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Agenda item 68 (c)

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

**Letter dated 17 November 2014 from the Chargé d'affaires a.i.  
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 “Critical assessment of draft resolution [A/C.3/69/L.33](#) on the situation of human rights in the Islamic Republic of Iran” forwarded by the High Council for Human Rights of the Islamic Republic of Iran (see annex).

I would be most grateful if you could 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 17 November 2014 from the Chargé d'affaires a.i. of the Permanent Mission of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General**

**Critical assessment of draft resolution [A/C.3/69/L.33](#) on the situation of human rights in the Islamic Republic of Iran**

With reference to the draft resolution entitled “Situation of human rights in the Islamic Republic of Iran” contained in document [A/C.3/69 / L.33](#), tabled by Canada in the Third Committee of the General Assembly at its sixty-ninth session, we would like to state the following.

**Paragraph 1 of the draft resolution**

The Islamic Republic of Iran has submitted its documents and evidence pertaining to the Secretary-General’s report ([A/69/306](#)) and the report of the Special Rapporteur ([A/69/356](#)) — presented in the sixty-ninth General Assembly — to the High Commissioner, through its Permanent Missions in Geneva and New York. We expect that the co-sponsors of the draft resolution and all members of the United Nations will carefully, and in good faith, study the content of those reports to become aware of the lack of any need for such a draft resolution.

**Paragraph 2**

Women’s and religious minorities’ rights have always been a priority for the Islamic Republic of Iran and of crucial importance to the President; the elevation of the position of “President’s Adviser for Women’s Affairs” to “Vice-President for Women’s Affairs and Families” and also the creation of the position of “President’s Special Assistant for Ethnic Groups and Religious Minorities” are the steps taken to protect the rights of such groups.

**Paragraph 3**

The Islamic Penal Code and the new judicial processes have been designed to review and improve the old laws and regulations and make them compatible with Iran’s international commitments. The preparation of the new regulations has also benefited from the views and proposals of legal experts.

The new rules and regulations are more comprehensive than the old ones. Topics such as reduction of sentences, suspension of prosecution, postponement of heavy sentences and using alternative sentences for imprisonment, parole, pardoning, protection of children and adolescents and the legal responsibility of legal persons are taken into account in the Islamic Penal Code.

New prosecution procedure laws were also approved in 2014 to facilitate the process. Among the novel features of this law, reference can be made to the official recognition of the presence of non-governmental organizations with respect to their articles of association in the legal investigation process. In addition, the draft of the charter of citizen’s rights has been prepared through collaboration with scholars and social thinkers during the first 100 days of the new Administration; it will be finalized after presentation to the public and seeking the advice and incorporating

the views of the public and making the draft compatible with upstream laws and international commitments.

#### **Paragraph 4**

The Islamic Republic of Iran has done its utmost to cooperate over human rights at the international, regional and bilateral levels. Cooperation with the human rights system of the United Nations, human rights activities in the Non-Aligned Movement and the Islamic Cooperation Organization as well as dialogue and bilateral technical cooperation with other countries are examples of such activities.

The country's second universal periodic review report was prepared on the basis of recommendations made during the first round and was successfully presented to the twentieth session of the Working Group on the Universal Periodic Review. This professional mechanism, if not used as a political leverage, can help in the promotion of human rights. The Islamic Republic of Iran has had a constructive interaction with special procedures and has been in communication and contact with some of them.

#### **Paragraph 5**

This paragraph expresses concern over "human rights violations" based on totally unfounded claims because it makes references to unofficial and unreliable sources in a biased way and makes baseless, illogical, unrealistic and undocumented allegations. All this has rendered the draft resolution against Iran legally unjustified and significantly invalid. Despite the fact that these accusations are baseless, the Islamic Republic of Iran has given substantiated responses to the reports of the Secretary-General and the Special Rapporteur and to the correspondence by special procedures regarding the claims made in this paragraph. This is in line with Iran's policy to continuously interact and cooperate with international human rights bodies.

