



## International Covenant on Civil and Political Rights

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### Human Rights Committee

103rd session

#### Summary record of the 2835th meeting

Held at the Palais Wilson, Geneva, on Tuesday, 18 October 2011, at 10.00 a.m.

*Chairperson:* Ms. Majodina

### Contents

Consideration of reports submitted by States parties under article 40 of the Covenant  
(*continued*)

*Third periodic report of the Islamic Republic of Iran (continued)*

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*The meeting was called to order at 10.00 a.m.*

**Consideration of reports submitted by States parties under article 40 of the Covenant**  
(continued)

*Third periodic report of the Islamic Republic of Iran (continued) (CCPR/C/IRN/3; CCPR/C/IRN/Q/3 and Add.1)*

1. *At the invitation of the Chairperson, the members of the delegation of the Islamic Republic of Iran took places at the Committee table.*
2. **Mr. Pourmousavi** (Islamic Republic of Iran), replying to a question about the presidential elections of 12 June 2009, said that the ballot had been lawful, free and fair. The incidents that had marred the event were primarily the work of terrorist elements and the number of victims to which Ms. Motoc had referred was incorrect. It should also be noted that one third of the victims were police officers. The allegation that those involved in the events had been treated with impunity was also incorrect. The Iranian authorities had ensured that disciplinary proceedings were initiated against the law enforcement and other officers implicated and three judges had been suspended from duty and three police officers had received prison sentences as a result. The reports mentioned by another Committee member that spoke of 17,000 police officers being placed on the streets to arrest women considered to be improperly dressed and to ensure that Islamic dress code was respected were also totally inaccurate.
3. **Mr. Tahmasebi** (Islamic Republic of Iran) said that he would like to clarify how laws and regulations were applied in the Islamic Republic of Iran. Under the Constitution, judges were required to base all their rulings on codified law. In the event of lacunae, they should base their judgements on authoritative Islamic legal sources or authentic *fatwas*. It should be borne in mind, however, that pursuant to article 36 of the Constitution, the judicial system of the Islamic Republic of Iran was based on the principle of the primacy of law. Thus, while recourse to a *fatwa* for the interpretation of codified law was permitted in certain circumstances, verdicts could not be based on Islamic sources of law alone.
4. Replying to a question about article 630 of the Penal Code, which exempted a husband from punishment for voluntary manslaughter in the event that he murdered his wife on suspicion of adultery, and its compatibility with the provisions of the Covenant, he said that the circumstances in which that article could be applied were so restrictive that it was hardly ever invoked in practice. It could not therefore be used to guarantee impunity for the perpetrators of honour crimes, the penalty for which was either retribution (*Qisas*) or imprisonment.
5. The right to a fair trial was guaranteed under the Iranian Constitution, which stipulated that no person could be arrested without a solid legal basis and that all persons taken into custody must be heard by a judge within 24 hours of arrest. Once that deadline had expired, detainees must be informed of the charges brought against them. The death penalty was reserved for very serious offences such as voluntary manslaughter and drug trafficking. The usual practice in juvenile courts in recent years had been to withhold the death penalty in the case of minors aged under 18 years. Furthermore, new legal provisions concerning offences committed by children and teenagers which were currently being considered by the Islamic Consultative Assembly (Majlis) envisaged the abolition of the death penalty for minors. Lastly, under the Iranian Constitution the right of appeal against court decisions was comprehensively protected in all provinces.
6. **Ms. Elaheyani** (Islamic Republic of Iran) said that, although the State party had not yet ratified the Convention on the Elimination of All Forms of Discrimination against Women, the Majlis had recently adopted a law that provided more comprehensive protection for women than the provisions of that treaty. No women had been arrested or

detained simply for having taken part in the One Million Signatures Campaign, launched in 2005, which had called for an amendment of the provisions of the Iranian Constitution concerning the rights of women. In any case, very few Iranian women had taken part in that campaign and the majority had been opposed to it. The average age of marriage was 25 years for women and 29 years for men. However, the law allowed young women to marry from the age of 13 years and young men to marry from the age of 15 years. With regard to moves to eliminate the requirement that all women wishing to travel must obtain their husbands' consent, the law concerning the issuance of passports, which was currently subject to that consent, was under review by the Islamic Consultative Assembly and there were no religious obstacles to its amendment.

