth anniversary of the adoption of the Prison Rape Elimination Act, as a result of which the national standards for combating with rape and the punishment of offenders in prisons be raised, but the implementation of this act is still a challenge.

47- According to this report in the years 2011 and 12 approximately 4% of federal prisoners and 3% of prisoners in private run prisons had experienced sexual abuse at least once, and this is only part of the problem, because most cases of sexual abuse and rape committed against prisoners are gone unreported.

48- According to psychologists familiar with the subject, solitary confinement leads to "isolation panic," "long-term

depression and hopelessness,” the slow decline of “cognitive ability, as the prisoners’ intellectual skills begin to decay,” and often ultimately “a complete break-down.”

49- Human rights defenders believe that according to international law long term solitary confinement can be deemed as brutal and unnecessary punishments, which can even be one of the examples of torture.

50-Twenty-nine percent of Americans support closing the terrorist detention camp at Guantanamo Bay, Cuba, and moving its prisoners to U.S. prisons, while two in three (66%) oppose the idea. Despite the recent controversy surrounding the release of five Taliban prisoners held at Guantanamo Bay in exchange for U.S. Army Sgt. Bowe Berghdal’s release from Afghanistan, Americans’ views have barely budged since 2009.

51- According to a report by the Government Accountability Office (GAO) , the ICE has failed to report allegations of sexual abuse and assault that were made in their immigrant detention facilities.

MINORITIES

52- Discrimination against racial and religious minorities and systematic actions against Muslims following the 9/11 attacks are some of the instances of serious human rights violations in America

53- A recent field experiment revealed that there is a negative impact in all aspects of the hiring process for Muslim women wearing a hijab (religious headscarf) compared to women who did not wear a hijab. The experiment tracked several areas of the hiring process, including the permission to complete job applications, job availability, job callbacks, interaction time, and perceived negativity and lack of interest by the employer.

54-Muslims make up less than one percent of the population of the country, but 14 percent of religious discrimination and 5 percent of job discrimination is against Muslims in the country.

55- As a consequence, according to the Leadership Conference on Civil and Human Rights, “American students continue to attend schools that are deeply segregated by both race and class, and schools serving low-income families and racial minorities consistently lack the funding, resources, and faculty experience and expertise necessary to improve the education outcomes of minority students.”

56-The New York Police Department (NYPD) has implemented a massive surveillance program targeting Muslim communities in New York and the surrounding states. The Program “deployed undercover officers and informants in mosques, schools, restaurants, and bodegas through-out the city to spy on the daily lives of thousands of Americans.”



57- Council for Islam and America Relations (CAIR) recently announced that Islam phobia has escalated across America, and mosques in different States are under surveillance and pressure.

58- Although the United States has accepted the recommendations on fighting Islam phobia and Xenophobia, but insulting Islam and opposition with women Muslim women’s Islamic dress at work are some of the job discriminations imposed on American Muslims.

59-In 2012, Section 5 of the VRA blocked highly-restrictive voter ID laws in Texas and a law in Florida that eliminated early voting days, which would have made it more difficult for

hundreds of thousands of minority voters to cast a ballot.

60- Ethnic minorities in America do not enjoy equal political, social and economic rights. One example can be seen in the voting system, in such way that the right to vote for different races in America is limited.

61- In the November 2012 presidential elections in America, some Asian-Americans were prevented from casting votes. The UN Human Rights Council special report strongly criticizes the United States for failing to guarantee the right to vote for African and Hispanic Americans of the country.



62-Disenfranchisement of individuals with prior criminal convictions affects millions of people who are disproportionately people of color. It is estimated that 5.85 million potential voters in the United States are disenfranchised due to prior criminal convictions. Almost 7% of all individuals with prior convictions are African American (as compared with 1.8% of the rest of the country) and although it is known that laws disenfranchising individuals with prior criminal convictions disproportionately affect Latinos, reliable data on this issue is not readily available. The fact that one of every 13 African Americans has lost the right to vote due to state bans on ex-prisoner voting makes the failure of the United States to act on this issue problematic in the face of its national and

international obligations.

JUSTICE

63- On average whites, African Americans and Native Americans use similar amounts of drugs, but are arrested very differently, tried and imprisoned. For example Four times more African Americans get arrested for the use of marijuana than white Americans, even if they have used lesser amount than whites. This is while only 13 percent of America's population is African American but 41 percent of the prison population is made up of African Americans.

64-More than 60% of prisoners are racial and ethnic minorities. Due to a variety of factors, such as drug sentencing disparities, pretext searches, racial profiling, an increasing amount of military policing, combined with mandatory drug sentences, prosecutorial overcharging, predatory plea-bargains, disproportional crime/drug arrest rates , long-term social and economic disenfranchisement, and the school-to-prison pipe-41 line, African Americans today are incarcerated at nearly six times the rate of whites and constitute nearly 1 million of the total 2.3 million incarcerated population

65-The number of "women in prison increased by 646% between 1980 and 2010, rising from 15,118 to 112,797. Including women in local jails, more than 205,000 women are now incarcerated" and "Black females had an imprisonment rate nearly three times that of white females."

66-Black women are victims of sexual assault, "the political dynamics of a prison nation interact with racial and other stigmas in such a way that women of color are more likely to be treated as criminal than as victims when they are abused." A contemporary example of this criminalization of victims is Marissa Alexander, a Black woman in Florida who received a 20 year prison sentence for firing warning shots in the air (in self-defense) to ward off her physically abusive husband . In September 2013, an appeals court granted Alexander a new trial , and after being denied bail in

November , the court released Alexander on bond until her retrial. Though only 10% of the survivors of hate crimes are transgender women, they make up 45% of all reported hate murders and 87% of those murders were transgender women of color.

67-In August 2013, Islan Nettles , a transgender woman of color was “savagely beaten [to death]...by a man shouting homophobic slurs in Harlem.”

68-The prohibition of torture in all prisons and detention centers and the closing of Guantanamo and other secret detention centers around the world was another recommendation which the US Government accepted in the first round of the UPR on the USA, but serious steps have not taken in this regard.

69- In early 2013 a number of Guantanamo inmates went on hunger strike in protest to their continued detention and their conditions in prison. Prison official force fed them though a nasal tube to prevent the inmates from dying, and according to human rights groups force feeding of prisoners is a violation of international human rights standards. But America claimed that these measures were taken for the protection of the lives of prisoners force feeding prisoners was very painful.

70- The US government also in its approach to the Guantanamo detainees, continues to try them in military commissions, whereas international law calls upon states to try civilians in civilian courts fairly. These commissions also lack international standards for the holding of fair trials.

71- The indefinite and immediate detention of individuals suspects of terrorism, without being charged or tried, and their incarceration in Guantanamo has entered its 12th year. Currently there are 162 detainees in the centre.

72- According to this report, the release or transfer of 82 inmates has been established, but America claims because of the going security and existing conditions concerns in the countries of birth of the inmates or third countries

where they are due to be sent to, America has refrained from doing so.

73- Once again in 2013 Barak Obama promised to shut down Guantanamo prison, but these promises have not been fulfilled.

Recommendation

International instrument & CP rights

74- Withdraw reservations, denunciations, and interpretations of the Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention against Torture, which undermine their compliance.



75- Ratify ICESCR and its Optional Protocol, the first Optional Protocol to the International Covenant on Civil and Political Rights, CEDAW, the Convention on the Rights of the Child, the Optional Protocol to the Convention against Torture, the Convention on the Rights of Persons with Disabilities, the Convention for the Protection of All Persons from Enforced Disappearance.