Meanwhile, the Islamic Republic of Iran has given detailed responses to the Human Rights Committee and Committee on Economic, Social and Cultural Rights in periodic reports regarding the concerns which have been raised.

#### **Paragraph 5 (a)**

The claim that the rate of executions has increased is unfounded given Iran's special circumstances and the existing threats from the sharp rise in the production of narcotics in the regions near Iran's territory. Official figures show that drug-related crimes constitute more than 80 per cent of the total number of executions carried out in Iran. Iran has taken effective measures to fight drugs and drug trafficking and it has paid a heavy price. For instance, more than 3,700 Iranian security forces have been killed and 12,000 others have been injured in this cause. Iran also spends hundreds of millions of dollars annually on fighting narcotic-trafficking networks and on the treatment and rehabilitation of addicts.

The figures released by the United Nations Office on Drugs and Crime (UNODC) show that more than 80 percent of the world narcotics is confiscated by Iran. As UNODC and the Deputy Secretary-General of the United Nations have confirmed, Iran is the flag bearer of the global war on drugs.

Most execution files are reported in the Iranian press. Thus, execution in prison cannot be considered “secret punishment”. All the information pertaining to the upholding of a verdict is given to the lawyer of the convict and his or her family. Iran strongly rejects the “secret punishment” allegation.

**Paragraph 5 (b)**

As to the claim about the execution of juvenile convicts under 18 years old, we should note that Iran shows much leniency towards criminals who are under 18. This involves the need for cross-examining their cases at special courts and using light sentences. Only for murder cases, an accused of under 18 years of age is tried at the provincial criminal court with five judges. It is Iran’s policy to encourage reconciliation and even to pay cash aid to the convict in *Ghesas* cases so that he or she can pay the blood money.

Iran’s judicial system has created new work groups to prevent capital punishment. The group is affiliated with the Executive Committee for Protecting the Rights of Children at Tehran’s Justice Ministry. The group’s mission is to reconcile between two sides and to prevent the execution of *Ghesas*. Even during the proceedings, the work group makes efforts to satisfy the heirs of the murdered person.

These measures have revolutionized Iran’s judicial system so that maximum leniency is shown and justice is observed regarding convicts under 18 years of age. In this respect, Iran’s interests and current circumstances in different areas and also the traditions of different ethnic groups have all been taken into account.

**Paragraph 5 (c)**

Under the Islamic Republic of Iran’s law, capital punishment is administered only for the most serious crimes. The most serious crimes like mass drug trafficking along with terrorist activities are treated with special sensitivity at courts in the presence of the representative of the Prosecutor General, the accused and his or her lawyer and after fair proceedings and trial, a ruling is issued. Only if the lawyer of the accused attends the trial will the proceedings have formality. Court sessions from which the lawyer is absent lack effectiveness and legality and any decisions taken at such trials can be revoked by the High Court of Iran. In addition, the legislature has studied crimes punishable by death with great care.

**Paragraph 5 (d)**

Iran’s law prohibits any torture and has clarified how it must be dealt with in order to prevent torture from taking place. Pursuant to articles 578 and 587 of the Islamic Penal Code, any of the judicial and non-judicial officials who persecute or physically torture the accused to coerce him or her into confession will be sentenced to five to six months in prison or dismissed from government jobs as well as to *Ghesas* or paying blood money.

In practice, necessary measures have been taken with the creation of a central monitoring committee in provincial capitals which is tasked with making sure that the rights of citizens are respected. Inspectors are dispatched to relevant authorities and any possible violations of the law will be dealt with.

The authorities suspected of mistreating or torturing shall be prosecuted after their conduct is investigated by qualified committees. One example is the *Kahrizak*

case which involved people who had tortured inmates and they were sentenced to such punishments as imprisonment, reparations and dismissal from government jobs. Necessary measures have been taken to compensate for the harm from which the victims suffered. Iran's judicial system is based on laws ratified by the representatives of the people at the parliament. All judicial verdicts are issued after legal proceedings and fair trial in accordance with the law. Therefore, administering punishment according to the laws approved in a democratic process does not count as torture.