7. **Mr. Tahmasebi** (Islamic Republic of Iran), replying to a question about the right to legal assistance, said that the presence of a lawyer was required by law from the start of the legal process in those cases where the alleged offences carried a life imprisonment sentence or the death penalty. Suspects who were unable to pay for legal counsel were assigned a lawyer by the court. If a lawyer was not present throughout the trial, the verdict would be declared null and void.

8. Prison oversight was the responsibility of the judiciary, and its officers were permitted to make unannounced visits to prison facilities. Representatives of the Office for the Protection of the Rights of Citizens with respect to Prisoners, which was under the direct supervision of the Prisons Organization, were also permitted to visit prisons to assess detention conditions. Torture was strictly prohibited under the Constitution and was an offence under criminal law. As a result, confessions obtained through torture had no legal force. The Basij's powers of intervention were limited to very specific offences and the right to arrest suspects. Their main duty was to secure crime scenes until the arrival of the police.

9. Allegations that gays and lesbians had been pressurized into undergoing gender reassignment surgery were totally false.

10. **Mr. Salvioli**, noting that the Iranian delegation had indicated that there was no need for judges to invoke the Covenant directly or to apply its provisions since they based their judgements on the provisions of the Constitution, and that those provisions were in full compliance with the Covenant, said that he had been shocked to learn that minors aged under 18 years could be sentenced to death and that stoning and other forms of corporal punishment which, in the Committee's view, violated the right to physical integrity were used. Although a number of amendment bills were currently under consideration, the issue of the Covenant's application in Iranian courts remained a cause for concern. Irrespective of the Covenant's rank in the legal hierarchy, the State party had ratified its provisions and had a duty to fulfil the obligations thereby assumed.

11. **Mr. Thelin**, thanking the delegation for its albeit incomplete responses regarding the relationship between the main precepts of Islamic law and the Covenant, said that it would appear from those responses that the Constitution took precedence over the Covenant and that the courts were not permitted to pass verdicts based on religious principles alone. However, it was stated in the general policies of the Judiciary listed in paragraph 30 of the report that Islamic criteria should guide all judicial matters, including sentencing, relationships between judicial institutions, enforcement, supervision and follow-up, in order to guarantee a high-quality service. Since that statement implied that the Covenant was subordinate to religious principles, clarification would be appreciated.

12. **Mr. Bouzid** asked whether the "interesting amendments" to the Islamic Penal Code relating to pregnant women sentenced to *Qisas* that had been included in the bill mentioned in paragraph 296 of the report had entered into effect.

13. **Mr. Amor** requested further clarification regarding the Covenant's rank in the legal order. To enable the Committee to determine whether the Covenant was viewed as a legally binding instrument in the Islamic Republic of Iran, an indication of the compatibility of Iranian criminal legislation with articles 6, 8, 14, 17, 18, 23, 24, 26 and 27 of the Covenant would also be appreciated.

14. He also sought clarification as to whether polygamy was prohibited and whether it was true that marriage contracts could include clauses requiring women to obtain their husband's authorization for overseas travel. Although women had a prominent role in Iranian society, particularly in education and health, they remained extremely underrepresented in the Majlis. He would therefore like to know whether the authorities envisaged taking affirmative action to enhance their participation in public life.

15. **Ms. Chanet** thanked the delegation for its responses, albeit noting that, while the questions had been very precise, the replies were incomplete and somewhat unclear. It would be useful, for example, to have a full list of those offences that carried the death penalty. While the delegation's responses implied that homicide and drug trafficking were the only offences for which the death sentence could be imposed, other offences to which the delegation had made no reference, including thought crimes and homosexuality, appeared to carry that penalty as well. With regard to the abolition of the death penalty for minors, the delegation had referred only to measures planned for the future, whereas the provisions of the Covenant required that action should be taken immediately. With regard to appeal procedures, it remained unclear whether those convicted had an automatic right of appeal after sentencing, as required under article 14 of the Covenant. The delegation had also failed to respond to the questions concerning stoning, the methods used to administer the death penalty, and the number of persons sentenced to death.

16. Lastly, the delegation's responses to the questions concerning article 9 of the Covenant suggested that suspects were not informed of the charges against them upon their arrest and did not have the right to legal assistance during questioning. The Committee had thus concluded that persons under arrest were in the hands of the police alone for the first 24 hours of custody.