76- Ratify the International Convention for the Protection of All Persons from Enforced Disappearances and the Convention on Rights of Persons with Disabilities in order to further strengthen their support to the United Nations Human Rights mechanisms.

77- Ratify the following conventions and protocols: the Statute of the International Criminal Court, those of

the ILO, the United Nations Declaration on Indigenous Peoples, and all those from the Inter-American Human Rights System.

78- Proceed with the ratification of Additional Protocols I and II of the Geneva Conventions of 1949.

79- Review, reform and adequate its federal and state laws, in consultation with civil society, to comply with the protection of the right to nondiscrimination established by the Convention on the Elimination of all Forms of Racial Discrimination, especially in the areas of employment, housing, health, education and justice

Labor, migrants

80- Make further efforts in order to



eliminate all forms of discrimination and the abuse of authority by police officers against migrants and foreigners

81- Ensure that migrants in detention, subject to a process of expulsion are entitled to counsel, a fair trial and fully understand their rights, even in their own language

82- Guarantee the access of migrants to basic services, regardless of their migratory status

83- Avoid the criminalization of migrants and ensure the end of police brutality, through human rights training and awareness-raising campaigns, especially to eliminate stereotypes and guarantee that the incidents of excessive

use of force be investigated and the perpetrators prosecuted

84- Consider ratifying ILO Convention 100 on equal remuneration for men and women for work of equal value, and ILO Convention 111 on discrimination in employment and occupation

85- Ratify the Convention on the Rights of the Child and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

86- Creation of suitable basis for the enjoyment of the right to employment and fair working conditions, to a point where workers women, minorities and migrants who have no education certificates do not become victims to prejudice or exploitation.

87- Recognize the right to association as established by ILO, for agricultural workers and, domestic workers and migrant.

88- Reconsider restrictions on undocumented migrants' access to publicly supported healthcare.

89- Make greater efforts to guarantee the access of migrants to basic services, regardless of their migratory status.

Detention Condition

90- Creation of a legislative and executive basis to combat racial prejudice and preparation of the basis for equal enjoyment of the right to housing, employment and education.

91- Prevent and repress the illegitimate use of violence against detainees.

92- Take measures with a view to prohibiting and punishing the brutality and the use of excessive or deadly force by the law enforcement officials and to banning torture and other ill-treatment in its detention facilities at home and abroad.

93- Take appropriate legislative and practical measures to improve living conditions through its prisons systems, in particular with regard to access to health care and education.

94- Investigation of tortures allegation,

extrajudicial executions and other serious violations of human rights committed in Guantanamo, Abu Ghraib, Bagram, the NAMA and BALAD camps, and those carried out by the Joint Special Operations Command and the CIA.

Minorities

95- Preparation of a programme with the aim of reduction of the growth of Islam phobia and xenophobia within society.

96- Creation of a legislative and executive basis against racist campaigns committed against immigrants and minorities.

97- Adopt a fair immigration policy, and cease xenophobia, racism and intolerance to ethnic, religious and migrant minorities.

98- Promote equal socio-economic as well as educational opportunities for all both in law and in fact, regardless of their ethnicity, race, religion, national origin, gender or disability.

Guantanamo

99- Quickly close down Guantanamo prison and follow the provision of the United Nations Charter and the Security Council Resolution by expatriating the terrorist suspect to their country of origin.

100- Close without any delay all detention facilities at the Guantanamo Bay as President Barack Obama has promised.

101- Invite United Nations Special Rapporteurs to visit and investigate Guantanamo Bay prison and United States secret prisons and to subsequently close them.

102- Prosecute the perpetrators of tortures, extrajudicial executions and other serious violations of human rights committed in Guantanamo, Abu Ghraib, Bagram, the NAMA and BALAD camps, and those carried out by the Joint Special Operations Command and the CIA.

Woman & children

103- Take the necessary measures

to consider lifting the United States reservation to article 5, paragraph 6 of the International Covenant on Civil and Political Rights that bans the imposition of the death penalty for crimes committed by persons under 18.

104- Consider raising to 18 years the minimum age for the voluntary recruitment to the armed forces, and explicitly define as a crime the violation of the provisions of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.

105- End the execution of mentally-ill persons and minors.

106- Further foster its measures in relation to migrant women and foreign adopted children that are exposed to



domestic violence.

107- Define, prohibit and punish the trafficking of persons and child prostitution.

108- Prevent slavery of agriculture workers, in particular children and women.

109- Take the necessary measures in favor of the right to work and fair conditions of work so that workers belonging to minorities, in particular women and undocumented migrant workers, do not become victims of discriminatory treatment and abuse in the work place and enjoy the full protection of the labour legislation, regardless of their migratory status.

In the first round of the UPR on Iran, the minorities issue was one of the subjects that various countries had dealt with through recommendations. Also in the second round of the UPR on Iran, 23 out of the total of 291 recommendations were directly to do with minorities. To this aim, this issue of Defenders glances at the subject of religious

minorities within the Constitution of the Islamic Republic of Iran and Laws Governing the Citizen's Rights of Minorities :

Rights of Non-Religious Minorities in the Iranian Constitution

Introduction

Article 14 of the Iranian Constitution warns Muslims as a majority in Iran that they treat their fellow non-Muslim citizens with dignity so that they do not feel that they have been marginalized.¹ Also the law stresses that other Muslims that have all human rights must be treated with dignity and justice and their human rights be respected. This reiteration of the legislator is a sort of positive discrimination in legal definition so that the majority does not ignore the rights of minorities. Non-Muslim non-holy book citizens that due to their low numbers the legislator has not fully named them, as long as they are not deemed as against the Islamic Republic system, they are fully entitled to their human rights and citizen's rights. These individuals are split into two groups of illegal religious and illegal social minorities. The term illegal does not necessarily mean those who break the law or the opponents, but it is allocated to groups that are not included in the law, even if they are not the opposition. Because article 14 of the Constitution is credible for the rights of those who do not conspire against Islam and the Islamic Republic of Iran.

Illegal Religious Minority Citizens

The human rights of all minorities be they legal or illegal (as stated in the law) according to article 3 of the Iranian Constitution is guaranteed by the government. One of the criteria of citizen's rights and not human rights goes back to the loyalty levels in the public's interest. The faced of these public interests lie in a democratic regime and government.

The more the citizen's commitments of he individual the more benefits he or she has. Undoubtedly from citizen's duties aspects, the duties of a Muslim individual is much more than a non-Muslim's and for a non-Muslim citizen that has a social contract with the Islamic government alongside other Muslims, he or she is deemed the citizen of the Islamic government. This is deemed a unique advantage (in both old and new legal systems). Because as well as current costs of citizenship, Muslims are duty bound to carry out religious duties such as the payment of a fifth of their income, prohibited from buying and selling of unlawful goods and property, and citizen's commitments such as conscription, religious war and defence, in such way that the tax of a Muslim is three to four times that of a non-Muslim individual, while non-Muslim citizens do not have religious and legal commitments and enjoy all their human rights that include suitable jobs, social security, retirement, health, education and housing. This level of commitment is proportionately less for non-Muslim citizens that have Holy Books, for the simple reason not in financial and religious commitment of Muslims and not economic and legal commitments of those that have Holy Books, and fundamentally due to the link with the government not being specific (active loyalty) and in a way declaration of neutrality with regards to the dominant ideology the non-Muslim citizen is exempt from political, defence and military commitments, therefore in the same proportion they are denied the same rights in these types of participations. But continually the fundamental rights of these types of minorities are provided in accordance with the Constitution.

