



# General Assembly

Distr.: General  
21 February 2017

English only

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## Human Rights Council

Thirty-fourth session

Agenda item 4

Human rights situations that require the Council's attention

### **Written statement\* submitted by the Organization for Defending Victims of Violence, a non-governmental organization in special consultative status**

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

[13 February 2017]

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

GE.17-02748(E)



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## **Written Statement to the Special Rapporteur on the Islamic Republic of Iran, Ms. Asma Jahangir**

ODVV has an experience of over two decades of effective activities on protection and promotion of human rights, presence in international conferences and effective communication with preventive, supportive, judicial, and legislative sectors of the Islamic Republic of Iran, aiming at improvement of human rights in the country. ODVV would like to bring some points to the attention of the Special Rapporteur on the Human Rights Situation in Iran, Ms. Asma Jahangir:

Comprehensive understanding of human rights in Iran is the first step in setting the priorities of the Special Rapporteur. In the previous reports of the UN Secretary General, the High Commissioner for Human Rights, and the Special Rapporteur on the Human Rights Situation in Iran, the human rights issues have been categorized in a diverse classification. Based on these categories, it is clear that a large volume of Iran's human rights issues are linked with poverty, economic problems and development issues.

Lack of suitable distribution of social services, and limitation of job opportunities undermines the economic structure of the country, and particularly in deprived marginalized regions of the country cause many social damages such as turning to the drugs trade and trafficking and increase the feeling of proportionate deprivation among the low income and ethnic minorities. Furthermore, social damages bring about serious long term negative effects targeting social and family institutions. Also the need for further development in political and administrative spheres are hit by social, legal and political complexities, the reformation of which requires long term planning. The political and administrative structure of Iran government needs further development in the legal and judicial institutions and correction of legal vacuums.

To all of this, environmental issues and concerns must be added.

Finding solutions for the said issues must be a part of the mission of all those who are the concerned about promotion of the human rights situation. Iranian NGOs are the main civil actors for the improvement and promotion of human rights in the country. NGOs active in Iran have a realistic understanding of the situation on the ground. They have hands on experiences of solutions for internal reforms so managed to pursue their civil demands using the most suitable and practical methods.

Weakness of constructive interaction between special rapporteurs and the Islamic Republic of Iran has been one of the main obstacles in the way of the work of previous special rapporteurs, resulting in the recent special rapporteurs' not having the opportunity to visit Iran, benefiting from the reports and comments of the civil society and human rights defenders in the country. Reciprocal interaction with NGOs and activists in Iran, particularly before the possible visit of the Special Rapporteur, will provide her with a better opportunity to have access to more realistic reports and evidences of Iranian society. Therefore, in the event of an effective use of this sector of the Iranian civil society, the new Special Rapporteur will be able to have a more realistic and practical view for promotion of human rights in Iran.

We believe that discovering cases of human rights violations are as important as using suitable methods for resolving the problems, and building confidence which result in the improvement of the attitude of the parties, leading to improvement of human rights situation in the country. The mentality of policy setters in Iran, towards the Special Rapporteur have mostly been one of mistrust and concern. The dominant assumption of the decision making circles and the public with regards to the Special Rapporteur's mandate is that it is created more based on the interests and political decisions of countries in tense relations with Iran rather than the real human rights situation in the country. Therefore, the treatment and approach of the Human Rights Council towards Iran is a form of double standard compared to other countries of the region and the world.

Imposition of sanctions of the last three decades have increased the existing atmosphere of mistrust inside the country. Most of the sanctions have had terrible effects on the basic rights of Iranians, particularly in the economic, social and

cultural rights, and the right to development. Currently, in spite of the nuclear agreement, most of the sanctions are still in place because of America's failure to properly follow the agreement so the negative human rights effects continue.