17. **Ms. Motoc** noted that the delegation had not answered certain questions, perhaps owing to time constraints. In particular, it had provided no figures on the number of deaths and human rights violations that had followed the 2009 presidential elections, the inquiries conducted and sentences passed. Its response to the question about the Basij — whose interventions were not, according to information in the Committee's possession, limited to the period preceding the arrival of the police — had been incomplete and no information had been forthcoming about the executions of journalists and activists alleged to have been committed by the security forces, possibly as a means of disposing of dissidents.

18. It was surprising that the delegation considered homosexuality to fall outside the Committee's competence as articles 2, 17 and 26 of the Covenant all had a bearing on that issue. An explanation of the delegation's position would therefore be appreciated.

19. **Mr. Rivas** said that the Committee must seek a more comprehensive response to the questions raised in paragraph 5 of the list of issues as they concerned the protection of the individual and non-discrimination in general. In that paragraph the Committee made no more than a straightforward request for information on three points, without taking any position; yet the State party had firmly and definitively responded that the issue was outside the Committee's competence. Had there been some error of interpretation? Either way, it was essential that the delegation provide an explanation.

20. **Mr. Hakeeme** (Islamic Republic of Iran) said that the cultural specificities of the State party must be taken into account when discussing the Covenant's application. In his country, laws were adopted according to a specific procedure whereby bills were submitted

first to parliament then, as required under the Constitution, to the Guardian Council. Numerous new laws had been successfully drafted and enacted over the past 15 years. The High Council for Human Rights had recently organized a meeting on human rights at which judges had reviewed verdicts reached in past cases. Liaison officers, who were experienced judges, had subsequently been appointed in all provinces to follow up, in conjunction with the High Council for Human Rights, the cases about which the Committee had expressed concern. A further meeting was due to take place shortly at which he would be sure to report on the present dialogue with the Committee. Judges were required to apply domestic law, but efforts would be made to encourage them to refer also to the articles of the Covenant in their rulings.

21. The information about polygamy was not contradictory. A single permanent marriage was preferable but if the wife fell ill or was unable to fulfil her marital obligations a husband could, with her permission, seek court permission to remarry. Entering into a temporary marriage without the agreement of the permanent spouse resulted in divorce.

22. **Ms. Elaheyani** (Islamic Republic of Iran), responding to the questions raised in paragraphs 2 and 3 of the list of issues, said that there was nothing to prevent women from occupying top decision-making positions, including on the Guardian Council and the Expediency Council. Pursuant to articles 90 and 112 of the Constitution, there were no gender-based restrictions on membership of those bodies. There was likewise nothing to prevent women's election to the Assembly of Experts. A woman occupying a senior position on a religious council had in fact been invited to join but had declined. In the political sphere, the Koran in no way prohibited women from occupying senior government positions or the presidency. The confusion could perhaps be attributable to the fact that in Farsi the word "man" was used to refer to all human beings in general. No woman had even been prevented from participating in the country's political life or standing for president. In fact, there were currently four female ministers, as well as women serving as deputy or vice-ministers or occupying senior administrative positions. As established in the Constitution, members of parliament were elected by the people and there were no quotas for men or women. Meetings with the President had, however, been organized to encourage political parties to put forward more female candidates in the next parliamentary elections. In practice, social obstacles still sometimes prevented women from accessing senior positions and for that reason continued efforts were envisaged to raise awareness of that important issue among stakeholders and the general public with a view to changing behavioural patterns. A report on the subject would shortly be submitted to the Head of State and other leaders.

23. **Mr. Pourmousavi** (Islamic Republic of Iran), replying to the questions about impunity, said that all persons who had committed offences during the recent events in which some citizens had unfortunately lost their lives had been brought to justice and had received prison sentences. Three judges had been removed from service and three police officers had been convicted. Impunity was not tolerated and no one was above the law. The Basij were members of the armed forces, not militiamen. They had limited powers and served as officers of the judicial police or as bailiffs in demonstrations and property-related matters. According to NGOs and official information services, 13 people had died during the events in question, all of them members of the national police force.

