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**Promotion and protection of human rights: human rights
situations and reports of special rapporteurs and representatives**

**Letter dated 24 October 2014 from the Chargé d'affaires ad interim
of the Permanent Mission of the Islamic Republic of Iran to the
United Nations addressed to the Secretary-General**

I have the honour to enclose herewith the written response by the High Council for Human Rights of the Islamic Republic of Iran entitled "Substantive and methodological review of the report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran ([A/69/356](#))" (see annex).

I should be most grateful if you would arrange to have the text of the present letter and its annex circulated as a document of the sixty-ninth session of the General Assembly, under agenda item 68 (c).

(Signed) G. Hossein **Dehghani**
Ambassador
Chargé d'affaires, a.i.



Annex to the letter dated 24 October 2014 from the Chargé d'affaires of the Permanent Mission of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

Substantive and methodological review of the report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran Document (A/69/356)

I. Introduction

The Islamic Republic of Iran has consistently demonstrated its firm resolve to cooperate with the international human rights mechanisms. To that end, Iran has taken numerous steps to promote and protect the situation of human rights at the national and international levels and considers itself fully committed to protecting and observing these rights. No country can claim to be perfect in observing human rights, but to avoid biased and unfair judgements, one needs to consider the cultural, religious and socioeconomic particularities of each country and the level of external threats that can have a deleterious impact on social, economic and political development indices. In this context, it should be noted that the overall performance of the Islamic Republic of Iran in the field of human rights, despite all unlawful sanctions and pressures, has been progressive and positive.

The report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran contained in document [A/69/356](#) was prepared on the basis of a politically motivated General Assembly resolution (68/184), introduced by Canada for the past 12 years. This resolution has not been drafted to promote human rights, which is the main task of the United Nations human rights mechanisms; it is rather a text that has been drafted only by misusing human rights mechanisms for political purposes. Iran believes that Canada continues to ignore respect for the equal rights of the Iranian people, as stipulated in paragraph 2 of Article 1 of the Charter of the United Nations, by submitting such a resolution.

The Permanent Mission of the Islamic Republic of Iran to the United Nations wishes to put forward the position of the Government of the Islamic Republic of Iran regarding the unjust prejudgements contained in document [A/69/356](#). This Mission, together with the Permanent Mission of the Islamic Republic of Iran to the United Nations Office at Geneva, has submitted documented and cogent responses to the Special Rapporteur's previous reports, hoping that they would be incorporated into the current report. Regrettably, the report of the Special Rapporteur overlooks these facts and, while maintaining a consistently negative attitude, incorrectly interprets some of the positive measures taken by the Government of Iran; numerous untrue and unsubstantiated claims are raised and some ordinary administrative inadequacies and failings are blown out of proportion.

Concerns expressed in the introduction to the report are untrue and without a reliable basis, and reflect the predispositions and political tendencies of the author of the report. This tendency on the part of the author of the report has been criticized numerous times and has been regarded as being against the code of conduct of special procedures mandate holders of the Human Rights Council (resolution 5/2, annex) and the principle of impartiality.

Although, the Special Rapporteur had enough time to prepare his draft report, despite the provisions of article 8 of the code of conduct, the Special Rapporteur gave the Islamic Republic of Iran only a few days to respond to the numerous claims and allegations, something that in itself is the clearest reason for failing to be neutral and fair in carrying out his duties. At the same time, believing in constructive interaction and cooperation with international organizations, Iran took steps to prepare a response and expected that its contents would be seriously considered in the Special Rapporteur's report.

The unjust remarks and conclusions of the Special Rapporteur and suggestions of false claims that have absolutely nothing to do with the realities of the Iranian society makes it seem as if Iranian citizens behave in a hierarchical manner and that there is a lawless culture that is seriously criticized. It is astonishing that despite the volume of the submitted information and evidence, the Special Rapporteur continues to be in an illusory environment regarding Iran and, instead of observing the efforts of a nation to realize its fundamental and inherent rights at the international level and drafting and implementing numerous social and economic programmes despite outside pressures, he once again shows huge shortfalls and continues to present his unreal interpretations.

The Special Rapporteur has forgotten his most important duty, which is to focus on the necessity of promoting human rights and reflecting realities based on reliable sources, cross-checking for correctness and paying less attention to cultural observations and the volatile surroundings of the country.

In this assessment, we will explain briefly some of the most important areas of extensive cooperation that the Islamic Republic of Iran has extended to international human rights mechanisms and its efforts to advance and protect human rights:

- National report of the Islamic Republic of Iran for the universal periodic review mechanism ([A/HRC/WG.6/IRN/1](#)), active participation in this process and taking steps to implement recommendations of the first session of the universal periodic review
- Preparation and submission of a report ([A/HRC/WG.6/20/IRN/1](#)) for the second cycle of the universal periodic review for presentation at the twentieth session of the Council in October 2014
- Responding to the communications received from human rights thematic special rapporteurs and the Special Rapporteur
- Responding to reports of the Secretary-General on the situation of human rights in the Islamic Republic of Iran submitted to the General Assembly and the Human Rights Council
- Presentation of the third periodic report of the Islamic Republic of Iran on the International Covenant on Civil and Political Rights to the Human Rights Committee ([CCPR/C/IRN/3](#)) and providing written replies ([CCPR/C/IRN/Q/3/Add.1](#)) to questions ([CCPR/C/IRN/Q/3](#)) raised by the Committee concerning the national report of Iran, and active participation in the meeting for the purpose of defending this report in 2011
- Submission of the second periodic report of the Islamic Republic of Iran on the International Covenant on Economic, Social and Cultural Rights ([E/C.12/IRN/2](#)) and presenting written replies ([E/C.12/IRN/Q/2/Add.1](#)) to questions raised by

the Committee on Economic, Social and Cultural Rights ([E/C.12/IRN/Q/2](#)) concerning our report, and active participation in the meeting for defence of our report in 2013

- Presentation of the third periodic report on the rights of the Child to the Committee on the Rights of the Child (2013)
- Active participation in human rights international meetings and forums
- Visits by six thematic special rapporteurs to the Islamic Republic of Iran and with two more visits by thematic special rapporteurs scheduled
- Technical cooperation with the Office of the United Nations High Commissioner for Human Rights (OHCHR)
- Invitation extended to the United Nations High Commissioner for Human Rights and making arrangements for the actual visit of a preparatory delegation from OHCHR that did not take place owing to the termination of the term of office of Madam High Commissioner
- Membership of and accession to a number of international human rights treaties, including United Nations Convention against Corruption (2008) and the Convention on the Rights of Persons with Disabilities (2008)
- Promotion of human rights activities of the Non-Aligned Movement during the chairmanship of the Islamic Republic of Iran, including sponsoring three human rights resolutions (right to development, enhancement of international cooperation in the field of human rights, unilateral coercive measures and their impact on human rights); hosting a number of meetings by the Non-Aligned Movement Centre for Human Rights and Cultural Diversity; holding several academic meetings in 2011 and 2012 with attendance from 30 countries, in cooperation with the International Committee of the Red Cross, the Red Crescent Society of the Islamic Republic of Iran, the Irish Centre for Human Rights, the United Nations Educational, Scientific and Cultural Organization (UNESCO) Chair in democratic citizenship and cultural freedom at Rioja University in Spain; the Collège universitaire Henry Dunant in Switzerland, the UNESCO Chair in human rights and ethics of international cooperation at the University of Bergamo in Italy, the School of International Relations in Iran, the Centre for Human Rights Education at Curtin University and Swinburne University in Australia; the Iranian Islamic Human Rights Commission; the Iranian National Commission for UNESCO; and a number of reputable Iranian universities
- Making efforts to advance human rights activities within the Organization of Islamic Cooperation, promoting the idea of establishing an independent and permanent human rights commission in the Organization and supporting all constructive, cooperative efforts by the Commission, along with hosting a number of human rights meetings of the Organization
- Hosting the Third Ministerial Conference on Women's Role in the Development of Organization of Islamic Cooperation Member States (December 2012), the international conference "Eminent ladies of divine religion" (October 2011), the International Conference on Women and Islamic Awakening and the drafting of a covenant on the rights of women in Islam (2012)

In the context of bilateral relations, the Islamic Republic of Iran has tried to strengthen and advance human rights by using its bilateral capacity with various countries. Iran has endeavoured to sustain bilateral dialogues and technical human rights cooperative relations with the Russian Federation, Norway, Denmark, Austria, South Africa and Indonesia.

