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Written statement* submitted by Association pour la défense des droits de l'homme et des revendications démocratiques/ culturelles du peuple Azerbaïdjanais-Iran - «ARC» a non- governmental organizations 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.

[7 February 2022]

* Issued as received, in the language of submission only. The views expressed in the present document do not necessarily reflect the views of the United Nations or its officials.



Conflict Prevention and Protection of Human Rights of Minorities

This is a Statement by Arc Association for the Defence of Human Rights of Azerbaijanis of Iran (ArcDH) to the 49th Session of the UN Human Rights Council (HRC) on critiquing the uptake of the recommendations of UN HRC by the Iranian government. The recommendations presented in the report: A/HRC/49/81 (concerning Conflict prevention and the protection of the human rights of minorities) are the right steps in the right direction but their uptake by the Iranian government requires further care as outlined below.

International Drivers Promoted by the UN

The thinking consolidated by the UN reaffirms that minorities are not a threat but under threat. This is likely to be a predicament for the Iranian authorities but is the headline in the thinking of the nation of Azerbaijan in Azerbaijani provinces in Iran (Islamic Republic of), who strive for decades to preserve their cultural and national identity under threat by the Iranian authorities. Thus, Resolution 43/8 strikes exactly the right chord, in a background where ArcDH strives to act as a voice to national, ethnic and other minorities in Iran (Islamic Republic of). As the UN HRC aims to provide guidance on implementing the Declaration on the Rights of Persons Belonging to Minorities, this Statement expresses the need for this vital declaration and Resolution 43/8 in a background that the conditions of minority nations and literally any category of minorities in Iran (Islamic Republic of) are deteriorating and governments, one after another, are getting more intriguing with their policies towards the minority nations. A surprising anomaly in Iran (Islamic Republic of) is that the government is most persistent in altering the popular and historic identities and stitches disputable identities, which may even be derogatory. This is very damaging, and the Statement is minded with the damages that are being inflicted on the social cohesion, culture, environment and natural resources of the minorities. All categories of the minorities in Iran (Islamic Republic of) are in the dire need of inclusion, without which a catastrophic implosion is imminent. The Statement is structured as in the report: A/HRC/49/81 in the following four sections.

General Recommendations

Literally, all categories of minorities in Iran (Islamic Republic of), in particular, national minorities, women rights and some religious minorities, are in the dire need of all international and regional human rights instruments to harbor them from the excesses of existing Iranian policies and administrative orders.

Azerbaijanis, Arabs and other categories of minorities in Iran (Islamic Republic of) are constantly on guard and asking what is the next conflict-creating event that they will be victimized? For instance, consider the sorry-state of the Qashqay (Qashqai) Turks in the *Heliqan* village of *Kohgiluyeh and Buyer-Ahmad* province. They are now subjected to a forced relocation but the Qashqays resist this and there is no authority to listen to their voices. The perpetrators of this conflict are reinforced by the State and the authorities show no accountability; no one is examining the root causes, and victims are suppressed by heavy-handed security agents¹.

The above is not a standalone incident, but such events are persistent and recurrent. Consider another example of a schoolgirl enchanting an Azerbaijani poem in the Literary Society of Alborz near Tehran. A short clip of her chant was published on social media, in which evidently the meeting is formal with all respectful individuals attending the occasion and the teenage girl was fully observant of all the Islamic rules and regulations. However, the Iranian authorities cancelled the society's license and reportedly suspended the managers of their jobs in the school.²

We recommend that the UN guidance will benefit from envisaging that there are biased States that they are likely to bypass the UN guidance by disingenuous regulations/statements. Therefore, the proposed guidance should identify alternative facilities to trap the possibility

of biased States retarding the good spirit in the guidance. We believe there is a dire need to set up a risk-based approach for the uptake of the report: A/HRC/49/81.