24. **Mr. Tahmasebi** (Islamic Republic of Iran) said that women, who were considered independent, could have their own property. If a community property agreement had been concluded, all marital property belonged as much to the wife as to the husband. In addition, financial mechanisms had been developed to give women greater rights that better reflected their contribution to the home and family unit. Furthermore, although originally, in application of a religious precept, only husbands were able to file for divorce, the law had been amended so that women now enjoyed the same right. Article 18 of the Family

Protection Act stipulated that if the occupation of one of the spouses undermined the dignity of the family, the other spouse could apply to the courts to force them to cease that activity.

25. A number of offences carried the death penalty, including murder, manslaughter, armed robbery and drug trafficking. Certain offences might be considered less serious than others. For some offences, although the death penalty had been imposed, it had never been administered. Moreover, for offences including murder and drug trafficking, sentences were subject to appeal. Applications for review could also be lodged with the Supreme Court. The Guardian Council was currently reviewing article 90 of the Penal Code, concerning juvenile executions, and saw no obstacle to its amendment.

26. Nothing prevented a lawyer's presence following an arrest, including during the first 24 hours of custody. Judges could impose certain restrictions if they felt that the lawyer's presence might interfere with the legal process or impede the disclosure of evidence, but any such restrictions could be challenged.

27. On the issue of homosexuality, the delegation was unaware of the source of the information in the Committee's possession; it had made checks but had failed to identify any cases of forced gender reassignment surgery.

28. **Mr. Hakeeme** (Islamic Republic of Iran) said that lawyers had the right to be present during questioning but could not intervene. All interviews were recorded and lawyers were required to sign all statements made by suspects. With regard to article 3 of the Act establishing General Courts, a person could not be held in custody for eight months on a judge's order without a court hearing. Any violations of that legal provision would be investigated.

29. **Mr. Neuman** said that the internal and external trafficking of girls and boys aged under 18 years for purposes of forced labour or sexual exploitation was an issue that had been raised in 2005 by the Committee on the Rights of the Child, in 2006 by the Special Rapporteur on violence against women, its causes and consequences, and more recently by the International Labour Organization (ILO) and the Secretary-General of the United Nations. In its replies to the list of issues (CCPR/C/IRN/Q/3/Add.1, paras. 77–85) the State party mentioned a number of measures adopted to combat trafficking, but made no reference to temporary marriage and its use as a means to conceal the prostitution and sale of young girls. He would therefore appreciate information about any Government plans to amend legislation governing temporary marriage in order to prevent its abuse, for example, by raising the age at which girls could enter into such marriages to 18 or introducing judicial oversight of temporary marriages and increased monitoring to prevent judicial corruption.

30. He would also like to know whether the State party had considered the need to protect victims of trafficking, whether minors or adults, and to treat women forced into prostitution as victims of serious crimes rather than perpetrators of sexual offences.

31. **Ms. Chanet** said that she would like further information about the status of judges and the methods used to safeguard and guarantee their independence and thus ensure that they were able to resist approaches by religious dignitaries and Government representatives wishing to dictate how persons were judged. She also wished to know whether lawyers were State employees or were able to exercise their profession freely, and what their role was at the time of arrest and during the first 24 hours of custody, in view of information suggesting that they did not have access to case files and were not informed of the exact charges against their clients until just before the start of trial. It would be useful to know whether that information was accurate, and also whether some evidence could be kept secret and withheld from the adversarial proceedings. Information about any cases in which evidence obtained under duress had been declared inadmissible would also be appreciated.

She further enquired whether lawyers were able to obtain the attendance and examination of witnesses for the defence under the same conditions as witness for the prosecution, as required under article 14, paragraph 3, of the Covenant; whether the principle of public hearings was observed; whether the conditions for in camera hearings were established by law or whether they were left to the discretion of the judge; and whether parties to proceedings could ask to be heard in camera. She would also like to know whether the right of appeal was reserved for judges or was also available to prosecutors, and whether the parties themselves had an automatic right of appeal in all cases or were required to obtain authorization and, if so, in what circumstances.

32. Lastly, she would like the delegation to clarify the restrictions that could be imposed on lawyers' interventions and whether or not the accused had the right to challenge any such restrictions.

33. **Mr. Fathalla**, noting that article 168 of the Constitution of the Islamic Republic of Iran, which dealt with political offences, required that such offences be defined in a specific law, within the precepts of Islam, asked whether such a law had been adopted and whether a definition of that kind did not run counter to freedom of expression.