1- In accordance with the sacred verse; ("God does not forbid you to deal kindly and justly with those who have not fought against you because of your religion and who have not expelled you from your homes" [60:8]), the government of the Islamic Republic of Iran and all Muslims are duty-bound to treat non-Muslims in conformity with ethical norms and the principles of Islamic justice and equity, and to respect their human rights. This principle applies to all who refrain from engaging in conspiracy or activity against Islam and the Islamic Republic of Iran.

An example of illegal minorities are Buddhists and Bahaiis in Iran. These individuals have human rights as specified in article 14. These rights are credible and standing for as long as they do not conspire or take action against the majority or against Islam and the Islamic Republic. But if they openly advertise and take provocative action, then naturally they will face the reaction of the law. From this aspect changing religions in the Iranian law is acceptable, just as the polygamy is accepted in France.

Illegal and semi-legal Social Minority Citizens

According to the Constitution, Iranian citizens benefit their basic human rights. According to the Constitution, the family is one of the most important social and civil institutions. The family has a definition that si a combination of the opposite sexes, and from this aspect tendencies towards the same sex for setting up a family in Iran is against religious law and the law. Therefore in Iran it is deemed as sexual identity disorder of the individual.² From this aspect homosexual groups are illegal, but transgenders are not necessarily illegal. In both instances visible action or formation of a social body is reviewed via a permit from the Interior Ministry.

1) Homosexuality: is deemed illegal according to religious law and law. Therefore in Iran it is deemed as a sexual identity crises in Iran. ³ It must clearly be said that crime in Iran has a meaning when it is clearly committed. If homosexuality is a type of disease it must be cured, and of course there is no necessity for forced treatment. Just like some of the current psychological approaches,⁴ in Iran homosexuality is seen as a disorder. This disorder is reviewed in a collective of mental disorders. Homosexuals in Iran suffer from the lack of awareness. They are mistreated in the family and society which increases their mental pressure. This is why these individuals receive medical support. According to Chapter Three and article 3 of the Constitution in any event these individuals have basic rights. But these rights must not be towards the actual advertisement of the individual. Therefore the treatment issue in Iran and including treatment of HIV/AIDS must never be affected by the

discovery of the sexual orientation of the person.

2) Transsexualism: in Iran with a tendency to sex change are free from legal and religious law aspects and there are no restrictions. Iran is the first Islamic country which officially recognizes sex change. Some believe that this shows the importance of the human rights and spirit of mankind's status in the Shia jurisprudence. The first fatwa in this regard goes back to Imam Khomeini before the 1979 revolution.⁵ In his 1964 book, Tahrir Alvasileh, and on the subject of Mostahedeseh issues, for the first time brought up the subject of sex change in the



world of Shia. The religious views of many Shia clergy, including the current Leader of the Islamic revolution Ayatollah Khamanei is the same. The number of sex change operations in Iran compared to European countries is much higher (form example 250 compared to 40). Perhaps because in Iran open and official homosexuality is illegal in Iran, the observation of the rights of the patient in many instances is deemed as part of human rights in Iran and the government has specific guarantees. Unlike other Islamic countries, sex change operations for individuals that pass psychological interviews and can afford to pay the surgery fees, is legal. These surgeries are done in accordance with the latest international standards. Many patients from Eastern Europe and Arabic countries travel to Iran for this surgery.⁶ Some Iranian citizens are transsexual and from human rights aspect in the event that they wish to, the Iranian government will take upon facilitating all support possibilities for sex change and formation of a family. In some instances

2- Lesbiennes, gays, bisexuels et trans ou LGBT est un terme utilise pour designer les personnes non heterosexuelles et, ou cisgenres.

3- Sexual identity is given to a collective of sex, gender, gender identity and gender role and sexual orientation. When we put all these together and add the behaviour of the individual the sexual identity is then clarified.

4- Healthy Minds blog post on supporting gay youth, Is Homosexuality A Mental Disorder?

5- And in a part of the issue an edict is given: "apparently sex change operations for men and women have no problems and surgery on even an individual that is a neuter to be become a man or a woman is not haram."

6- Francis Harrison: Sex Change Operation in Iran, BBC Persian 23 February 2005.

individuals that are cared for by Imam Khomeini Aid and Welfare organizations or individuals that are proved to be poor can benefit from free services in proportion to their financial status. From this aspect Iran is even much more advanced in issuing sex change verdicts compared to most countries, especially Islamic ones. Because in the event that the diagnosis is confirmed by the Coroner's Office, so that the individual



can make suitable physical sexual gender appearance in society, the Coroner's Office issues a permit and the Islamic Republic of Iran's police authority is also included in this permit and cooperates. Often the individual is supported legally and all regulations regarding the new gender is applicable. For example if this gentleman is the head of the household, his Diah will be in the same form

and also his inheritance situation, therefore there is no need for problems. In any event these individuals are accorded the rights in article 14 of the Constitution and enjoy full human rights.

Conclusion

As stated, minority in specific terms in Islam is meaningless, and from the Islamic religious and legal aspects of Iran, all are equal as human beings and enjoy full human rights. Therefore fundamentally the religious minorities issue is only a pertinent minority in Islamic law, which is reviewable under citizen's rights and not human rights. This review is not solely for Islamic law, but in all modern law schools, the subject of minorities rights is pertinent under citizen's rights. Fundamentally as stated the level of these legal variables is not humanity but the level of loyalty in the preservation of collective happiness and general public interest.

In view of this explanation, the criminality of illegal social minorities are pursuable by the law if they result in practical propaganda and advertising, otherwise the searching and investigation of these individuals a crime and sin. As long as non-religious and illegal religious minorities do not advertise in public, they are safe and their human rights must be guaranteed by the Islamic government.

A Glance at Laws Governing the Citizen's Rights of Minorities in Iran

Introduction The most important criticism of Iranian laws regarding minorities is not the text of the law, but it is the application of the law. In fact the application of the law is a general problem, and is not solely regarding minorities in Iran. In any event for the purpose of the promotion of the rights and presence of religious minorities in various social arenas, and their active participation in decision making levels, some local and national measures have been taken in the form of fundamental laws. Below are some of the main examples:

1-In the fourth city and village Islamic councils elections, a number of Christian citizens were elected to the councils in Urumiah Fereydoon and Fereydoonshahr. Also Zoroastrians have representatives in the

city and village councils in Yazd province. 2- For example in clause 19 of the Budget Act (2007) it states that "Those that are covered by the Imam Khomeini Aid Committee, and the Welfare Organization, mosques, Hosseiniehs, mahdiehs, rural schools, religious schools, the graves of the martyrs and religious minorities places of worship that are recognized, the subject of article 13 of the Constitution they are exempt for one time from paying water rates, sewage, electricity and gas. <http://www.spac.ir/goghoghi/gh-budget/86/made%20vahedeha/19.htm>

Active participation in legislation • Religious minorities have five members of parliament, 2 Armenians, 1 Assyrian, 1 Jewish and 1 Zoroastrian. Considering that the 70 million population of Iran has

290 members of parliament but despite the low population of religious minorities (approximately 200,000) according to the law five seats have been allocated to them in the Parliament. According to article 67 of the Constitution, when swearing in, religious minorities can swear on their own holy books. • Also minorities in the event of getting votes are permitted to be present in town and city councils.¹ Furthermore, the issuing of permits to religious minority associations and organizations by the Article 10 Commission of the parties of the Interior Ministry is acceptable that via this method, most religious minority associations, organizations, social and cultural groups are officially active in Iran.