Although the existence of such attitudes can make interaction difficult but nonetheless we believe that this interaction is not impossible. We believe that if the Special Rapporteur pays attention to these important points during her mandate, most of Iran's positions, approaches and sensitivities will be understandable to her, and there will be more chance of understanding, common language, agreement and improvement of the human rights situation in Iran. The successful nuclear deal and negotiations of Iran with the world showed that mutual respect, real understanding of the conditions in the country, and the approach of "efforts to resolve issues instead of confrontation" can pave the way to remove mistrust, improve human rights and provide space for further effective engagement of civil society. Contrarily, mutual non-cooperation will neither realize the mandate of the Special Rapporteur of Iran nor have a positive effect on the improvement of human rights in the country.

Our long experiences of activities in Iran, the Human Rights Council, interaction with three UN Special Rapporteurs on Iran, Mr. Reynaldo Galindo Phol, Maurice Copithorn and Ahmed Shaheed, and witnessing effective approaches and achievements taught us that the Rapporteurs with a problem solving approach - instead of the approach of solely listing violation claims to Iran government - have seen more cooperation and flexibility of various Iranian government officials, and ultimately their mandates have better met the main objective of promotion of human rights in Iran. Our three decades of activities in the Iranian society has shown us that the realization of the greatest human rights objectives is possible through graciousness and recognition of suitable methods for Iran. Success is possible based on this recognition.

As an NGO active in reduction of violence and empowerment of civil society in Iran, ODVV suggests three priorities to be placed in the Special Rapporteur's agenda, under the present conditions:

1 – Constructive and continued communication with the High Council for Human Rights and the Ministry of Foreign Affairs of Iran, and NGOs based and active in Iran<sup>1</sup> to receive reports on improvement of human rights, and act upon the recommendations accepted by Iran. Also, a follow up is suggested on promises given by Iran and encouragement for their speedy realization, including the promise to revise capital punishment for drugs trafficking related crimes or establishing a national human rights organization. To this aim, attention to the concerns of Iran policy setters and offering recommendations for practical solutions for the challenges can be very useful. For example the criminal policies of Iran are not effective enough so that the removal of capital punishment for drugs traffickers, will not increase the high profit trade, easier access to drugs and escalate drugs related problems.

2 – Raising public awareness of damages resulted by all forms of violence can be another priority that will close the path to social harms. To fight discrimination against women, it would be good to note that most women are victims of various forms abuse. The request for changes in laws, continual and serious monitoring of their application by the government can notably help the improvement of women's situation. Various abuses rooted in social and cultural factors, in our belief are not only against the domestic laws, but also contradict Islamic teachings. Extensive education is needed to reduce violence and promote a non-violent culture.

3 – Studies and reports of the Human Rights Council in the recent years has shown that extensive economic sanctions against countries, only target the people and their right to development. In view of the irreversible repercussions of previous anti-human rights sanctions, and America's new efforts<sup>2</sup>, it is suggested that the Special Rapporteur concentrate on the issue in her reports to the Council or the General Assembly, and in cooperation with the Special Rapporteur on Unilateral Coercive Measures, inform the international audiences of the inhuman consequences of sanctions and to prevent their continuation and or re-imposition.

<sup>1</sup> . Particularly those in consultative status to ECOSOC.

<sup>2</sup> . Particularly after the inauguration of Donald Trump, an extremist president, who increased the sanctions and threatening to add even more sanctions.

It seems that attention to a constructive interaction approach and the recommended priorities which have been raised in this statement can set a more suitable basis for the advancement of human rights objectives and improvement of the human rights situation in Iran.

With regards to action towards constructive interaction approach and also the realization of the aforementioned priorities, the ODVV has considered numerous policies, programs and actions and implemented them, and wishes to declare its readiness for constructive interaction with the Council, the Special Rapporteur on Iran and all Council mechanisms also its readiness to implement possible projects in this regard. We and other NGOs and civil society activists in Iran do our utmost to realize all human rights objectives and make a brighter future.

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