34. NGO reports suggested that no foreign journalists were left in the Islamic Republic of Iran as the last press permits had apparently been withdrawn after the 2009 presidential elections. Reports also indicated that family members of Iranian journalists exiled overseas had received threats aimed at curtailing the journalists' freedom of expression. She would welcome the delegation's comments on those reports.

35. The Supreme Leader of the Islamic Revolution had declared any criticism of the Government to be a source of dissent. That declaration constituted a restriction on freedom of expression which contravened the provisions of article 19, paragraph 3, of the Covenant. The relationship between article 18 and article 19 of the Covenant and the manner in which the Committee had interpreted the restrictions that could be imposed on freedom of expression were clarified in general comment No. 34 on article 19 of the Covenant, relating to the freedoms of opinion and expression (CCPR/C/GC/34).

36. He noted that the lawyer Nasrin Sotoudeh had been sentenced to 11 years' imprisonment for "jeopardizing national security" because she had given an interview to the BBC to plead the case of a political prisoner.

37. Given that more than 150 Iranian journalists had left Iran since 2009 and some 40 were still imprisoned for crimes against national security, it would be useful to know whether that concept was defined in any law. According to NGOs, following the presidential elections in June 2009 the State party had taken steps to considerably slow Internet transmission speeds, causing a sharp drop in visits. Also, a blacklist of websites to which access was blocked for Iranians was kept updated, including those of international human rights organizations. In addition, the authorities had blocked social networking sites such as Facebook and Twitter, had suspended e-mail services and allegedly blocked SMS alert facilities during certain periods and during protests and disturbances, and had jammed broadcasts, all in contravention of article 19 of the Covenant. In paragraph 15 of general comment No. 34, the Committee emphasized the fact that States parties should take all necessary steps to foster the independence of new media and ensure access of individuals thereto.

38. Information in the Committee's possession indicated that Sunni Muslims, who accounted for between 10 and 20 per cent of the population of Iran, and followers of Sufism were denied the rights established in article 12 of the Constitution, and specifically the right to freely manifest their religion or belief in worship, in contravention of article 18, paragraph 1, of the Covenant.

39. Article 13 of the Constitution listed those religions other than Islam that were recognized by the Islamic Republic of Iran but made no mention of the Baha'i faith. Article 14 of the Constitution stipulated that the Government of the Islamic Republic of Iran and all Muslims in general had a duty to treat non-Muslims in accordance with ethical standards and the principles of Islamic justice and fairness and to respect their rights. Even if the Iranian Government did not recognize the Baha'i faith as a religion, it had an obligation to recognize it as a belief, and religions and beliefs were accorded equal importance under the Covenant. According to reports, 110 members of the Baha'is faith had been imprisoned simply for being Baha'is. The delegation's comments on all those points would be appreciated.

40. **Mr. Iwasawa** said that according to information before the Committee, the Iranian authorities prevented workers from forming independent trade unions and the security forces had sometimes used violence to break up peaceful gatherings organized by labour unions. Could the delegation explain how the use of force against workers' gatherings was justified?

41. The Committee also wished to know how many women's rights activists had been arrested since 2005 as the State party had failed to answer that question in its written replies to the list of issues. The Committee also sought confirmation of the accuracy of information indicating that 44 activists involved in the One Million Signatures Campaign had been arrested, that the women participating in the campaign had been denied permits to use public spaces for their meetings and had been harassed for holding meetings in their homes, and that many activists who had called for or taken part in public protests in 2006 or 2007 had been arrested and prosecuted. Several special procedures mandate holders had expressed alarm about the fact that women's rights defenders had been arrested, detained, ill-treated and even indicted on national security grounds for their weblogs. In 2010 the special procedures mandate holders had issued a joint communiqué voicing concern over the arrest and incommunicado detention of members of the One Million Signatures Campaign and Mothers for Peace and also of journalists. The Committee would appreciate an explanation of the charges brought against the women's rights activists and clarification of how their acts could be considered offences against the national and international security of the country.

42. The Committee had not received a response to its question about the number of students arrested and detained during and after the 2009 presidential elections. It would also like to know why in the two and a half years prior to those elections, some 200 students had been detained and 160 students expelled from universities. According to some sources, the student arrests had begun on 1 December 2007. Could the delegation confirm those figures and explain the reasons for those actions? The Government had apparently used harsh measures against persons who had expressed support for social and political reform and had declared groups such as the student association Tahkim-e Vahdat (the Office for Strengthening Unity) to be illegal. After the elections, the Government had arrested several student leaders and members of the central committee of Advar-e Tahkim (the national alumni association) on national security charges. Could the delegation comment on those reports?