Active cultural participation • In the next stage by allocating a budget number 503784, the Islamic government has provided maximum support for religious minorities in the Iranian society. Also by providing specific and general rights and benefits² and facilitates the cultural, social and legal rights of religious minorities just like the rest of society. For example religious minorities in Iran can be active in the following cultural and social arenas:

- Having permits for various publications
- Restoring and renovation of relevant sites
- Having schools for minorities
- No restrictions in learning ethnic language
- Freedom to hold religious ceremonies

- Benefitting from government budget and credit
- Facilitation in getting a passport for leaving the country
- Appointment of religious minorities heads of schools and their employment as teachers
- The teaching of Armenian Christian lessons in the Armenian language.
- Support and freedom of these activities and holding of religious ceremonies in the country's synagogues and churches and the right to have special schools for Zoroastrians are some of the other supports of the Islamic Republic of Iran regime for religious minorities. With regards to publications, Jews, Christians and Zoroastrians do have their own publications.

Specific social and religious rights • As well as enjoying official national holidays, religious minorities can in accordance with memorandum of 3 Dey 1366 of the Administrative and Employment Affairs of the country, enjoy their own special days such as Eids and other ceremonies, i.e. Yum Kippor, birthday of Zoroaster, Christmas and

Easter. • The contents of the Tax Exemption Law for Religious Places of Worship and Associations (1933) was renewed in 1987. • The practical necessity to Islamic laws for

Muslim's recruitment, was changed in the 1995 Selection Law for minorities, and the application of this law is based to their own conditions and regulations, and of course religious minorities must not openly violate Islamic laws.

Minorities judicial rights issues • With regards to personal property minorities have their own religious and customary rights according to the Constitution: a) freedom in personal property, b) retirement rights, c) equality of religious minorities Dia (money for blood) with Muslims. The Amendment to the religious minorities inheritance with the support of 199 members of the Islamic parliament. • In criminal issues minorities have the same facilities as Muslims. According to article 148 of the executive guidelines of the Prisons' Organization and reform and rehabilitation measures (2005) when a prisoner is accepted in prison his or her religion is stated in the questionnaire, and all facilities for their religious ceremonies and rituals are provided with the assistance of the Islamic Culture and Guidance Ministry via prison officials. Articles 149 and 150 of the said guidelines state: "Each prisoner that belongs to one of the officially recognised religions of the country can in public or solitary confinement have his or her own religious book, prayer book and facilitation for his or her own prayer rituals. Any prisoner that belongs to one of the country's official religions when necessary can request for a religious representative to be present in prison upon the approval of the warden, and to guide him or her in his or her religious duties. • Furthermore, towards the guaranteeing of these rights and freedoms and the application of the Constitution and the benefitting of all of the nation such as minorities from the rights stated in the law in article 570 of the Islamic Penal Code (Tazirat and Deterrent Punishments) it is stated: "Every government official that against the law, violates the personal freedom of individuals or deprives them of the rights as stated in the Constitution, as well as their employment being terminated, from 3 to 5 years in governmental posts, they will be sentenced to six months in jail."



Introduction The most important criticism of Iranian laws regarding minorities is not the text of the law, but it is the application of the law. In fact the application of the law is a general problem, and is not solely regarding minorities in Iran



The Threshold of Punishment of Illicit Trafficking of Narcotic Drugs and Psychotropic Substances in International Law

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In human rights reports on the Islamic Republic of Iran, there are different criticisms of the death penalty, including: the high number of death penalties; the high number of crimes for which a death sentence is handed down; death sentences for juvenile offenders (under the age of 18); death sentences issued by courts that allegedly lack justice and do not meet the guarantees for fair trial established by international law, including the Revolutionary Courts; vaguely formulated crimes such as moharebeh or fisd-fil-arz (corruption on earth); methods of execution, including stoning or crucifixion; secret executions; execution for offences that do not qualify as the “most serious crimes” from western law viewpoint, including insulting the Prophet Mohammad, or robbery for the fourth time.

Some of the crimes that do not qualify as the “most serious crimes” under international law, and from the Special Rapporteur and the UN Secretary General viewpoints are drug-related offences.¹

Paragraph 2 of Article 6 of the Convention of Civil and Political Rights defines the threshold for death penalty:

“In countries which have not abolished the death penalty, sentence of death may be imposed only for the most serious crimes in accordance with the law in force at the time of the commission of the crime and not contrary to the provisions of the present Covenant and to the Convention on the Prevention and Punishment of the Crime of Genocide.”

Since the mentioned threshold is not clearly defined in International Law, the international human right organizations have enumerated the following necessities:

Threshold necessary to satisfy the requirements of Article 6(2)

1. “Most serious crimes” should be interpreted in the most restrictive and exceptional manner possible

2. The death penalty should only be considered in cases where the crime is intentional, and results in lethal or extremely grave consequences

3. States should repeal legislation allowing capital punishment for economic, non-violent or victimless offences

The UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions (1996) has alleged that:

“[T]he death penalty should be eliminated for crimes such as economic crimes and drug-related offences.”²

The present paper, considers International Covenants from a legal aspect, and a theoretical viewpoint, discusses whether drug-related offences can be considered as “most serious crimes” or not. This paper is not aiming at taking sides or deny the criticism about human right situation in Iran. But, choosing a legal approach, it is making attempts to clarify the seriousness of “drug related crimes”, which is turned into a political tool in recent years, leaving less opportunity for a theoretical criticism of the concept.

D) Drug-related Crimes in International Instruments

• Palermo Convention (on Transnational Organized Crime) (2000)

Regarding punishment, according to this convention (Article 2, paragraph b), “serious crime” shall mean conduct constituting an offence punishable by a maximum deprivation of liberty of at least four years or a more serious penalty.

According to the convention, serious crimes include:

Participation in an organized criminal group (Article 5)

Laundering (Article 6)

Corruption (Article 8)

Obstruction of Justice (Article 23) The use of physical force, threats or intimidation or the promise, offering or giving of an undue advantage to induce false testimony or to interfere in the giving of testimony or the production of evidence in a proceeding in relation to the commission of mentioned offences;

Regarding the scope of the crime, serious

1- See the Special Rapporteur’s report (2013)

2-A “most serious crime”? International Human Rights Law and the Death Penalty for Drug Offences, Rick Lines, 18th International Conference on the Reduction of Drug-Related Harm Warsaw, Poland

crimes are transnational in nature and are committed by an organized criminal group active in more than one State; are committed in one State but have substantial effects in another State; or are committed in one State but a substantial part of their preparation, planning, and direction or control takes place in another State. (Article 3)

The three Additional Protocol to the Convention add 3 more offences to the list of serious crimes

1. Prevention, Suppressing and Punishment of Trafficking in Persons, especially Women and Children (Protocol I)

2. Prevention of the Smuggling of Migrants by Land, Sea and Air (Protocol II)

3. Prevention of Illicit Manufacturing of and Trafficking in Firearms, their parts and Components and Ammunition (Protocol III)

Regarding the international body which is of deep concern (about the negative economic and social impacts of organized criminal activities) the concerned body is the General Assembly of the United Nations³ and or countries which are members of the protocol (see the introduction of the three Protocols in which the negative impacts caused by serious crimes have been noted).

Question: Now what measures are suggested by the convention in addition to serious punishments for the mentioned crimes?

According to Paragraph 3 of Article 34 of the Convention, each State Party may adopt more strict or severe measures than those provided for by this Convention for preventing and combating transnational organized crime.

Conclusion 1: Crimes such as human trafficking, trafficking of illegal migrants and firearms are examples of transnational organized crime which are a source of serious concern for the majority of international community or threaten the security of all States, and have detrimental impact on the people's welfare, threatening economic, social development in all societies.