#### **Paragraph 5 (e)**

In the course of implementing articles 26 and 27 of the Constitution and in accordance with the provisions of the Activities of Parties, Syndicate and Technical Organizations and Religious Minorities Act, some 230 political parties, 400 technical and syndicate associations and 60 societies of religious minorities have been licensed and are operative. An average of 300 political, syndicate, social, labour and international rallies and assemblies are held each year. Based on the aforesaid provisions, freedom of expression is also recognized in the country. Other relevant legislation has also been adopted, the most important of which is the Free Access to and Dissemination of Information Act adopted in 2009.

In line with the best implementation of article 24 of the Constitution (freedom of expression), the legislature has specified punishment in article 608 of the Islamic Penal Code only for those who abuse freedom of expression and insult others. The Press Act has also verified freedom of expression and constructive criticism provided there is abstinence from insulting, humiliating, accusing and violating the public and private rights of individuals. The aforementioned restrictions are also compatible with articles 18 and 19 of the International Covenant on Civil and Political Rights.

At the moment, 6,100 periodicals have been registered in the country, half of which are published, including 214 daily newspapers and 813 weeklies. The distribution scope of over 30 per cent of the country's periodicals is local (city, province, or several neighbouring provinces) from which around 1,000 (approximately 17 per cent of all of the country's periodicals) are published in border regions (some in local dialects and languages). The binding principle for the observance of the rights of the press has also been incorporated in article 4 of the Press Act: "Neither governmental nor non-governmental organizations has the right to publish content in order to place pressure on the press and/or censor and control the press".

The Internet was introduced into Iran 24 years ago; today the number of users tops 35 million in the country. There are over half a million ".ir" domains and this provides Iran an exclusive stance among regional countries. Network and computer sciences have also improved significantly in the country. It is worth noting that in line with implementing article 46 of the Fifth National Development Plan on establishing and developing the national information network providing high-speed Internet access to all citizens, the Ministry of Information and Communication Technology has engaged in designing and constructing the infrastructure required; most unfortunately, the illegal sanctions imposed against Iran have decelerated the pace of development. Nevertheless, the Ministry is employing its maximum capacity and domestic facilities to materialize the goal stated above.

In the Islamic Republic of Iran, all media — print and digital — are approached and dealt with on the basis of the law. According to article 22 of the Cybercrime Act, the Judiciary has been mandated to set up the Committee for Identifying Examples of Criminal Content comprising representatives from pertinent institutions headed by the Prosecutor General.

**Paragraph 5 (f)**

In the Islamic Republic of Iran, all social activities of establishing parties, societies, associations, etc. necessitate the observance of the Activities of Political and Syndicate Societies, Parties and Associations and Islamic Societies Act following the receipt of permission from the Commission of Article 10 of the Act. In addition, domestic laws allow freedom of expression and constructive criticism by journalists and cyberspace users provided they refrain from insulting, humiliating, accusing or violating the public and private rights of individuals.

Abusing the term “defending human rights” or any other label in order to achieve organizational goals would not negate judicial liability. Unfortunately, the term “defenders of human rights” is applied inaccurately and imprecisely in the context of Iran to the extent that in certain reports — such as that of the Special Rapporteur — terrorists are also included under this title. In any case, labelling individuals who overlook social norms and break the law through their own antisocial conduct is disrespect to the real defenders of human rights.

**Paragraph 5 (g)**

Securing the inclusive rights of everyone — men and women — and the equality of the public before the law, eliminating discrimination and establishing equitable facilities for all have been highlighted in the Constitution and other legislation. Governmental institutions are obligated to create the grounds for the material and spiritual growth of women and guarantee the rights of women in different domains through providing the necessary facilities and requirements.