43. He would also like to know why only 4 out of 450 prospective candidates had been approved prior to the 2009 presidential elections and how those candidates had been chosen. He also sought an explanation as to why candidates for the presidency must be Shia Muslims and why international observers had been denied entry to monitor the election results.

44. Since the 2009 election, the authorities had banned peaceful demonstrations in the country's main cities and had issued warnings that street protests would be dealt with harshly. The security forces had allegedly used excessive force against demonstrators,

dozens of people had reportedly been killed and the Supreme Leader had apparently condoned those acts during a sermon. Hundreds of arrests had been made in the post-election crackdown, including at least 60 during prayer services in support of Shahabuddin Tabatabai. Members of the Mourning Mothers association had been arrested for staging weekly protests in Tehran. Could the delegation respond to those allegations and explain how the authorities' actions could be justified under the Covenant?

45. **Ms. Motoc** asked how the Guardian Council exercised its duties in practice and how it decided whether or not to approve prospective candidates for the presidential elections.

46. **Mr. Flintermann**, recalling that the delegation had stated that in practice girls and boys did not marry before reaching the age of 18 years and that the average age of marriage was 25 years for women and 29 years for men even though the minimum marriageable age was 13 years for girls and 15 years for boys, asked whether legislation had been enacted to reflect that practice and the State party's obligation under the Covenant and under the Convention on the Rights of the Child to set the age of majority at 18 years and adjust the minimum marriageable age for both girls and boys accordingly. He would also appreciate information on the policies and programmes adopted to prevent and combat forced, early and temporary marriages.

47. While acknowledging the safeguards, policies and programmes established by the State party to comply with the provisions of article 27 of the Covenant, the Committee was concerned by reports that members of minority groups, including Afghan refugees and asylum seekers, suffered ill-treatment and that members of the Sufi, Baluchi, Azeri, Kurdish and Turkmen minorities and the Arabic-speaking community were restricted in the exercise of their cultural, linguistic and religious freedoms. The Committee had also been informed that campaigners for minority rights, particularly Kurds, had been detained for long periods and that in April 2011 dozens of protesters from the minority Arab community had been killed and hundreds more arrested. Clarification of the situation regarding safeguards for minority rights in the State party would therefore be appreciated.

48. Lastly, he would like to know which regional and tribal languages could be used as mediums of instruction in addition to Farsi and whether school textbooks could be translated into minority languages.

49. **Mr. Amor** recalled that in its concluding observations to the State party's previous periodic report (CCPR/C/79/Add.25), considered in 1993, the Committee had expressed concern at the extent of the limitations and restrictions on the freedom of religion and belief, in particular the systematic persecution, harassment and discrimination of members of the Baha'i faith. More than 20 years later there appeared to be very little change. The Baha'i faith was still not officially recognized as a religion and its followers were restricted not only in the exercise of their right to manifest their belief but also in their freedom to have or adopt a belief, a situation that was unacceptable under the Covenant. The international community had repeatedly expressed concern about the discrimination suffered by the Baha'is and had urged the State party to end such inequalities. Furthermore, the State party had accepted the recommendation made in the universal periodic review (A/HRC/14/12) requiring it to "respect freedom of religion, and assure a fair and transparent trial for members of the Baha'i faith, in full compliance with the commitments undertaken as a State party to the implementation of the International Covenant on Civil and Political Rights and other human rights instruments". That recommendation appeared not to have been implemented, however, since information before the Committee pointed to a systematic policy of discrimination and persecution against the Baha'is. A total of 486 Baha'is had been arrested since 2004; according to reports, 112 of them remained in prison and there were a further 199 followers in pretrial detention. In addition, it appeared that a ministerial directive expressly advocated the Baha'is' exclusion from universities and an intelligence service instruction barred them from numerous sectors of activity. That

situation was unacceptable and the Committee called on the delegation to make a clear statement on the respect owed to the freedom of religion of all communities without exception.