The cases mentioned above are only a few of the positive steps that the Islamic Republic of Iran has taken in relation to United Nations human rights mechanisms and those from our region and beyond; they clearly demonstrate the practical commitment to continue and sustain positive interaction with these arrangements. We state our readiness to continue these cooperative relations. Despite the extensive cooperation of the Islamic Republic of Iran and its positive interactions with United Nations human rights mechanisms, such as accepting 123 recommendations during the first cycle of the universal periodic review and taking voluntary measures to put them into actual practice, the Special Rapporteur has failed to notice these positive interactions and steps taken by the Islamic Republic of Iran and presents a flawed interpretation of the progress and remedial legislative actions owing to his lack of understanding. To cite an example, according to our laws, assembly of workers at a workplace is totally legal and takes place frequently without the need to acquire a permit. According to our information, employers have on numerous occasions complied with the demands of workers. The holding of open assemblies by various workers' unions and other social segments take place regularly and are visible in different locations.

II. Methodological flaws of the report

Regrettably, the Special Rapporteur has ignored previous substantiated comments and replies of the Islamic Republic of Iran and has been influenced and predisposed by insinuations and sources, such as past reports, that are mostly unreliable and without verification, in violation of the code of conduct for mandate holders of the special procedures of Human Rights Council. These are the primary reasons behind the repeatedly incorrect content of his report. This is clearly indicative of the departure of the Special Rapporteur from the clear rules stipulated in the criteria for the appointment of mandate holders. It is also indicative of an unfair and biased approach towards the Islamic Republic of Iran. This approach renders this report invalid and diminishes public confidence.

Repeated criticism of Iran of the methodology used in drafting this report arises from the fact that the Special Rapporteur is not interested in including views and comments from official and independent sources. As he himself has mentioned, a major part of his report is the result of his interviews with 118 persons, whereas to write an independent and reliable report all claims received by the author need to be verified and unreliable claims discarded.

The Islamic Republic of Iran is determined to respond to claims and communications of human rights violations and has been very transparent in providing pertinent information. In 2013, we provided our response to 18 out of 35 communications, most of them repetitive, and to 3 out of 17 in 2014; the rest are being studied.

Again, we expect special rapporteurs to be bound by the code of conduct for special procedures mandate holders annexed to Human Rights Council 5/2 and to try

to avoid subjects of a very general nature and without any solid basis, and to pay more attention to information provided by Iran concerning claimed allegations. In addition, if the Special Rapporteur intends to include new names in his report, he should at least allow adequate time for investigation and proper response. In the present report, in addition to undependable information and numbers that the Government needs to spend some time examining, the names of at least 57 persons and claims of a personal nature are mentioned to which it is not possible to give any response within the time frame set by the Secretariat. For this reason, personal matters are not adequately dealt with in the present response. Nevertheless, Iran is prepared to respond to all claims raised in the report in the future.

We welcome the new approach of the Special Rapporteur to deal more seriously with important social issues like the sanctions, employment and the environment. These are the kinds of issues that are important to and need to be addressed by most people. Unfortunately, the esteemed Special Rapporteur has also failed to deal seriously with these matters and has not denounced unlawful sanctions that have resulted in gross violations of the human rights of citizens in the areas of health, employment and access to basic rights.

III. Civil and political rights

A. Death penalty

The principled position of the Islamic Republic of Iran on the death penalty has been reflected repeatedly in the official positions of the Islamic Republic of Iran and will be explained further in this response.

Excessive concentration on the claim concerning an increase in the use of death penalty in Iran, as stated in this report, and relying on estimated numbers without paying attention to causes and threats arising from special circumstances, especially because of the shocking increase in the production of illicit drugs in countries on the eastern borders of Iran, jeopardizes the very validity of this report. According to official statistics, in 2013 the share of death sentences relating to illicit and narcotic drugs was 80 per cent.

The geographical location of the Islamic Republic of Iran in the vicinity of the largest producers of traditional narcotic drugs in the world is the primary reason for attaching great importance to combating traffickers. Our country has been very serious in this fight and has made huge human and material sacrifices. More than 3,000 of our military and law enforcement forces have given their lives and 12,000 have been injured in this campaign. In addition, millions of dollars are spent every year (\$700 million for the fortification of the eastern borders) for fighting networks of traffickers, prevention, treatment and rehabilitation.

According to figures published by the United Nations Office on Drugs and Crime (UNODC), more than 80 per cent of seizures of narcotic drugs in the world are made by the Islamic Republic of Iran. Iran has been recognized as the flag bearer of the global fight against illicit drugs in numerous UNODC reports and statements of its Executive Director and Under-Secretary-General of the United Nations.

The Islamic Republic of Iran is in the forefront of the fight against trafficking of drugs and cooperates with the United Nations and other countries in preventing the transit of illicit drugs. Iran has also made huge investments in preventing

trafficking and uses its full capacity in this fight. The number and volume of seizures in Iran are more than the total in the rest of the world. This fight against narcotic traffickers has been very costly for Iran, especially in terms of human resources. In some cases we faced hostage-taking of our law enforcement forces by terrorist groups, mainly because of the lack of cooperation by other countries. In our neighbouring region the nexus between extremism and terrorism on one hand and drug trafficking and organized crime on the other is undeniable. That is why it is essential to have the serious and responsible cooperation of all countries and relevant international organizations in this fight.

In the laws of the Islamic Republic of Iran the death penalty is only for very serious crimes. Serious crimes are prosecuted in courts of law with the presence of the representative of the Prosecutor, the accused and his/her defence lawyer. A death sentence is issued after the exhaustion of all legal remedies and completion of due process. Court hearings for these serious crimes are conducted in the presence of defence attorneys, whose presence is required by law. Rulings by courts in these cases without the presence of lawyers are not legally valid and can be overruled by the higher courts. In article 32 of the amendment to the law concerning the fight against drugs (adopted in 1997), death sentences that are issued by courts can only be enforced after approval by the Supreme Court and the Prosecutor General. Due care is exercised in these rulings to such an extent that if one of these two (Supreme Court or Prosecutor) deems that the ruling contravenes provisions of sharia or law, a retrial can be ordered or the ruling abrogated. This is intended to fully observe the rights of the accused.

The cases where the death penalty can be used are carefully and clearly stipulated in the laws of Iran. Regarding death sentences for perpetrators of serious economic offences, article 286 of the Islamic Penal Code regards extensive and serious disruption of the nation's economic system as an example of a capital crime and the person found guilty of this serious crime is punishable by death. The person who was executed in 2014 was involved in money-laundering, bribery and the use of counterfeit documents and engaged in forgery. His actions caused disruptions and huge losses (billions of dollars) to a number of banks. The trial was fair and took place in the presence of his lawyer and the ruling was issued after numerous hearings. He appealed the ruling of the first trial, but lost his appeal in the higher appellate court. The legislator in Iran, as in a number of other countries, has envisaged the death penalty for perpetrators of economic crimes that have immense consequences for the nation.