Ever since its founding, Iran has given special attention to the promotion of women’s rights. To secure this goal, the country has implemented extended measures regarding the promotion of the health, educational, employment and social security issues of women and elimination of violence against them and facilitating their social participation through holding decision-making positions. Some of the policies and programmes for promoting women’s rights in relation with the claims raised in this regard include the following.

*Fighting violence against women*

The following initiatives are among the most noteworthy activities in this regard during recent years:

- Implementing a programme to prevent social ills and fighting corruption and cruelty against women (2012);
- Holding exhibitions, training workshops, seminars and technical meetings for women and for girls at school in order to increase their awareness concerning social threats and ways to fight them and also HIV/AIDS, hepatitis, mental disorders and gynaecological complications;

- Supporting research projects concerning the analysis of causes and motives of violence against women and ways of prevention and damage repair;
- Conducting an initiative to prevent women's social pathologies since 2010 through holding 300 hours of training workshops and defining 224 educational projects to raise women's awareness of risky behaviours;
- Carrying out a police project to fight violence and sexual abuse of women with two approaches: social promotion and prosecution of offenders.

#### *Women's participation in socioeconomic life*

A number of the major economic and women's empowerment interventions are:

- Establishing and operationalizing the Foundation of Women's Entrepreneurship Development and Cooperatives to alleviate poverty in 2010;
- Assisting groups that support female heads of households;
- Providing entrepreneurship and self-employment loans and grants to women;
- Establishment of women's comprehensive empowerment headquarters.

#### *Education*

Promoting women's education is among the main goals of the country. According to the United Nations Educational, Scientific and Cultural Organization (UNESCO) *Education for All Global Monitoring Report 2012*, Iran is among the top six countries of the world in terms of access to gender equality in education. It is worth noting that the literacy rate of women aged 15 to 24 years stood at 97.7 per cent in 2010 while the percentage of female students in State universities was 56 per cent in 2012.

#### *Women's political participation*

Some of the most significant political activities of women in recent years include:

- Membership in the Islamic Consultative Assembly;
- A rise in the number of the female members of rural and urban councils (6,093 in 2013);
- Appointment to high-ranking posts and positions (Vice-President) in the Cabinet.

#### **Paragraphs 5 (j), (k) and (l)**

To implement articles 27 and 28 of Iran's Constitution and in accordance with the provisions of the Activities of Parties and Guild and Specialized Unions and Religious Minorities Law, more than 230 political parties, 400 guild and specialized unions and 60 religious minority associations have obtained permits and are active. On average, 300 rallies and marches are held annually on political, syndicate, social, labour and international issues. According to the aforementioned laws, freedom of expression is recognized in Iran and related laws have been approved, of which the most important is the Free Access to and Dissemination of Information Law ratified in 2009.

There is an independent chapter in Iran's Constitution which involves 23 articles and is entitled "The rights of the nation". The chapter addresses the legitimate rights and freedoms of people from all walks of life such as different linguistic, religious, racial and ethnic groups. According to the chapter, all Iranian citizens, both men and women, enjoy equal civil, political, economic, social and cultural rights. Article 13 of the law guarantees freedom of non-Muslim citizens to perform their rituals, teach their own religions and live their private lives. Article 15 says that using local languages in the press and mass media and teaching literature in those languages at schools alongside Persian/Farsi language is permissible.

The Constitution recognizes basic rights and guarantees equality before the law, the protection of life and property, employment, housing, freedom of thought, access to social security, litigation, education, fair legal proceedings, nationality, participation in running the affairs of the country and other civilians rights for all citizens regardless of their religious and ethnic affiliations and they all can enjoy the law without any discrimination.