Conclusion 2: The act of trafficking is a crime, such as smuggling. But some instances of trafficking are serious crimes. The Palermo Convention on Transnational Organized Crime considers some of the instances as serious crime if they are committed transnationally and in an organized manner.

Question: Considering the above mentioned discussion drug-related crimes are what sort

of crimes?

The United Nations Convention against illicit traffic in Narcotic Drugs and Psychotropic Substances adopted on 20 December 1988 ratified by the Islamic Republic of Iran describes the crime as follows:

- The Parties to this Convention are deeply concerned by the magnitude of and rising trend in the illicit production of, demand for and traffic in narcotic drugs and psychotropic substances, which pose a serious threat to the health and welfare of human beings and adversely affect the economic, cultural and political foundations of society;

- They are particularly by the fact that children are used in many parts of the world as an illicit drug consumers market and for purposes of illicit production, distribution and trade in narcotic drugs and psychotropic substances, which entails a danger of incalculable gravity;



- Recognizing the links between illicit traffic and other related organized criminal activities which undermine the legitimate economies and threaten the stability, security and sovereignty of States;

Recognizing also that illicit traffic is an international criminal activity, the suppression of which demands urgent attention and the highest priority;

- Aware that illicit traffic generates large financial profits and wealth enabling transnational Criminal organizations to penetrate, contaminate and corrupt the structures of government, legitimate commercial and financial business, and society at all its levels;

- Recognizing that eradication of illicit traffic is a collective responsibility of all States and that, to that end, coordinated action within the framework of international co-operation is

3- See UN resolution A/55/383, Jan, 8, 2001

necessary,

Conclusion 3: According to the convention, trafficking of illicit drugs and psychotropic substances is, in itself, a serious crime, regardless of the fact that it is organized or transnational, or not; because it is a serious threat to the health and welfare of mankind (not necessarily the people of a specific country or region), and preventing the trafficking is the collective responsibility of all States. It is obvious that if the crime is committed in an organized and transnational way, it will certainly be a “serious crime”.

International consensus on the fact that trafficking of illicit drugs and psychotropic substances is a serious threat to the health and welfare of mankind; undermines States’ economic systems and jeopardizes the stability, security and sovereignty of States, indicates that drug trafficking is a crime against humanity, and a serious crime, the negative



consequences and dangerous impacts of which threatens not only one State or even one region, but the whole international community, so, prevention of the crime, according to the convention, is the collective responsibility of all States. There is no doubt that one of the primary measures against this crime is using preventive punishment.

When the “Draft articles on Responsibility of States for Internationally Wrongful Acts” was adopted by the United Nations International Law Commission, the primary article 19 of the Draft defined international responsibility as a commitment necessary for supporting the fundamental interests of the international community, the violation of which would be considered as a crime by the international community.

Considering the mentioned points, it can be said that, the allegation of Iran Special Rapporteur that drug related offences cannot

be considered as the most serious crimes, is not compatible with international laws. Therefore, prevention of drug related crimes is not only the responsibility and commitment of the Islamic Republic of Iran, but also it is Iran’s responsibility toward the international community.

According to Article 48 of “Responsibility of States for Internationally Wrongful Acts”, not only the injured State can ask for reparation, but also, any State other than an injured State can claim cessation of the internationally wrongful act, and assurances and guarantees of non-repetition.

Now, from Iran’s viewpoint, the question is if a crime - the prevention of which made 3700 members of the police force dead and 12000 other members handicapped; a crime that costs an annual expense of 700 million dollars for blocking the eastern borders of the country; a crime which has caused millions of Iranian families to breakdown or has made them seriously vulnerable - be considered as a serious crime?

It should be kept in mind that, prevention of illicit drug trafficking was so important that the first suggestion of establishing the international criminal court by Trinidad and Tobago was accepted based on the fact that the court can have jurisdiction to deal with illicit drug trade; but in Rome session in 1998, because of the necessity of preventing crimes against international peace and security, such as genocide, war crimes, crimes against humanity and invasion were considered as “the most serious crimes causing concern in the whole international community”, threatening the peace and security of the whole world. So, it was agreed that the court has jurisdiction on the four mentioned crimes.

The following records, released by United Nations Office on Drugs and Crime (UNODC), clearly show that the crime of illicit drug trafficking is considered as a serious crime by both the Middle East and the whole international community. The figures also show the scope of the threat the Islamic Republic of Iran is facing, because of having a long border with Afghanistan and because of the illicit drugs are trafficked into and distributed throughout the country:

- Afghanistan is the main source of opiates in the world. In 2011, Afghanistan produced 5800 tons of opium (close to 90% of the

world's opium production)

- Afghan drug problem is by definition a cross-border phenomenon: global profits of Afghan opiates per year= USD 67 billion (7 billion Opium trade and 60 billion Heroin trade).

- Each year about 210 million people use illicit substances and each year drugs cause some 200,000 deaths (half from Afghan Opiates).

- Afghan opium claims about 100,000 lives annually. Afghan opiates in Russia alone: yearly about 30,000 youngsters die of heroin overdose (compared to the 15,000-17,000 Russians who perished during the Afghan war).

The bitter realities revealed in Iranreview.org interview with Najibullah Lafraie, the former Minister of State in Afghanistan, and a lecturer in political studies at the University of New Zealand, ⁴ clearly indicate that some of the countries, despite having thousands of military forces in Afghanistan, not only failed to fulfill their international commitments, but also encouraged illicit drug trade.

Q: is it true that the United States contributed to the rise of the cultivation and production of narcotics and drugs in Afghanistan since 2001?

And according to the 2013 Afghanistan Opium Survey released by the United Nations, the cultivation of poppy across the country rose 36% last year. Would you please expand more on that?

A: When I was in Kabul in late 2006 and early 2007, there were allegations-sometimes by high-level government officials-that the foreign troops were directly involved in the smuggling of narcotics. There is no clear evidence of that, but it cannot be ruled out either. What is clear is the fact that the U.S. and its allies failed to come up with a well defined, long term, anti-drug strategy; and their ad hoc and contradictory policies contributed to the rise of narcotic production.....

Before 2001 opium was cultivated in 13 provinces of Afghanistan, by 2006 it was cultivated in 30 provinces!

A comparison of the figures related to social and health problems caused by drug abuse including, committing crimes and psychological problems in UNODC report of 2014, released 3 years after the above mentioned report, clearly shows that how the Human Right response to this problem has

seriously threatened the health and security of international community.

Drug use and its health and social consequences Drug use continues to exact a significant toll, with valuable human lives and productive years of many persons being lost. An estimated 183,000 (range: 95,000-226,000) drug-related deaths were reported in 2012. That figure corresponds to a mortality rate of 40.0 (range: 20.8-49.3) deaths per million among the population aged 15-64. While that estimate is lower than for 2011, the reduction can be ascribed to the lower number of deaths reported in a few countries in Asia. Globally, it is estimated that in 2012, between 162 million and 324 million people, corresponding to between 3.5 per cent and 7.0 per cent of the world population aged 15-64, had used an illicit drug -mainly a substance belonging to the cannabis, opioid, cocaine or amphetamine-type stimulants group- at least once in the previous year.

The extent of problem drug use -by regular drug users and those with drug use disorders or dependence- remains stable at between 16 million and 39 million people. However, there continues to be a gap in service provision, as in recent years, only one in six problem drug users globally have had access to or received drug dependence treatment services each year.

Although the general public may perceive cannabis to be the least harmful illicit drug, there has been a noticeable increase in the number of persons seeking treatment for cannabis use disorders over the past decade, particularly in the Americas, Oceania and Europe. Nonetheless, opiates remained the most prevalent primary drug of abuse among those seeking treatment in Asia and in Europe, as did cocaine in the Americas.