Iranian society is a multi-ethnic society with an ancient assortment of cultures and religions. There are ethnic groups in Iran for this reason, and using the term "minority" for them does not correspond to the country's history. We would like to emphasize the high and effective position of ethnic groups in all national decision-making, including in the parliament, leading national and religious institutions and the Assembly of Experts. It is wrong to attribute the commission of offences or to make a distinction among offences committed by individuals on the basis of ethnicity. The Islamic Republic of Iran has frequently notified international bodies about terrorist and criminal activities in the western regions (Kurdish areas of neighbouring Iraq and Turkey) and the eastern regions (the Baluch areas of neighbouring Pakistan and Afghanistan). Iran wishes to repeat its insistence on severing connections between violent criminal and terrorist activities and those attributable to ethnic groups. It is regrettable that despite repeated notifications, we

see again in the present report descriptions of Arab, Baluch and Kurdish activists for those terrorists who kill innocent people, are involved in bombing of public places and oil and gas pipelines, carry weapons and explosives and carry out abductions and other serious crimes. Just to cite examples, we have provided information on four cases relating to citizens from Khuzestan who are mentioned in paragraph 10.

Regarding Mr. Hashem Sha'abani and Mr. Hadi Rashedi, for your information, these two men were found guilty of *moharebeh* as a result of their membership in the terrorist group "Al-Moqawama al-Shaabiya Al-Tahrir al-Ahwaz". They were arrested for their effective role in advancing its goals; carrying and storing military firearms such as Colts, Kalashnikovs, automatic rifles, hand grenades, rocket-propelled grenades and ammunition; planning sabotage activities in public buildings and military installations; and planning assassinations of political figures, including the President. They inflicted heavy damage on military installations by firing rockets. They also fired at homes of individuals and wounded non-indigenous workers in the city of Ramshir in order to foment ethnic and separatist riots and instil fear among people. Their case was sent to court after thorough investigation and issuance of an indictment. After exhaustion of all legal remedies, completion of due process and hearing of their court-appointed defence attorney and their own defences, they were given the death penalty in accordance with articles 183, 186, 189, 190, 191, 193, 194, 105, 498 and 500 of the Islamic Penal Code. The ruling was appealed by the defendants and their lawyers, but the Supreme Court upheld the initial verdict.

Regarding Mr. Ali Chebeishat and Mr. Seyyed Khalid Mousavi, for your information, they were found to be guilty of *moharebeh* on charges of carrying out acts of terrorism by bombing a gas pipeline. Their case was tried in a court in Ahwaz and, in light of corroborative evidence and after hearing the defence arguments by their lawyers, death sentences were issued for Ali Chebeishat and Seyyed Khalid Mousavi and a 25-year prison term for the third accused, Mr. Salman Chayani. This verdict was subsequently upheld by the Supreme Court. It is really regrettable that the Special Rapporteur regards those found to be guilty of terrorism as cultural rights activists.

Regarding the cases relating to death sentence for offenders under the age of 18, as mentioned in the introductory part of the report, for your information, the Islamic Republic of Iran exercises a high degree of flexibility with respect to offenders under 18 because of humanitarian and Islamic considerations. They are tried in special courts and, in light of their age and other circumstances, minimum sentences are issued for them. Only cases of premeditated homicide relating to mature offenders under the age of 18 are tried in provincial criminal courts in the presence of five judges. According to our law and sharia, punishment for the offense of premeditated homicide is *qisas*. The function of the judiciary in cases relating to premeditated homicide is just to prove prior intention. Carrying out the death penalty depends on the heirs of the victim, who have the right to demand execution. According to existing practice, even after the final ruling and approval of the higher court, extensive efforts are made by reconciliation commissions to seek forgiveness from the heirs of the victims and to convert the death penalty to another punishment. In recent years many have been freed from the punishment of *qisas*.

The principled policy of the Islamic Republic of Iran in the application of *qisas* is to encourage the aggrieved parties to forfeit the right of *qisas*, even by

offering financial assistance for the payment of blood money. This is the prevailing trend in dealing with this group of offenders. The judiciary has established a new task force under the title “Prevention of the punishment of deprivation of life”. This task force is under the Executive Committee in the Ministry of Justice to support the rights of children and adolescents. The objective of this task force is to encourage heirs of murder victims to forfeit the right to *qisas* and to come to reconciliation. The members of this task force are from the National Authority for the Rights of the Child, a psychiatrist, a social worker and manager of the Correctional Institute, an attorney with experience in issues relating to children and minors, the Secretary of the Executive Committee for the Protection of Rights of the Child in the Ministry of Justice and the person in charge of fundraising. Other members of this task force are from the artistic professions, community-based organizations, experts in children’s issues and representatives of charities that participate on a voluntary basis. This task force conducts the following activities:

- Declaration or reporting of the entry of an adolescent into the judicial system on charges that deserve a death sentence by the Prosecutor’s Office, the court or the Director of the Correctional Institute in Tehran or the police
- Reviewing the personal situation of the accused by a social worker
- Arranging a meeting between the lawyer, the accused and the heirs of the murder victim
- Arranging a meeting between the investigating judge and the attorney of the accused
- Reading the report by the task force in the meeting of the Committee
- Making decisions on subsequent steps and actions in the meeting of the Committee
- If necessary, inviting persons of social influence to seek forgiveness from the heirs of the victim
- Inviting heirs of the murder victim and meeting with members of the task force and the judge

According to article 89 of the Islamic Penal Code, punishments for persons between the ages of 15 and 18 are of a lighter nature than death sentences. They are sent to correctional institutes or sentenced to pay pecuniary penalties. According to article 91 of the Penal Code, in offences eligible for *hodood* and *qisas*, “if a mature person under the age of 18 does not understand the nature and consequences of the crime, punishments envisaged in this chapter will be applied”. These are new developments in the judicial system of Iran for the purpose of exercising maximum leniency and justice for offenders under the age of 18. These new legislative reforms are intended to take into account the best interests of the country, existing requirements and traditions and mores of various ethnicities.

B. Independence of judges and fair trials

According to article 156 of the Constitution, the judiciary is an independent branch of government. Articles 164 and 166 protect the independence of judges and stipulate that judges are required to issue verdicts that are based on solid reasoning and evidence. In addition, ordinary laws, including the Criminal Procedure Code

and the Civil Procedure Code, and disciplinary rules protect the independence of judges in all phases of legal proceedings from courts of first instance to appellate phases. An independent judiciary that is beyond the influence of other powers is protected by the Constitution (chap. 11).

The judiciary endeavours to enhance its efficacy and guarantee its independence by supervising the performance of judicial authorities and affiliated institutions. The judiciary has taken the following steps to achieve these goals:

- Strengthening legal and judicial directorates
- Coordination and monitoring of the delivery of services to the public
- Establishment of the directorate on crime prevention
- Establishment of the cultural directorate for the promotion of legal awareness among the public
- Establishment of an information technology and communications directorate for better and faster online access by citizens to judicial offices and authorities
- Holding on-the-job training courses
- Establishment of a free telephone counselling service for the purpose of answering questions asked by citizens via the 129 call centre

Fair and just legal and judicial review and trial are envisaged and included in the Constitution, the Criminal Procedure Code and other laws of the Islamic Republic of Iran. Fairness and due process are applied in all phases of legal proceedings, from detection of an offence to investigation and issuance of the court ruling. This is done regardless of the race, religion, gender and ethnic background of the accused. In addition, the observance of the principle of presumption of innocence and legality of offences and punishments are protected by article 37 of the Constitution and articles 2 and 12 of the Islamic Penal Code. According to these laws, no one is to be found guilty of a charge unless his or her guilt is established by a competent court.

C. Prohibition of torture and other violence

The laws of the Islamic Republic of Iran prohibit all forms of torture. To guarantee the prevention of torture, the following laws and regulations describe how infractions are dealt with:

- Articles 32, 38 and 39 of the Constitution
- Article 169 of the Islamic Penal Code
- Paragraphs 1, 6, 7, 9 and 10 of the single-article law on “Protection of legal freedoms and citizens’ rights”
- Article 169 of the administrative statute of the State prisons and security and corrective measures organization

With the establishment of the central supervisory board for the protection of citizens’ rights in the capital and similar boards in the provinces, practical steps have been taken to deal with possible infractions. Additionally, inspection teams are sent out to various offices to scrutinize reports and deal with possible offenders. The conduct of State officials and agents suspected of mistreatment and torture are

investigated and the results of such investigations are scrutinized by competent boards. An example would be the Kahrizak dossier in which those who had misbehaved were given punishments ranging from imprisonment and payment of reparation to dismissal from government service. Additionally, arrangements were made for damages to be paid to the victims.