Hence, it is not justified to divide Iranian citizens into ethnic and racial groups and the like for political purposes and with the aim of sowing divisions. The citizens of the united nation of Iran consider themselves as compatriots irrespective of their differences and special features. Unlike other nations whose citizens are from the same ethnic group and have similar beliefs, Iranians are proud of coming from different ethnic groups and follow different religions and are living peacefully with each other regardless of their racial, ethnic and religious identities. Iranians have such exemplary characteristics as solidarity and culture which are deeply rooted in the history of this country, such that followers of all religions have embraced this unique culture while observing their own religious rites and ceremonies.

The Iranian parliament allocates a budget annually for the purpose of enabling non-Muslim Iranians to perform their rituals and ceremonies and education. Non-Muslim Iranians for instance held 140 artistic programmes. It is pointed out that in order to protect the cultural heritage of the minorities and their places of worship, "the Organization of Cultural Heritage, Handicrafts and Tourism" has formed a committee named "Religious Sites and Places Committee". The committee's mission is to repair and rebuild shrines of the minorities and to protect them through coordinating repairs.

The political participation of the minorities takes the form of "guaranteed seats" at the parliament. The need for fair proceedings has been emphasized in the Islamic Republic of Iran's charter, criminal procedure law and other laws in all stages of proceedings from the discovery and investigation to execution of the verdict regardless of race, religion, gender and ethnicity. Meanwhile, the observance of the doctrine of innocence and the necessity of the legality of crimes and punishments has been stipulated in article 37 of the Constitution and articles 2 and 12 of the Penal Code. On this basis, the law regards no one as guilty unless his or her crime is proved at a qualified court.

Alongside religious minorities, the civil rights of the followers of sects including the Baha'is are fully respected. It is obvious that this is contingent upon an individual's fulfilment of his or her legal duties in the society, as the credibility of any right depends on fulfilling mutual duties. This legal principle is well known and means that most judicial systems juxtapose duty alongside right. Article 23 of Iran's constitution stipulates that "Inquisition of beliefs is banned and no one can be

persecuted or questioned for merely having some belief”. Contrary to the claims of some media outlets, and most particularly of the representatives of the Baha’is, no one is jailed or interrogated for merely having some beliefs. Given the above points, the allegations about the violation of the rights of minorities are totally baseless.

#### **Paragraph 5 (l)**

As for the individuals referred to in the draft resolution, existing information shows that they have undergone numerous medical examinations and their health conditions have been checked by their own physicians. If necessary, they are sent to specialized hospitals and checked. They have access to the media, the press, radio and television and are regularly visited by their families and relatives and attend religious ceremonies, birthday parties and mourning ceremonies. The crimes attributed to the two persons during the 2009 post-election riots are well proven and the establishment has been lenient on them because of their good record and in order to protect their lives. Iran strongly rejects as baseless the claims that their families and supporters have been intimidated.

#### **Paragraph 5 (m)**

Under article 156 of the Constitution, the judiciary is an independent branch of government and under articles 164 and 166 of the Constitution, a judicial official enjoys full legal protection and he is obliged to issue a verdict with proof. In addition, regular rules and regulations such as criminal procedure, civil procedure and oversight laws all guarantee the independence of the judges and lawyers at all stages of trial from the lower court to the appeals court. The need for fair proceedings has been emphasized in the Iranian Constitution, criminal procedure law and other laws in all stages of proceedings from the discovery and investigation to execution of the verdict regardless of race, religion, gender and ethnicity. The observance of the doctrine of innocence and the necessity of the legality of crimes and punishments has been stipulated in article 37 of the Constitution and articles 2 and 12 of the Islamic Penal Code.

The Recognition of the Legitimate Freedoms and Protection of Civil Rights Law and other statutory laws guarantee the protection of the rights of the detained and treating them respectfully. Paragraph 1 of the single article act of the Civil Rights Law stipulates that any arrest or detention must be in accordance with the laws and with the order of a judicial official in a transparent way free of arbitrariness and abuse of power and without use of force and in compliance with the principles of fair trial.