With regard to injecting drug use, the United Nations Office on Drugs and Crime (UNODC), the Joint United Nations Program on HIV/AIDS (UNAIDS), the World Bank and the World Health Organization (WHO), drawing on the most recent data available, jointly estimate that the number of people who inject drugs is 12.7 million (range: 8.9 million-22.4 million). That corresponds to a prevalence of 0.27 per cent (range: 0.19-0.48 per cent) of the population aged 15-64.2 The problem is particularly stark in Eastern and South-Eastern Europe, where the rate of injecting drug use is 4.6 times higher than the global average. ⁵

4-<http://www.iranreview.org/content/Documents/US-Troops-Surge-in-Afghanistan-Repetition-of-Mistake-Committed-in-Iraq.htm>

5-World Drug Report 2014, YuryFedotov, Executive Director, United Nations Office on Drugs and Crime

A Review of ODVV's Activities Regarding the Improvement of the Mental and Social Health of Afghan Refugees in Iran



By: Leila Enayati
Researcher

When faced with natural disasters such as famine and drought, and manmade disasters such as war, injustice, oppression and or bad economic and social conditions such as poverty and unemployment, they choose one of the three options, homelessness, refugee and migration.

They are in search of physical, mental and social security or they are looking for work and improvement of the quality of their lives. And despite having attachments to their homes and places of birth, they leave their land and are made homeless within the borders of their motherland, which is a common denominator in the aforementioned three scenarios.

Migration from motherland and seeking asylum in a new country comes with unknown fears and hopes. The different cultural conditions of the destination country, limitations on resources and facilities, social and economic issues of migrant accepting countries and the views of the individuals of society towards homelessness and refugee status are some of the problems in the way of migrants, refugees and the displaced.

As well as this, homelessness for any reason, at times due to natural or unnatural disasters, comes with lack of easy access of a group of people to decent hygiene medical, educational and welfare services.

The existence of this situation, increases the threat of catching various diseases, accidents, drug addiction and abuse and mental illnesses among refugees. These disorders that three of the types are lined to mental disorders, put heavy burden on the shoulders of both migrants and the host countries from health, economic and social aspects.

In the beginning of the arrival of the first wave of refugees, the most important things are food and shelter. But after the refugee populations are settled and their basic needs provided, then mental health needs also become significantly important. Refugee status by nature brings along mental damages which affect all the living conditions of refugees.

In the past the mortality rate, were associated to sicknesses and damages caused by wars and natural disasters. But today, the mental and social consequences

resulted by them are also centre of attention. Such consequences do not go away easily. Some of them last for a life time. In some instances the children of those suffering might be effected and even continue for the next generations. Therefore it is necessary to pay particular attention towards the mental needs and promotion of the mental health of refugees, which can be done with small investments in this regard; and bring about notable results, not only their mental health but also their physical health.

For this reason, as a nongovernmental organization active in the prevention and reduction of mental and social abuse and defender of victims of violence, since 2010 to-date, the ODVV has successfully conducted 5 joint projects on the promotion of the mental and social health of Afghan refugees in Iran.

Afghan refugees residing in Iran are a group of the people of Afghanistan that left their country following insecurity and a prolonged war, and because of common language, culture and religion they came to Iran. Most Afghan refugees left their country in 1978 with the start of the heavy fighting between Afghan Mujahedin and the Soviet occupiers, and sought refuge in different countries, most of whom went to Pakistan in the south and east of Afghanistan and Iran to the west. Out of all the people who suffered, the Pashoons mostly went to Pakistan and Tajiks and Hezarehs took refuge in Iran. According to released figures, three million Afghan refugees entered Iran.

This population that have mixed with the Iranian population fabric, brought with it a lot of mental and social problems, that even with the passage of 36 years, the effects of these problems are still visible in the Afghan refugee community. The traditional fabric and religious and traditional dogmatism of Afghans has also affected the extent of these problems and damages, in a way that the Afghan community show particular sensitivity towards special training for the promotion of their mental and social health.

Some of the projects that the ODVV has conducted include: "Prevention of Domestic Violence and Life Skills Education" which was conducted in 2014 for 480 Afghan

refugees resident in Varain. This project was held with the aim of reducing the mental and social damages and behaviours and impractical beliefs and increasing self control among the Afghan refugees community with attention to: 1 - the need of this community to reduction of mental and social abuse methods training; which was greatly welcomed by this project; 2 - UNHCR experts welcomed these training courses; and 3 - Need for the expansion of these trainings in vulnerable regions that include Varamin.

According to conducted initial needs assessments that were done via field interviews of 200 refugees (both men and women, aged 12 to 59) in Varamin, it became clear that committing acts of mental and social abuse were the result of lack of control n life skills and subsequently the necessity and need for teaching these skills were felt.

The direct benefactors of the project were 80 Afghan refugees (40 men and 40 women) in the age range of 12 to 59 who were given direct training, and as peer trainers, they



transferred their knowledge of life skills to their fellow peers (5 per each trained trainer). In the second stage the trained (peers) were also selected by the trainers and ultimately 480 refugees in Varamin were trained in balance life skills.

This project was extensively welcomed by the refugees in Varamin, and since Varamin is one of the densely populated refugee residing regions, and extensive mental and social damages was noticed in the region - particularly among the refugee community - the training courses shall continue in this region in 2015.



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Activities of NGOs in Support of Refugees and Foreign Nationals Residing in IR Iran

Over the recent decades Iran has been a safe haven for many refugees and migrants from neighbouring countries. The existence of refugees on a large scale in any country results in changes taking place in the fabric and needs of society, and subsequently institutions and bodies are formed to answer these needs, and NGOs are a part of these created institutions. Also, refugees are always one of the subjects in recommendations given in the UPR on Iran. The below text glances at the activities of some of the Iranian NGOs active on the subject of refugees



Introduction

Approximately 17,000 NGOs and charities are active across Iran, and alongside providing services to Iranians they also have provided support without prejudice for refugees too who have for the last three decades lived in Iran. According to official figures released by the UNHCR, currently there is a population of over 003,000 refugees in various provinces of Iran in 20 refugee camps 43,000 of which are Iraqi and the rest Afghan refugees.

The high number of refugees and particularly their dispersal across Iran has caused a lot of challenges and limitations for NGOs. Despite all these problems, NGOs provide necessary services voluntarily without prejudice to vulnerable individuals, including vulnerable refugees, even in the remotest parts of the country. In view of the extent of NGOs' activities and their number, only the names of some NGOs and the services that they provide in important areas are mentioned below.

Education

One of the most important needs of children, juvenile and even adult refugees is education. according to a UNHCR report, 318,844 refugee students are currently studying in Iran. Although currently on the orders of the government these refugees do not have to pay any fees for education, but NGOs have taken notable measures in covering refugees' other needs. Among these, as well as supportive measures such as holding various consultation sittings towards the protection of refugee women and children, the Protection of Women and Children Refugees Association (HAMI) has launched four schools for refugees in Tehran (three in Shoorabad and one in Kan) and one in Mashhad. In the near future a school will open in Semnan province. over 1200 refugee children are benefiting from free education services in these schools.

The Child Labour Protection Association has is active in four pre-school, primary school, secondary school and college levels, which on a daily basis holds 51 educational classes for more than 912 children in various centres of the association.

With the cooperation of the UNHCR, the Organization for Defending Victims of Violence (in Special Consultative Status to ECOSOC) to-date has held three various education courses for Afghan refugees in Tehran and Semnan.