According to articles 578 and 587 of the Islamic Penal Code, judiciary and non-judiciary officials and agents who resort to physical and corporal abuse to obtain a confession will, aside from being subject to *qisas* (retribution) or payment of *diyah* (blood money), receive a prison sentence of six months to a maximum of five years and dismissed from government service. As supervisory instruments and steps have increased in recent years, we have witnessed a considerable drop in the number of complaints lodged at inspection boards.

From its inception, the Islamic Republic of Iran has tirelessly worked to advance women's issues and develop their rights and status. Extensive measures taken to improve women's health and education, fight poverty, create jobs, provide security and fight violence against them and help increase the presence of women in the society by being in decision-making positions, working in non-governmental organizations, developing their engagement in cultural activities, etc. have all been translated into policies and programmes to develop women's rights. The claim referred to in footnote 5, cited from a website on 30 August 2009, is fabricated and in recent years has not been replicated in any other credible reports.

The issues set forth on domestic violence are irrelevant. Under law, any damage or injury to others, including through domestic violence, deserves criminal punishment. However, given the Government's commitment to women's affairs, a bill on the security of women is also being developed in which all forms of violence against women, including domestic violence and all its forms, are legally defined. The bill is in the legislative process.

D. Freedom of expression, access to information

As inferred from various principles of the Constitution of the Islamic Republic of Iran, the scope of freedoms is determined by three criteria, namely opposition to or non-conformity with Islamic standards, the public interest and rights as well as the rights of others. Observance of the Islamic standards have always been noted and emphasized.

The Constitution of the Islamic Republic of Iran, which has been ratified by a majority vote, establishes freedom of expression to the press and publication in its article 24. At the same time the Constitution honours and respects the fundamental principles of Islam and public rights. Aimed at the observance of public rights and the fundamental principles of Islam, the representatives of the Islamic Consultative Assembly, who are elected by the people, and in their capacity as legislators of ordinary law, have approved a number of standards reflected in the Press Law and the Law on Computer Crime, both of which are enforceable subsequent to confirmation by the Guardian Council. The claim set forth by the Special Rapporteur on systematic violation of freedom of expression and access to information is not acceptable, taking into account the democratic process of legislation.

Careful consideration of the Press Law of 1986, further amended and completed later, makes it evident and certain that the intention of the legislator is to fully secure freedom of expression and access to information with full respect for public rights. Under this law, only those who abuse the press, libel or dishonour persons or disclose private secrets and who slander or commit criminal acts are to be prosecuted. This aims to assist the community in benefiting the utmost from freedom of expression as provided by law. Membership of a sect is not punishable by any penalty if it does not involve criminal acts.

Careful consideration of the letter of the Law on Computer Crime of 2009 makes it evident and certain that the intention of the legislation of the Islamic Republic of Iran, in addressing such matters as illegal access, crimes against confidential data and telecommunication systems, illegal wiretapping, computer spying, offences against the authenticity and integrity of data and computer systems, computerized falsification/forgery, disruption and destruction of data or computer and telecommunication systems, computer-related theft, robbery or fraud, crimes or offences against public morality and chastity, defamation or libel and dissemination of lies, is indeed to protect freedom of expression and the proper use of the Internet and its wares. The Law also deals with identifying the penal responsibility of individuals and determining rules of procedure, as well as consideration of jurisdiction or competence, collection of electronic evidence and stipulation of offences and penalties. Subsequently, and in line with securing the rights of every individual of the society to benefit from the freedom of expression and appropriate use of Internet possibilities, it prosecutes and punishes solely those who act against the law and disrupt or interrupt the use of freedom of expression by the public.

Respecting the law ratified by representatives of the nation is incumbent upon all natural and legal persons, including those in charge of websites and Internet cafés.

The Iranian Government (like many Governments) blocks all immoral websites and announces their names. If a site is blocked by mistake, it will be able to continue working simply by providing the needed proofs. It is noteworthy that a supervisory committee with representatives from governmental and non-governmental organizations makes decision on the filtering of immoral websites on the basis of transparent and legal criteria.

Regarding paragraphs 31 to 34, as stated earlier, according to article 24 of the Iranian Constitution, the press is free to express any content unless it is in conflict with Islamic principles or with public rights. Also, the Press Law (enacted on 22.12.1364 Iranian calendar, corresponding to 13 March 1986) and its subsequent amendments, chapter 4, articles 6 and 7, have specified the limits of such freedom, while press crimes have been explicitly stated in articles 23-35 in chapter 6. Therefore, if an offence occurs, according to the Press Law, a competent court, with the presence of a jury, as provided for in chapter 7 of the Law, shall hear the case in an open court session. Therefore, freedom of the press and observing the rights of natural or legal persons are mutual obligations, hence there is no discrimination among journalists in this regard. While a few journalists are being tried on charges of violation of the law, thousands of other journalists and media are freely performing their professional tasks. Furthermore, since paragraph 29 of the report has presented undocumented statistics about the number of detained journalists, providing no exact arrest date, period of detention or number of journalists who

pleaded not guilty and were released, it deserves criticism. In addition, journalists' important crimes — such as persistence in publishing false information, disturbing public opinions, spreading ethnic hatred and encouraging extremism and violence — have not been mentioned in this paragraph, which must be reconsidered.

Regarding paragraphs 33 and 34: in the Islamic Republic of Iran, all media, print or digital, are treated equally based on law. Owing to the intensity of the threats and the sending of viruses like Stuxnet to the nation's internal networks, and also cyber attacks on the country's official institutions and acts of espionage through well-known Internet servers, the Government has decided to simultaneously establish the Internal Internet Network and the Centre against Cybercrimes in order to protect its data and networks. As a result, according to article 22 of the Law on Computer Crime, the judiciary is obliged to form the Committee to Determine the Criteria for Criminal Content. The Committee was formed by representatives of the related bodies under the presidency of the Attorney General. The Committee acts based on laws and regulations to determine the criteria for the Internet sites, etc. that aim to jeopardize the society's public peace and security, promulgate offences against the public honour and morality, disseminate false subjects, support terrorist groups, etc. Related judiciary centres, on the basis of the existing laws, investigate the offences committed by the caretakers of these Internet sites and systems. This approach not only does not violate freedom of expression and public privacy, but also paves the ground for further ensuring the citizens' rights and privacy on the Internet. This action is also in line with the public's firm demand that the Government and system defend the public's prestige, rights and privacy against those who broadcast others' personal and private information impudently and without permission.

It is noteworthy that the Ministry of Communications and Information Technology, in line with enforcing article 46 of the Fifth Development Plan, concerning the establishment and development of a national information network accessible to all citizens through a secure and high-speed Internet, has acted upon planning and implementing the required infrastructure, which unfortunately has developed slowly owing to the illegitimate sanctions imposed against the country. Nevertheless, as mentioned in paragraph 33, the said Ministry, utilizing its full power and internal facilities, is working to achieve the aforementioned goals. According to the received information, the claims of blocking and Instagram and other Internet sites are baseless, and Iranian Internet users have enough access to these sites. As stated, any Internet café that commits any criminal acts similar to those mentioned above will be subject to prosecution.

The other measures adopted during the 10-month period of the new Government's tenure are as follows:

- Quick issuance of permits for media, including publications, news agencies and news websites
- Follow-up and implementation of the Law on Free Access to Information
- Tax exemptions
- Recognition of journalism as one of the difficult jobs (deserving of special privileges)
- Issuance of identification cards under supervision of a Press Guild committee

- Developing a comprehensive system of corporate media and media activities for the institutionalization of legal protection and preservation of the mass media

Regarding paragraph 30, according to articles 18 and 19 of the International Covenant on Civil and Political Rights, freedom of expression and opinion cannot be curtailed. However, exceptions to this rule are determined by the law to preserve security, order, public morals and the rights and good reputation of individuals. The *Bahar* newspaper was also suspended voluntarily by its editor owing to material offensive to Islam which severely hurt public sentiment, and following the editor's decision and a formal apology for the activity of the newspaper. Subsequently, the Press Court, after obtaining the opinion of an advisory jury, convicted the newspaper to only six months' suspension of activities, which period will soon terminate. Regarding paragraph 29 on the health of four persons, the claims are not correct and the people mentioned are in a normal state of health.