50. **The Chairperson** thanked the members of the Committee and suggested that the meeting should be suspended for a short period to give the delegation of the Islamic Republic of Iran time to prepare its responses to the additional questions that had just been raised. In view of the late hour, she suggested that the dialogue should continue at the next meeting to allow the delegation time to respond to those questions that could not be dealt with at the current meeting.

51. *It was so decided.*

*The meeting was suspended at 12.20 p.m. and resumed at 12.35 p.m.*

52. **Mr. Hagheghat** (Islamic Republic of Iran) said that freedom of expression was constitutionally protected. There were, however, certain legally established restrictions on that freedom, and any persons, including within the media, who contravened those restrictions would be liable to the legally established penalties. The statistics provided in the report attested to the broad range of media operating in the Islamic Republic of Iran, which included written press, radio stations and television channels. Their freedom was constitutionally protected. The restrictions on press freedom were expressly defined in article 6 of the Press Act, which listed the types of content the media was barred from publishing. Included on that list were articles relating to atheism or promoting ideas contrary to Islamic codes or liable to damage the foundations of the Islamic Republic of Iran, pornographic images, classified documents such as documents containing military secrets or records of hearings in camera, content that insulted Islam or offended the Leader of the State and recognized religious authorities, false accusations levelled against private or public individuals or legal entities, and breach of copyright.

53. The reports that had led one of the Committee members to conclude that no foreign journalists remained in the Islamic Republic of Iran were false. A total of 123 foreign media organizations from five different continents were represented in the country and between them employed 250 journalists, including a number of foreign journalists. If the Committee so wished, the delegation could provide a list of the countries that had correspondents in the Islamic Republic of Iran. Foreign journalists' field of action was not restricted to the capital. They were able to visit other Iranian towns and cities and cover all kinds of sporting, cultural and other events, subject to strict respect for the law in all their activities. The reports indicating that no press licences had been issued to foreign journalists since the 2009 elections were also erroneous. More than 500 visas were issued to foreign journalists every year, although that number could vary depending on the situation and the degree of interest generated by each individual event.

54. The media provided forums for the exchange of ideas. Clearly the points of view expressed in those forums could not always espouse the Government's. Iranian journalists had criticized the Government without being imprisoned or prosecuted as a result, as President Ahmadinejad himself had confirmed at a press conference. There were no exiled Iranian journalists. Those who left the country did so for personal reasons, such as to further their career overseas, not because they had been forced to leave. Around 10,000 new Internet sites had been registered since the start of the year, taking the total number of sites currently in operation to almost 27,000. The blacklist of blocked websites mentioned by one Committee member did not exist.

55. **Ms. Hamed** (Islamic Republic of Iran) said that trafficking in human beings carried a sentence of between 2 and 10 years' imprisonment. If the victims were minors, the maximum sentence was applied. Sentences could never be suspended. Parliament would shortly be considering a bill that aimed to increase penalties for trafficking. In addition, the

Civil Code provided that children who were exploited with their parents' complicity could be removed from the family home and placed in child protection facilities. There were several child protection bodies actively engaged in the fight against trafficking in children in the Islamic Republic of Iran. The State had no reason to involve itself in issues of temporary marriage, which was a matter for the discretion of the parties involved. In the event of a complaint, or if the marriage was subsequently found to have been concluded for purposes of trafficking or prostitution, the marriage was annulled.

56. **Ms. Ebrahimi** (Islamic Republic of Iran) said that it was impossible to fight trafficking effectively without addressing the root causes. With that in mind, the Government of Iran had adopted poverty reduction measures and programmes designed to improve the status of women and facilitate access to education for girls, particularly in rural areas. A specific body tasked with promoting women's access to employment had also been created.

57. **Ms. Elaheyani** (Islamic Republic of Iran) said that a multidisciplinary working group had been set up to examine the content of Internet sites in order to determine whether or not they were permissible. Sites including violent, satirical or indecent content could fall within the scope of article 500 of the Penal Code in that they incited rebellion against the regime and disrespect for Islamic values. Sites disseminating child pornography had been shut down for similar reasons. In closing those sites, the Government was not only enforcing the law, it was also responding to the concerns of citizens who wished to prevent their children from accessing such content.

58. **The Chairperson** thanked the delegation of the Islamic Republic of Iran and invited its members to continue the dialogue with the Committee at the next meeting.

*The meeting rose at 1.00 p.m.*