According to figures released by the Child Foundation (in Special Consultative Status to ECOSOC), this Foundation has supported and covered 6511 refugees and Iranians in various levels (including 3069 in primary school, 830 in secondary school, 1473 in college, 244 pre-university and 744 in university).

Health

Overall the livelihood and economic levels of refugees are lower in comparison with the citizens of host countries and therefore they are more vulnerable. In most instances refugees delay seeking medical attention till they are very sick, which itself causes an increase in the cost of the treatment of the refugees for support organizations and the host country. also, in view of the high medical treatment costs, NGOs themselves are also faced with limitations. Alongside these problems with the cooperation of the Iranian government towards health and medical support for refugees, the UNHCR has insured more than 220,000 vulnerable Afghan and Iraqi refugees. The Iranian Health Ministry has also covered the vaccination of refugee children and mother and child medical care in the routine of its programmes. In line with this NGOs are active in healthcare such as the Association in Support of Cancer Children (in Special Consultative Status to ECOSOC) Behnam Daheshpoor Charity Institute (in Special Consultative Status to ECOSOC), the Family Planning Association of the Islamic Republic of Iran (in Special Consultative Status to ECOSOC), Zanjireh Omid International Charity Institute (in Special Consultative Status to ECOSOC), Sun House, Special Diseases Affairs Foundation (in Special Consultative Status to ECOSOC), Iraqi Refugees Aid Committee are providing supplementary support services for refugees in different provinces. Alongside these organizations, there are other large and small organizations in all corners of Iran that provide various services to refugees.

Reduction of Social Damages

One of the areas which leaves a lot of repercussions for both Afghans and the Iranian society is the drugs issue and the high volume of these substances productions in Afghanistan. In view of the long stretch of Iran's border with Afghanistan, Afghan nationals access and commuting to Iran has also risen, and the entry of drugs into Iran has put a heavy cost for the nation, government and NGOs. Lack of jobs in Afghanistan, high livelihood from drugs and also Afghans' easy access to different parts of Iran have expanded the basis for committing drugs offences, and inflicted a lot of damages on the Iranian society. This issue also has caused a rise in the number of illegal Afghans in Iran. According to unofficial figures as well as the almost one million registered refugees in Ira there are more than 2 million Afghans living in Iran illegally, which has caused the spread of social damages and problems for the Iranian society.

The smuggling of drugs from Afghanistan into Iran has caused a rise in addiction within the Iranian society and also the Afghan community in Iran, which necessitates prevention and treatment. Three active NGOs called Rebirth, Recovering Addicts Support Society, Sun House and charitable and triangular clinics in various provinces have taken steps in providing medical services to refugees affected by drugs. To this aim some of these organizations have signed agreements with the UNHCR. Raha Counseling Centre of the ODVV also in line with the strengthening of the family and prevention of addiction provides counseling to vulnerable refugees threatened by addiction.

Livelihood

In view of security problems, lack of acceptance of the returnees by the Afghan government on a huge scale and as a result the drop in the number of voluntary repatriations of Afghans back to their country , practical solutions have been devised for Afghan refugees with the aim of voluntary repatriations, sustainable reintegration and assistance to host countries. In this regard the key role of NGOs in cooperation with UN agencies such as the World Food Programme and the UNHCR have been stressed. Also in view of the fact that livelihood programmes based on the increasing of refugees self sufficiency particularly in conditions where their refugee status is a lengthy one, Iranian NGOs alongside international organizations

and relevant agencies play key roles.

In this regard, Iranian NGOs and charities in two levels of empowerment of refugees (holding technical and professional courses) and food and non-food aid, have always put support and to refugees in their working agendas. The Iranian Promotion of Living Quality Association (ILIA), the Protection of Women and Children Refugees Association (HAMI), Child Foundation, Protection of Child Labourers and Street Children Association, Omid Mehr Charity Foundation, Mehr Koodakan Support House Institute, International World Aid Foundation and dozens of other NGOs and charities in this regard have notably cooperated in the reduction of refugees' livelihood problems, and on various occasions provided various food and non-food aid to vulnerable refugees. Furthermore Iranian technical and professional organizations alongside the Iranian government and UNHCR have considered various professional and technical courses for refugees.

Conclusion

The said points are only the tip of the iceberg of the overall supports that have been provided by a number of Iranian NGOs to refugees living in the Islamic Republic of Iran. This is while international assistance in the existing scales compared to the number of refugees in Iran has been very little and the main burden of problems and repercussions of the presence of refugees in Iran is on the shoulders of the people of Iran. Furthermore eternal sanctions have doubled NGOs problems and limitations and as a result the refugees have also been affected by these pressures.

On the other hand, in view of the high number of refugees in Iran, naturally a number of profiteers turn to criminal activities and endanger the mental and social safety of the citizens and refugees, and this problem requires a serious internal will, information dissemination of the laws and regulations of the host country and the need to respect them and also international assistance to reduce these types of threats.

Let us hope with the further participation of the international community, the support for local and civil societies and also refugees living in Iran expand and with reconstruction and establishment of security across the neighbouring country, we witness a repatriation full of dignity and respect for the refugees.



In view of security problems, lack of acceptance of the returnees by the Afghan government on a huge scale and as a result the drop in the number of voluntary repatriations of Afghans back to their country , practical solutions have been devised for Afghan refugees with the aim of voluntary repatriations, sustainable reintegration and assistance to host countries



Message dated 21 January 2015 from Ayatollah Seyyed Ali Khamenei, Leader of The Islamic Republic of Iran, addressed to Youth in Europe and North America

**In the name of God,
the Beneficent, the
Merciful
To the Youth in
Europe and North
America,**

The recent events in France and similar ones in some other Western countries have convinced me to directly talk to you about them. I am addressing you, [the youth], not because I overlook your parents, rather it is because the future of your nations and countries will be in your hands; and also I find that the sense of quest for truth is more vigorous and attentive in your hearts.

I don't address your politicians and statesmen either in this writing because I believe that they have consciously separated the route of politics from the path of righteousness and truth.

I would like to talk to you about Islam, particularly the image that is presented to you as Islam. Many attempts have been made over the past two decades, almost since the disintegration of the Soviet Union, to place this great religion in the seat of a horrifying enemy. The provocation of a feeling of horror and hatred and its utilization has unfortunately a long record in the political history of the West.

Here, I don't want to deal with the different phobias with which the Western nations have thus far been indoctrinated. A cursory review of recent critical studies of history would bring home to you the fact that the Western governments' insincere and hypocritical treatment of other nations and cultures has been censured in new historiographies.

The histories of the United States and Europe are ashamed of slavery, embarrassed by the colonial period and chagrined at the oppression of people of color and non-Christians. Your researchers and historians are deeply ashamed of the bloodsheds wrought in the name of religion between the Catholics and

Protestants or in the name of nationality and ethnicity during the First and Second World Wars. This approach is admirable.

By mentioning a fraction of this long list, I don't want to reproach history; rather I would like you to ask your intellectuals as to why the public conscience in the West awakens and comes to its senses after a delay of several decades or centuries. Why should the revision of collective conscience apply to the distant past and not to the current problems? Why is it that attempts are made to prevent public awareness regarding an important issue such as the treatment of Islamic culture and thought?

You know well that humiliation and spreading hatred and illusionary fear of the "other" have been the common base of all those oppressive profiteers. Now, I would like you to ask yourself why the old policy of spreading "phobia" and hatred has targeted Islam and Muslims with an unprecedented intensity. Why does the power structure in the world want Islamic thought to be marginalized and remain latent? What concepts and values in Islam disturb the programs of the super powers and what interests are safeguarded in the shadow of distorting the image of Islam? Hence, my first request is: Study and research the incentives behind this widespread tarnishing of the image of Islam.