E. Right to freedom of association and assembly

Consistent with articles 26 and 27 of the Constitution and in accordance with articles of the law on "Activity of political parties, guilds and religious minorities", to date more than 230 political parties, 400 guilds and 60 religious minority associations have received permits. Additionally, the legal requirements for the organization of gatherings and rallies are referred to in the Note to article 6 of the Political Parties' Code and its administrative statute. For example, in 2012, about 150 gatherings and rallies were held.

Article 131 of the Labour Code, consistent with article 26 of the Constitution, recognizes the right to establish associations and guilds. Similarly, paragraph E of article 73 of the Fifth Development Plan highlights the legal right of workers and employees to engage in union protests. As a result, the Bylaw for the Management and Organization of Workers' Union Protests has been formulated.

At the moment, thanks to permits issued to and legal support for guilds, 126 specialized associations are working to promote the interests of different communities. These include 16 teachers' unions, 7 engineers' unions, 5 personnel and staff associations, 48 university students' associations, 4 legal experts' associations, 3 farmers' unions, 6 labour unions, 17 women's associations, 3 journalists' associations, 1 athletes' association, 5 youth associations, 1 artists' guild, 10 physicians', nurses' and dentists' unions and 3 human rights umbrella organizations. From 2009 to 2013, more than 115 permits were issued for the establishment of guilds, with an additional 280 permits renewed.

The allegations contained in paragraphs 34 and 35 lack details and credible sources; hence, they cannot be answered.

F. Prohibition of forced marriage

Under Iranian law (article 1062 of the Civil Code), marriage takes place when the couple clearly expresses their wish by using words that convey their intention to marry. With this in mind, forced marriages are not sanctioned by law. If an individual claims that she was forced into marriage, she has the possibility to petition the Family Court and ask for justice by requesting an annulment.

According to article 1 of the law protecting children and adolescents adopted in 2002, all persons under 18 will enjoy the protection provided in this law. In article 2 of the law, it is stipulated that any kind of molestation of children and adolescents that causes them injuries, physically or psychologically, is prohibited. On the basis of articles 3-6 of this law, offenders are punishable by imprisonment or fines. It should be noted that at the moment, the age of marriage for girls and boys in Iran has been increased.

G. Freedom of religion

According to article 19 of the Constitution of the Islamic Republic of Iran, all people of Iran, of whatever ethnicity, enjoy equal rights and their colour, race, language and the like do not bestow any privilege. Moreover, based on article 20 of the Constitution, all citizens of the country, both men and women, equally enjoy the protection of the law and enjoy all human, political, economic, social and cultural rights, in conformity with Islamic criteria.

According to articles 12 and 13 of the Iranian Constitution, Islam is the official religion of Iran and Zoroastrian, Jewish and Christian Iranians are considered the only religious minorities that are free to practise their religion on the basis of the law and to act in accordance with their own religion in their personal status and religious teachings, as do their selected associations.

Regarding paragraphs 43-45, it should be stipulated that alongside religious minorities, the citizenship rights of the followers of other sects such as Baha'is are totally respected. Of course, respecting the citizenship rights of people is dependent on the performance of their legal duties and obligations in the society, and this legal principle of "rights and responsibilities" is recognized in other legal regimes.

Given that in Islamic religious tenets, investigation and search of beliefs are vehemently rejected, and article 23 of the Constitution clearly expresses that "the investigation of individuals' beliefs is forbidden and no one can be molested or taken to task simply for holding a certain belief". Despite the media and political propaganda, particularly by representatives of the Baha'is, no person is expelled from Iranian universities or imprisoned in Iran only for holding a belief.

Unfortunately, in the Baha'i sect, investigation into and imposition of beliefs is considered ordinary. For example, if a Baha'i student at university chooses an "Islamic teachings" course, he or she is pressured by the Baha'i sect to leave the university; otherwise he/she would be deprived of Baha'i rights. It is repeatedly asserted that educational centres in the Islamic Republic of Iran, as in other countries, are obligated to respect domestic rules and regulations. If people, irrespective of their religion, sect or belief, abide by the rules and regulations, no one is allowed to violate their rights. Otherwise, punishments will be imposed on offenders and criminals in order for them to respect the rights of others.

It is noteworthy that article 18 (3) of the International Covenant on Civil and Political Rights stipulates that "Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others." Also, according to article 19 (3) of the International Covenant, "The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities ... [including] for respect of the rights or

reputations of others; [as well as] for the protection of national security or of public order (*ordre public*), or of public health or morals.”

The historical and colonial record of Baha'is in Iran and their systematic cooperation with the despotic regime of the Shah, in particular their grip on SAVAK, the unpopular intelligence service responsible for many crimes such as imprisonment and torture of anti-Shah and revolutionary people in the country before the Islamic Revolution in Iran, is undeniable. Nevertheless, the citizenship rights of those who do not stimulate missionary activities are respected. The claim regarding the distribution of a declaration in the city of Yazd is strongly denied. No complaint has been filed in this regard.

Regarding, paragraphs 46 and 47 of the report, it should be mentioned that recognition of Christianity as an official religion in the Constitution does not provide impunity or judicial immunity for its followers. As stipulated in paragraph 14 of article 3 and the preamble to article 20 of the Iranian Constitution, all citizens are equal before the law.

It should be borne in mind that mere belief in a religion, including Christianity, is not a cause for criminal prosecution of the follower of that religion when he/she engages in an illegal act that, when it takes place, shall ensure the identification of the accused, culminate in the issuance of a writ of culpability and a bill of indictment, due legal process and proceedings, the hearing of the perpetrator's defence and that of his attorney. Subsequently, and upon the establishment that a criminal act has taken place, a punishment proportionate to the crime shall be determined by the court and law.

Mosques and churches equally have to go through the required municipal and other provisions for acquiring the necessary permits for their establishment at a specified location.

In the judicial system of the Islamic Republic of Iran, the individuals who are under judicial prosecution are, under no circumstances, categorized according to their religion up to the termination of trial and the serving of their determined sentence. All trials in the Islamic Republic of Iran are performed with full respect to due process and fair trial standards and, in particular, access to a lawyer. Therefore, while repudiating the unfounded allegations, it is expected that the Special Rapporteur would observe the criteria and standards included in the code of conduct for special procedures mandate holders of the Human Rights Council.

Regarding paragraphs 47 and 48, the Special Rapporteur's allegations as regards the continuous violation of Muslim minority sects such as Sufism, which invoke invalid sources with no regard for the current realities, are categorically ruled out. The Dervishes are citizens of the Islamic Republic of Iran and enjoy constitutional and legal rights in accordance with the precise stipulations made by paragraph 14 of article 3 and the one heading article 20 of the Constitution of the Islamic Republic of Iran, according equal rights to all.

The Special Rapporteur's mere citation of the received reports as a proof of torture of the Dervishes and the destruction of their premises is incapable of providing any substantiating proof of the allegations made by the Special Rapporteur. As regards the premises used by the Dervish Muslims, some Dervishes proceed with the construction of premises without prior acquisition of the required permits, in violation of municipal regulations. The observance of the

aforementioned regulations is obligatory for the establishment of any site or premises, including mosques.

It is reiterated that judicial procedure followed with regard to Dervish Muslims and their premises or congregation sites has not, in any way, targeted them for being Dervishes but is a result of their illegal measures of disturbing the public order and security, which should be equally and without exception applicable to all Iranian citizens.