Failure to Address Root Causes of Conflicts

While Items 23-33 of the report: A/HRC/49/81 are positive steps in the right direction, we feel obliged to underline the importance of an evidence-based approach for the State strengthening their rule of law and institutions as required for protecting minority rights and for countering impunity. There is a need even to examine national human rights institutions through demonstrable criteria that they are free from racism and xenophobia, an issue that can easily be overlooked. Azerbaijani human rights defenders in Iran (Islamic Republic of) are thoroughly exposed to the extent that they do the hard work without claiming credit for their activism in fear of their lives. Thus, this needs to be addressed.

The State in Iran (Islamic Republic of) is persistent in equating minority languages as a threat to the security of the country and to date, the 2/3 of the population in Iran (Islamic Republic of) are deprived of the right to education in their mother languages, at least 1/3 of the total population are Azerbaijanis. Instead of any positive measure after 43 years of reign of power, the Iranian authorities devised a dreaded law to enroll school starters if they meet a ‘Sufficiency Test in Farsi’. So, if a child cannot speak Farsi sufficiently well at the age of 6 or 7, they will not be able to register in schools. In this way, they put the onus on non-Persian families to speak Farsi at home, so that their children can speak Farsi sufficiently well. We call upon the UNHRC to rigorously ask the Iranian government to withdraw the legislated law in 2019.³

We recommend that the Especial Rapporteur has a standing item in his report on hate speech against any category of minorities, as Azerbaijanis persistently suffer from hate speech in diverse fields of life.

Legal/Institutional Frameworks to Prevent Conflict by Protecting Human Rights

The political mindset of Azerbaijanis in Iran (Islamic Republic of) is tantamount to formally appealing to all Iranian governments for an inclusive, cohesive and peaceful society in Iran (Islamic Republic of). Conversely, Azerbaijanis will not compromise their demands on having a just system to protect their rights; by demanding to be a mainstream in Iran (Islamic Republic of) as before and like any other by reinstating their right to education in Azerbaijani Turkish and developing without any hindrance of their socioeconomic and regional status, much in the spirit of Item 34-45 of A/HRC/49/81. One proof of this is that Azerbaijanis lodged petitions for a long time for the right of education in the mother language. Some of these in the period of 2004-2010 have been collected in⁴ but curiously there was not even a single response from the Iranian government to any of these petitions. One explanation is that the UN and international institutions tend to go along with the disinformation and misinformation brewed up by the powerful organizations in Iran (Islamic Republic of) who hamper inclusivity.

Towards Early Prevention of Conflicts

We concur with recommendations 46-50 and stress the need for early preventions of conflicts. We emphasize the need for independent institutions to monitor the performances of the subsequent institutions, as well as the role of international institutions to scrutinize the State reports in view of misinformation and disinformation.

Positive Initiatives to Protect Rights of Minorities to Prevent Conflicts

Items 51-65 of A/HRC/49/81 are long awaited to be expressed on behalf of the nation of Azerbaijan. This is in a background, where no single individual person in Iran (Islamic

Republic of) has been prosecuted for insulting Azerbaijani Turks, where unfortunately the ongoing denigrations are recurrent! To ensure a reasonable implementation of Items 51-65, they are only feasible if independent assessment and certification is part of the system. This is a deep-going problem and consciously or unconsciously too many individuals or institutions are complicit, knowingly or unknowingly. Even the teaching of culture and history in the national curriculum is marred by too many controversies and adverse labels targeting both the Azerbaijani Turks and Arabs in Iran (Islamic Republic of).

Concluding Remarks

There is a need to communicate that the body of rights is an instrument to demand but not to beg. This is not understood by the Iranian government and often the government officials mistake rights with charity. We gave simple examples in the Statement, such as a teenager girl above. This signifies that the minority nations have no rights of any type or category. Their small initiatives often trigger government reactions, who will not charge them directly for what they do but for irrelevant charges, such as undermining peace and security. Azerbaijani activists do not express knowingly political views, as the repercussions are almost certain, in which case who know how many will be executed, accused of spying!?

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1. <https://www.sarkhat.com/fa/tag/>
 2. <https://t.me/Galajayinyolu/7319>
 3. The link for the legislation of the sufficiency test of Farsi. <https://www.asriran.com/fa/news/673660>
 4. <http://tomarlar.blogspot.com/>