My second request is that in reaction to the flood of prejudgments and disinformation campaigns, try to gain a direct and firsthand knowledge of this religion. The right logic requires that you understand the nature and essence of what they are frightening you about and want you to keep away from.

I don't insist that you accept my

reading or any other reading of Islam. What I want to say is: Don't allow this dynamic and effective reality in today's world to be introduced to you through resentments and prejudices. Don't allow them to hypocritically introduce their own recruited terrorists as representatives of Islam.

Receive knowledge of Islam from its primary and original sources. Gain information about Islam through the Qur'an and the life of its great Prophet. I would like to ask you whether you have directly read the Qur'an of the Muslims. Have you studied the teachings of the Prophet of Islam and his humane, ethical doctrines? Have you ever received the message of Islam from any sources other than the media?

Have you ever asked yourself how and on the basis of which values has Islam established the greatest scientific and intellectual civilization of the world and raised the most distinguished scientists and intellectuals throughout several centuries?

I would like you not to allow the derogatory and offensive image-buildings to create an emotional gulf between you and the reality, taking away the possibility of an impartial judgment from you. Today, the communication media have removed the geographical borders. Hence, don't allow them to besiege you within fabricated and mental borders.

Although no one can individually fill the created gaps, each one of you can construct a bridge of thought and fairness over the gaps to illuminate yourself and your surrounding environment. While this preplanned challenge between Islam and you, the youth, is undesirable, it can raise new questions in your curious and



inquiring minds. Attempts to find answers to these questions will provide you with an appropriate opportunity to discover new truths.

Therefore, don't miss the opportunity to gain proper, correct and unbiased understanding of Islam so that hopefully, due to your sense of responsibility toward the truth, future generations would write the history of this current interaction between Islam and the West with a clearer conscience and lesser resentment.

Seyyed Ali Khamenei
21 January 2015

Iranian foreign minister Dr. Mohammad Javad Zarif in a letter to UN Secretary General Ban Ki Moon



Iranian foreign minister Dr. Mohammad Javad Zarif in a letter to UN Secretary General Ban Ki Moon drew his attention towards the extensive facets of Islamophobia, particularly escalating following the recent terror attacks. The letter states: unjustifiable killings by a violent terror group - the existence of which and the reasons for its appearance in our region as an actor is clear for all to see - is clearly condemned by Muslims around the world, including governments, religious leaders, the civil society and prominent individuals. The full text of the letter is as follows:

29 January 2015

**In the name of God, the Compassionate, the Merciful
Excellency,**

I wish to draw your kind attention to the quite unsettling and pervasive manifestations of Islamophobia, which have further escalated in the aftermath of the recent terrorist acts in Paris. The unjustifiable killings by members of an infamous violent extremist group – whose *raison d'être* and emergence recently as a player in our region is known to all - have been condemned by the Muslims across the globe, in clear and unequivocal terms, including governments, religious institutions and authorities, civil society and prominent individuals. The fact that such senseless resorts to violence has no place in Islam and its exalted teachings, nor acceptable to Muslims, is not in doubt; notwithstanding the campaign by the perpetrators promoters of Islamophobia try depict it otherwise. The issue for us, in the Islamic Republic, and in the larger Muslim world, is the prevalence of double-standards when it comes to the question of the proclaimed defense of the universally respected principle of the 'freedom of expression'. You might find this of interest that in 2008, a cartoonist of the same magazine was instructed by the magazine's editor to write a letter apology for what was perceived to be anti-Semitic; and was summarily fired once he refused. No such approach and resolve has ever been seen in the case of frequent frivolous caricatures defaming Muslim and desecrating Islamic values, which appeared in that magazine and other similar publications in Europe; leading to exacerbated tension with the Muslim community in France and the Islamic world. As we all have ruefully witnessed in recent times in various societies in the Western world, whether by political quarters and personalities, the media, or the virtual world, open assault on the religious values of Muslims, be it the person of Prophet Mohammad (PBUH), the Holy Qur'an or the Islamic teachings and values has regrettably become the order of the day.

This inherently dangerous phenomenon poses serious threat to international peace and security, and the acutely needed ambiance of humane, peaceful inter-state and inter-people relations and the requisite recourse, by all, to dialogue, understanding and tolerance between and among the plurality of ethnic, religious and racial communities in our world today.

Beyond the immediate and necessary action to denounce and condemn acts of verbal or physical violence, the West and Europe in particular now needs to undertake a sole searching exercise as to the underlying reasons why quite a sizeable number of individuals and groups espousing extremist ideologies and engaged in acts of brutal terror and heinous violence, in Europe and on a much bigger scale in Iraq and Syria, happen to be second generation Europeans.

This rather bizarre and seemingly inexplicable phenomenon cannot be a mere coincidence, nor can it be easily dismissed or pushed under the rug; it is part and parcel of the current European political landscape. It betrays signs of a deeper socio-political malaise in the societies concerned, and especially in the policies in place as regards Muslim minorities and their values and sanctities.

Recent analyses, prompted in large measure by the high rate of terrorist recruitments in Europe and North America, point in the direction of systematic failure of these societies, which has led to marginalization, alienation and disenfranchisement of these communities and their members, most notably the second generation, born, raised and educated in Western societies. It is bewildering, and equally frightening, that Da'esh terrorists, beheading innocent civilians and dangling with self-satisfying depravity the heads of the murdered hostages just happen to be speaking European languages with native accent. Pointing fingers of accusation towards others, whether Muslim countries, certain governments whose policies and politics might be found disagreeable, or much worse, Islam as a faith, even if politically-correct domestically and of instantaneous or short-term benefit, is simply unconvincing, and incapable of addressing serious problems at the societal, and now global, levels.

In writing this letter, Mr. Secretary-General, I do not intend to lament obvious manifestations of double-standards or find fault with highly-sanctioned policies by this or that Western government or society. Rather, I share this concern with you with a more serious objective in mind. Considering the institutional capabilities of the United Nations, and as a career multilateral diplomat who still believes in the substantial potentials of the Organization, I tend to remain hopeful that the UN and its capacity and mechanisms can be brought to bear on an issue of immense international impact and reverberations. Two Iranian proposals, adopted by the General Assembly of the United Nations on Dialogue Among Civilizations (A/Res/56/6) and World Against Violence and Extremism (WAVE) (A/Res/68/127) can provide appropriate institutional framework for this endeavor. More recently, in a message that I have the privilege to enclose, Ayatollah Khamenei has taken the lead in initiating dialogue with the youth in the West on this cardinal issue.

I strongly believe we urgently need to draw on our collective wisdom, at the level of the entire international community, to explore practical ways and means in this regard. Looking forward to be advised of your resolute initiative, and underlining my readiness for further exchange of views on this topical issue, allow me, Mr. Secretary-General, to assure you of my highest consideration.

M. Javad Zarif

Situation of Human Rights in Iran

Wednesday 18 March 2015

11:30 to 13:00

Palais De Nations at Geneva

Room: XXIII

Panelists:

Dr. AlirezaDeiheem

The Threshold of Punishment of
Illicit Trafficking of Narcotic Drugs
and Psychotropic Substances in
International Law

Dr. ParichehrehShahsavand Baghdadi

Women in the Islamic Republic of
Iran

Dr. SafiehShahriariAfshar

Health and Human Rights in Islamic
Republic of Iran

If you intend to take part in this panel please send your request to
below email for necessary coordination:

int-swiss@odvv.org



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Organization for Defending
Victims of Violence