Regarding the claims of paragraphs 50 and 51, on the basis of the existing evidence, no Arab Khozestani citizen has been prosecuted merely because of conversion. As described in the previous paragraphs, the terrorist activities and extremist salafist beliefs of those people are influenced by the current extremism in the region. The evidence of the case confirms their efforts towards the promulgation of extremism. The disciplinary and legal actions to deal with this extremist group are aimed at ensuring the safety and welfare of all people.

IV. Economic, Social and Cultural Rights

In reply to this section of the report, the prejudgements and overall references of the Special Rapporteur in these paragraphs deserve criticism. His prejudgements and his negative approach unfortunately disregard the realities and advancements of various economic, social and cultural sectors of Iran, and do not represent reality.

A. Right to education

In reply to paragraphs 56-60, we would like to reassure that the promotion of women's education is one of the most important objectives of the country. According to UNESCO *EFA Global Monitoring Report 2012*, the Islamic Republic of Iran is in the top six countries of the world where there is gender equality in access to education. In this regard it must be said that the literacy levels of women between 15 and 24 in the years 2009-2010 rose from 97.1 per cent to 97.7 per cent and the number of female students in the State universities in 2011-2012 increased to 56 per cent. Planning for the optimum use of students in subjects appropriate to their capabilities and the society's needs is a natural matter in education systems and private universities. They need to base the system on their priorities and offer equal education opportunities for individuals with different criteria.

According to the latest National Human Development Report of Iran report, prepared by the Management and Planning Organization of Iran, Iran's annual gender-adjusted development index has increased by 1.42 per cent, higher than the human development index, with a rate of 1.15 per cent. The evaluation of the gender-adjusted development index factors show that developments achieved in women's economic development are the main reason for the increase in the index, which is equal to a 2.4 per cent growth in the equal distribution of income, which has an important share in the increase in the gender-adjusted development index.

With regard to Baha'i higher education, enough information and evidence have been presented several times in the past. There exist legal and practical education facilities. Dozens of them are freely studying in the Iranian universities. The problem arises when pressure is exerted on them by some illegal institutions and some of them are forced to take provocative actions at university that create

sensitivity among Muslim students and make their own education conditions difficult. (In previous paragraphs more comprehensive information has been presented regarding the conditions of the Baha'i in Iran.)

B. Right to work

With regard to the right to work, the Constitution of the Islamic Republic of Iran has required this right. In various articles, such as article 43 (4) and articles 19, 20 and 28, it mentions these rights and prohibits any type of injustice preventing citizens from accessing their ideal jobs. Furthermore, article 6 of the Labour Code also deals with the subject. The persons mentioned in the Special Rapporteur's report were arrested on charges of crimes against national security for campaigning against the Islamic Republic. They are currently serving their sentences. Their punishments have nothing to do with their union activities.

The determination of the minimum wage in Iran is done by the High Council for Labour Affairs, which is made up of representatives of workers, employers and the Government. According to the method of the Council for determining minimum wages, each year the representatives of workers and employers make decisions on the basis of inflation rates and workers' income situation. Of course, the sustainability of corporations and businesses should be considered, as disregarding the economic conditions of the employers and the ability of corporations to pay wages make them unable to run their businesses and the workers will, in turn, become unemployed. This is a normal issue in all countries where the minimum wage is set through the agreement of the workers and employers.

Because of some economic hardships and, of course, the sanctions imposed on the country, the determination of the minimum wage in Iran is done through the agreement of labour movements and employers and the consideration of economic and social realities. Furthermore, the 25 per cent rise in comparison to last year's wages only includes minimum monthly wages. If the supplementary costs of household consumer goods, housing costs, family allowance, the annual extra month's wages, Eid allowance and end of year bonus (two or three months' wages per year) are all added to the minimum wage, the added amount will be well over 25 per cent. To prevent redundancies, the Government provides cash assistance to production units that are facing crises solely to provide the payment of workers.

With reference to the stated source, which is ILNA (Iranian Labour News Agency), we noticed that the figures for the said news are from the Coroner's Office and not from the International Relations Deputy at the Ministry of Labour, Social Affairs and Cooperatives. Therefore, it is necessary to know that for quoting news regarding work-related accidents in Iran, there are three proper sources. These are the employment inspectors of the Ministry of the Ministry of Labour, Social Affairs and Cooperatives and the Organization of Social Welfare In the Islamic Republic of Iran, the Ministry of Labour, Social Affairs and Cooperatives and the Ministry of Health are the points of reference for announcing the necessary standards for workers' safety and health and the work environment and for supervision over the implementation of these standards, in accordance with chapter IV of the Labour Code on occupational safety and health. In practical terms, this subject is very seriously pursued in the working agenda of the Ministry through the announcement of various standards and guidelines for the establishment of a safe environment for workers. The employment inspectors of the Ministry follow up on the

implementation of these guidelines through periodic inspections and obligate employers to implement the guidelines. Employers that violate these guidelines face the law. They are fined and forced to pay compensation to injured workers.

As a result of Iran's achievements in this regard, Iran hosted an international consultative seminar on the health of the workforce with the cooperation of the Ministry of Health, the International Labour Organization (ILO) and WHO in Tehran and Semnan in May 2014. The aim of this seminar was to promote universal health care, prevention, treatment and rehabilitation for unofficial workers, workers in agriculture, small and medium industries, and migrant and contract workers in countries of the Eastern Mediterranean region. Foreign experts from Eastern Mediterranean countries participated in the seminar.

With regard to a drop in the participation rate of women in the economy from 13.8 per cent in 2012 compared with 16 per cent in 2010, it is reiterated that according to the Census Centre of Iran, the economic participation rate of women in 2010, 2011 and 2012 was 14.1, 12.6 and 13.8, respectively, while the economic participation of men in the same years was 62.1, 60.7 and 61.6 per cent. As can be seen, the economic participation rate for both men and women dropped in 2012 compared with 2010, the cause of which is the economic conditions of the country, which deteriorated as a result of sanctions. No discrimination has been levied against women. Also, we draw the attention of the Special Rapporteur to the point that, according to the aforementioned figures, the economic participation of women in 2012 compared with the previous year increased by 1.2 per cent while for men it increased by 0.9 per cent.

The subject of wages is also mentioned in chapter III of the Labour Code. The most important article of this chapter is the equal payment of wages for men and women. Article 38 of the Code states: "Equal wages shall be paid to men and women performing work of equal value in a workplace under the same conditions. Any discrimination in wage determination on the basis of age, gender, race, ethnic origin and political and religious convictions shall be prohibited." This article of the law not only is in accordance with the Equal Remuneration Convention, 1951 (No. 100), but goes further than the Convention as it prohibits discrimination on the basis of age, gender, race, ethnicity and political and religious beliefs. Iran has joined this Convention and is obliged to observe it. To date, ILO has not found any faults in the observance of this law.

In view of article 38 of the Labour Code of the Islamic Republic of Iran and ILO Convention No. 100, to which Iran is a party and which it is obliged to implement, there are no wage differences between men and women for the same type of work. Therefore, no difference in remuneration is made on the basis of gender.

Not only there are no policies or programmes to reduce women's economic participation and prevention of their employment in Iran, but there are plenty of programmes in this regard, some of which are as follows:

- Article 12 of the Fifth Development Programme (support for the empowerment of women and reduction of gender inequalities)
- Supportive laws for working mothers
- Amendment to the Family Allowance Act (equality in the payment of family allowance)

- Unemployment benefit for women heads of household
- Government support policies for the promotion of women's empowerment
- Promotion of job-creation policies for women
- Promotion of education levels for women and girls
- Social welfare benefits for women heads of household (empowerment of women heads of household with the use of public budget and public assistance resources)
- Activities of the Foundation for the Creation of Jobs for Women and the Family in 2013
- The Development of Income Programme using the provision of microfinancing (banking approach where conditions are attached: fulfilment of job-creating potentials and development of employment for approximately 150,000 individuals)

The Government has spent all its efforts and concentration on the less developed regions through the implementation of projects for economic, social and cultural infrastructure reconstruction. Parallel to that was the assignment of geographical responsibilities. It has realized the need for the presence of qualified scientific expertise to preserve the values and cultures of ethnic groups. There is no official obstacle in the way of the appointment of local individuals to high managerial positions in these regions. The Government resolutely rejects any form of official and intentional discrimination.

With regard to the participation of women in top government managerial positions, it must be recalled that in the official memorandum of the President's Deputy for Management and Human Development to all relevant departments, the subject of unified procedures and supervision of the performance of departments in expanding the areas for women's activities in decision-making and at managerial levels has been addressed. According to this memorandum, relevant organizations or departments are obliged to seriously pursue the following five points:

- Determination in each department of indicators on matters affecting women's development
- Determination of the minimum growth of indicators over five years in relation to the existing conditions
- Monitoring the ways the indicators are produced and how departments are implementing them and the need for presentation of relevant reports
- Financial support of the relevant department based on predetermined budget lines, within the annual budget bills
- Establishment of communication and interaction with non-governmental organizations relevant to the department's duties

The planning and organizing of the promotion of women's issues are handled by accountable decision makers in charge of national programmes, particularly during the mandate of the new Government. In this regard, the increase in the rate of women's participation in higher academic levels; their desire to be present in the social, cultural, economic and political spheres; and the implementation of capacity-

building programmes for the promotion of women's managerial skills are very important. Some of the top managerial positions occupied by women in 2012 are as follows:

- Vice-President for Legal Affairs
- Vice-President and Director of the Environmental Organization
- Vice-President for Women and Family Affairs
- Director of the National Standards Organization
- Ministry of Foreign Affairs spokesperson
- Director of the National Retirement Fund
- Women elected in city and village councils
- Appointment as consultants, deputies and general managers of governmental departments in the capital and the provinces
- Deputy to the Governor of Sistan and Baluchistan Province for Human Resources Management

It must be mentioned that for the first time in 2014 steps have been taken to appoint women as governor general and mayors for the following provinces:

- Mayor of the City of Sarbaz in Sistan and Baluchistan Province
- Governor General of the border town of Hamoon in Sistan and Baluchistan Province
- Governor General of the town of Turken in Golestan Province
- Governor General of Ghasrghand provincial town of Sistan and Baluchistan Province
- Governor General of Baluch provincial town of Sistan and Baluchistan Province

Concerning judges:

- The appointment process for women judges is being facilitated.
- Nomination of women judges takes place via a nationwide exam, and the acceptance conditions are the same for all participants. In the nationwide exam in 2012, 743 of the women participants were accepted. Also, judicial internship courses take place equally for men and women judicial interns. Professional and skills trainings are done equally. The judge's functions have no gender distinction and are based on the individual's judicial and managerial capabilities.
- According to the latest statistics, there are currently 670 women judges. Measures for taking on another 370 as interns for judicial training courses are being undertaken.
- The statistics for women judges employed in justice departments across the nation, and their respective judicial positions, in 2013 is shown in the following table.

Table 1
Number of women judges employed in justice departments across the Islamic Republic of Iran, 2013

<i>Organizational position</i>	<i>Number</i>
Court assistant	538
Judicial consultant	96
Prosecutor's assistant in various towns	8
Counsellor	10
Judicial assistant to director general of provincial justice departments	18
Total	670

The rights of ethnic and religious minorities have clearly been recognized in the Iranian Constitution, particularly in the preamble and articles 13-15. This subject is recognized in all major overriding policy documents of the country and throughout all different implementation stages. There has never been any type of discrimination in employment and social matters against them. The selection system for careers in the governmental sectors is based on legal conditions such as scientific, professional and moral aptitudes. All ethnic and linguistic minorities, etc. can officially be employed by the Government.

During a provincial trip by the President of the Islamic Republic of Iran to Sistan and Baluchistan Province in 2014, numerous development projects were ratified. With the implementation of these projects, many job opportunities for the people of this province will be secured. With a view to the solidification of social justice and equality for all citizens of the country, the Government considers extraordinary financial facilities to help religious minorities' associations, within the total annual budget of the country. The record of the Government in the technical and professional training sector in the provinces with regard to ethnic groups for 2013 is shown in the following table:

Table 2
Training for ethnic minorities, by province

<i>Ethnicity</i>	<i>Province</i>	<i>Number of training centres</i>	<i>Number of individual training courses</i>
Kurd	Kurdistan–Kermanshah	299	24 529
Turk	East and West Azerbaijan, Ardebil, Zanjan	1 193	92 731
Baluch	Sistan and Baluchistan	168	16 910
Turkmen	Golestan, North Khorasan	528	47 694

Article 19 of the Constitution clearly states: "All people of Iran, whatever the ethnic group or tribe to which they belong, enjoy equal rights; and colour, race, language, and the like, do not bestow any privilege." Also, article 20 states: "All citizens of the country, both men and women, equally enjoy the protection of the law and enjoy all human, political, economic, social, and cultural rights, in conformity with Islamic criteria" In Iran, members of the Baha'i sect, just like other citizens, have citizenship rights, including enjoyment of education at all levels

(public or private schools). Furthermore, the Government approves all university degrees of Baha'i citizens obtained in foreign universities through the Technical Committee of the Ministry of Science, Research and Technology. This in fact facilitates the entrance of these citizens into the employment market.

The Baha'is have all citizenship rights within the framework of the law, unless their actions violate citizens' rights or national laws; this applies to all individuals of the nation and is in accordance with the decisions of the relevant competent judicial authorities. All Baha'is have a relatively good status in cultural, economic and social issues. The Baha'is in Iran own their economic enterprises, which enjoy the facilities of State bodies such as banks and those of the Ministries of Mines, Industries and Agriculture.

The claims that some Baha'is have been refused renewal of their business licenses been carefully reviewed in detail. These are in fact normal cases within commerce-related institutions, which are handled based on their merits and have nothing to do with the individual's Baha'i belief. The contents of paragraphs 73-75 are undocumented and incorrect and should be removed from the report. The claims stated in paragraphs 75-77 are not possible to respond to owing to the limited time the Special Rapporteur has given the Government to provide answers.

It can be confirmed that the 1990 law referred to in paragraph 79 has been annulled. The Special Rapporteur's reference to annulled laws is surprising. All workers and employees in the Islamic Republic of Iran are free to join one of the recognized unions to defend their own interests. On this basis, chapters VI and VII of the Labour Code are dedicated to the subject of labour and employee unions and the issue of collective bargaining. In these chapters the workers of each production unit have the right to join their association under three headings: Islamic Labour Council, trade union or workers' representative. Currently in Iran, workers and employees' associations are active and on various occasions they defend their lawful rights. The Workers Union Association is recognized by ILO.

During the past year, in order to achieve more national coherence and unity, a committee has been set up and is interacting, which has achieved good results. Currently, seven teachers' unions are active in the country and one representative from these seven bodies has been appointed by the Ministry of Education as the adviser to the Minister on union organization affairs. The figures for trade unions have increased from 6,132 provincial entities (based on profession and line of work) in 2012 to 6,160 in 2013. Also, local employees' unions have increased from 1,816 in 2012 to 1,855 in 2013. These two figures are indicative of a natural growth of these organizations within the freedom of association provided for them.

C. Right to health

With regard to paragraphs 81-85, it is reiterated that many efforts have been conducted in the fight against drought and its environmental repercussions in the country. Unfortunately, in less than two decades, owing to global warming, climate change and prolonged droughts, several lakes and ponds have completely dried up. With regard to the international Hamoun wetlands, the failure to observe the agreed environmental quota for water from Hirmand River (located in Afghanistan) in recent years has caused a drop in the water levels of the wetlands, which have also been hit by drought in some years. This issue and similar issues are the subject of some diplomatic approaches by the Government with neighbouring countries. By

signing agreements and forming joint cooperation committees with neighbouring countries such as Afghanistan, Iran tries to draw their cooperation so that with joint ventures, cooperation and interaction these environmental problems can be eliminated. Also in this regard, Iran is currently reviewing joining the Convention on the Protection and Use of Transboundary Watercourses and International Lakes for better management of border rivers such as the Hirmand River, and hopes that with such efforts the humanitarian consequences of water shortages and drying lakes will be minimized.

As a result of natural restrictions on water resources in Iran and the fact that the country is geographically situated in a dry and semi-dry region and is seriously affected by climate change, the water resources management of the country requires that priority be given to the provision of drinking water. The natural ecosystems are faced with incredible water shortages and, in some cases, drought. In order to solve the problem, the Government has drafted a comprehensive management plan for the country's water sources, including Hamoon and Lake Urmia. Specifically for the preservation of Lake Urmia, through cooperation with UNDP, the Government has conducted extensive studies to draw up a comprehensive drought risk management programme, which is under way.

Information on air pollution is shared with the public regularly so that they can avoid hot spots of air pollution. With regard to claims mentioned in the report about the air pollution in some Iranian cities, it should be borne in mind that air pollution is a common problem all around the world these days, and in some cases it is much worse than in Iranian cities. Nevertheless, one should know that air pollution in Iran is due to the result of the mismanagement of land and water resources in western neighbouring countries. Iran is currently drafting a regional programme with the participation of all relevant parties to solve the air pollution problem.

With regard to paragraph 88, it should be noted that Iran's national air pollution monitoring stations have registered notable improvements in air quality thanks to measures like removing lead from petrol, removing asbestos from products and improving the quality of fuel for cars in accordance with Euro 4 emissions standards.

With regard to paragraph 89, in April 2014, the Government drafted comprehensive legislation for the reduction of air pollution in nine affected cities through 35 different executive programmes that are currently ongoing. Based on this legislation, the quality of car fuel available to the public has improved immensely. The sanctions imposed on Iran, however, have delayed the execution of these programmes.

Also, for the purpose of reducing air pollution in Tehran, two comprehensive air pollution reduction programmes have been prepared and are in the implementing stage. The first programme began as a 10- year programme in 2000, and the second programme has been implemented since March 2012. The first programme was implemented at 7 focal points and the second programme at 10 more points. The progress registered at some of these focal points is monitored and the results presented by the Environmental Protection Organization, and some results by other ministries and relevant organizations with the cooperation of the Environmental Protection Organization. The areas of progress include:

- Expansion of the network of air pollution measuring equipment in cities
- Establishment and promotion of environment-friendly standards within the automobile manufacturing industry in the country
- Improvement and promotion of the quality of petrol and consumer oil by-products
- Production and distribution of fuel in accordance with Euro 4 and Euro 5 standards
- Removal of lead from petrol since 2002
- Banning of old motor vehicles and motorcycles from city and town traffic
- Increasing the dissemination of information and public education, and implementation of related programmes including Clean Air Day
- Monitoring air pollution tests on motor vehicles and motorcycles
- Monitoring noise emission levels of motor vehicles and motorcycles
- Removal of asbestos
- Enforcing the use of new technologies for the reduction of pollutant emissions from factories
- Enforcing the installation of and installing mission-detecting systems in large factories
- Launching mechanized centres for mechanical inspections of light and heavy motor vehicles and motorcycles in Tehran Province
- Converting public buses to natural gas
- Expansion of public transport, particularly of the subway (metro) system
- Launching and expansion of bus rapid transit lines (fast lanes for buses)
- Traffic management using new remote-control monitoring systems
- Expansion of the green environment through the creation of a 36,000-hectare green belt around Tehran and more than 12,500 hectares of green space inside the city
- Improvement of the activities of the traffic police and halting vehicles that lack mechanical test passes.

V. Sanctions

We welcome the Special Rapporteur's approach to the important issues of sanctions, employment and the environment, which are more serious sources of concerns for the people. In paragraphs 92-99, the Special Rapporteur has presented incomprehensive information that is very distant from the existing realities. Unfortunately, the Special Rapporteur has not accurately dealt with the important subject of sanction and has ignored the roots of the illegal sanctions imposed against the country that have resulted in the grave violation of the human rights of the citizens to health and employment and their access to basic human rights. He has expressed no concern or disapproval, neither has he called for the removal of the

sanctions. Thus, imposing and executing economic sanctions are without a doubt the real violators of human rights.

VI. Conclusions and recommendations

Despite the regulations stated in article 8 of the code of conduct annexed to Human Rights Council resolution 5/2, the Special Rapporteur gave Iran only a few days to respond to the numerous claims and allegations contained in the draft report, something that by itself is a clear indication of his biased approach and his failure to carry out his duties properly. Nevertheless, believing in constructive interaction and cooperation with international organizations, Iran has taken steps in preparing a response and expects that its content will be seriously considered.

The Special Rapporteur has failed in his most important duty, that is, to reflect the realities based on reliable sources. He does not pay much attention to cultural observations and the volatile surroundings in which the country has to survive.

Iranian laws indicate that any individual who carries out an act punishable by law, no matter the offender's belief, following the holding of a fair trial will be punished in proportion to the crime that he or she has committed. Long before the drafting of international documents, human dignity in its different dimensions has been the centre of attention in the religious laws. There are no restrictions to the inherent rights of people within these laws.

The Islamic Republic of Iran has always taken steps towards the promotion and expansion of human rights at the national and international levels, in accordance with its commitment to the Constitution, the local laws, international conventions and its religious teachings and commitments. It is unfortunate that, on one hand, the Special Rapporteur shows his apparent interest in further cooperation with the Iranian Government and, on the other hand, does not pay any attention to previous documented answers and repeats the same allegations in accordance with his own interpretation, in an unprofessional manner, without reliable evidence and in an ambiguous way.

In the laws of many countries, Iran included, capital punishment exists. There is no international consensus on its abolition. Therefore, the Special Rapporteur cannot, on principle, demand its abolition in his report. The Special Rapporteur's views on subjects such as drugs conflict with UNODC because, on several occasions, UNODC has commended the Islamic Republic of Iran for its seriousness in fighting the drugs problem.

The Islamic Republic of Iran categorically rejects the notion of torture being conducted in Iran. The regulations governed by article 38 of the Constitution and the civil service laws, particularly the Citizens' Rights and Respect for Legitimate Rights Act, hold culprits in any position accountable for such acts and will deal with them according to the letter of the law.

The unjust remarks and conclusions of the Special Rapporteur suggest false claims that have absolutely nothing to do with the realities of the Iranian society. They portray Iranian citizens in a hierarchical manner and with a lawlessness culture. It is astonishing that despite the volumes of information and evidence submitted, the Special Rapporteur continues to be in an imaginary world regarding Iran. Instead of observing the efforts by a nation to realize fundamental, inherent

rights at the international level by drafting and implementing numerous social and economic programmes against the background of outside pressures, he once again makes significant misjudgements and continues to present his unreal interpretation.

In Iran's response, extended information has been provided regarding the non-existence of forced marriages in the country. In Muslim countries, sexual relations outside of the family are denounced. Therefore, from both a moral and a mental health aspect, founding a family by individuals over the age of 18 requires marriage. This is by far a better situation than the free and careless relations among young people elsewhere. According to Iranian laws, any form of violence that results in even the smallest of physical harm is criminalized or, at the very least, is punishable by the payment of *dieh* (blood money). From the viewpoint of Islam, a marriage contract is a two-sided commitment and is a mutual effort to complete the couple. Concepts such as marital rape are arguable, and there is no consensus on a definition or description of it. Neither is it reflected in international human rights documents.

It is imperative that the information provided in this response about Iran's efforts to improve the environmental conditions and the battle against consecutive droughts be reflected in the Special Rapporteur's report in a positive way. We welcome the Special Rapporteur's attention to the environmental problems in Iran and his calling upon the international community to help the Government's policies in this regard. We expect the Special Rapporteur to denounce unlawful sanctions imposed against the human rights of all Iranian citizens. Iran urges him to adopt a clear and transparent stance against the sanctions.