In addition, the head of the judiciary has been tasked with setting up a committee which oversees the implementation of those rules and regulations. He has also ordered all concerned institutions to cooperate with the committee and report back. To observe article 15 of the Iranian civil rights charter, and to ensure a more comprehensive supervision, the “Provincial Oversight and Inspection Committee” has been formed in all provinces.

The revised version of the Penal Code (2013) seeks to implement measures aimed at reducing the prison population; such measures include postponement of verdict issuance, more acquittal and the semi-free punishment system. There have been also efforts to replace incarceration with alternative less harsh punishments such as fines and other correctional measures for minor defendants.

The rules of conditional release as mentioned in article 58 have also become less strict. In addition, the 2013 “Directive of Reorganizing Jails and Reducing Prison Population” has made it clear that no one stays behind bars beyond the time limits set by the law. And to further respect the rights of the inmates, the Prisons Organization has been implementing revised and relaxed rules giving inmates more temporary release periods, conditional release, general and individual pardon cases, greater access to lawyers, more visit time with families, as well as training and educational courses.

The issue of safety and health of prisoners is of special importance in all countries. The April 2014 incident inside Evin Detention Centre is one such case in which Iranian authorities did their best to ensure the safety of the inmates. After receiving documented reports of illegal activities and possession of illegal material by some inmates, the authorities decided to inspect the prison and confiscate the forbidden material after acquiring the permit to do so from the court. Despite holding the legal permit to inspect, the prison authorities faced resistance and rioting from some inmates who had complicated criminal backgrounds. Still, the officers brought the situation under control and things went back to normal without any casualties.

To respect the rights of detainees and prisoners, the Iranian police have also implemented the following measures:

- A committee has been set up to respect the civil rights of defendants;
- A formal charter has been drafted and ratified which aims to implement the civil rights of the detainees and oversees the process;
- All prisons and detention centres have been equipped and standardized;
- Prison officials and employees have been ordered to fairly treat the inmates;
- More oversight measures have been adopted to control the activities of police officers and inspectors; one example is the public hotline 197, through which citizens can report any wrongdoing and misbehaviour on the part of the police;
- The law has also set measures to punish those behind torture. It has set up a central oversight board which dispatches inspection delegations to all the provinces to review every single complaint and report and take action against possible violations;
- It has also established a clarified mechanism through which those who claim to have fallen victim to torture, abuse and other forms of rights violations can follow up their cases by reporting to the oversight committees, which are tasked with identifying the violators and seeking justice for the victims. Ever since those committees have been set up, there’s been a dramatic drop in the number of reported violations;
- “Respecting legitimate freedoms and protection of legal civil rights” is the title of another article in the Iranian Penal Code which, along with other regulations, seeks to ensure that no extrajudicial arrests are made. It bans personal and subjective treatment of citizens as well as abuse of power and stipulates that any arrest must be made only and only after permits are granted by judicial authorities;

- The same law has determined clear punishment measures for those who violate the rules of arrest. Article 10 has clarified the punishment. It also says in addition to the fact that the head of the judiciary oversees the entire process through various committees under his supervision, individuals can also directly report any mistreatment and extrajudicial arrests to the secretariats of those committees where the claims will be closely reviewed and followed up;
- Given the huge responsibility which the judiciary must live up to regarding civil rights, the head of the branch issued and declared a comprehensive charter in 2004, in which those rights have been defined and all the entire judicial system has been tasked with protecting them. In less than a month, the charter was ratified under 15 articles by the Iranian parliament, made into law by the Guardian Council and was submitted to the president for full implementation by the concerned institutions. Article 1 of the same law explicitly ensures the right to freedom and personal safety, while article 8 asserts the prohibition of violating the privacy of individuals;
- Article 4 of the law of judicial proceedings stresses the acquittal principle, ensures personal freedoms and bans the violation of privacy, with judicial authorities supervising the rules and making sure that those rights are being fully respected.

#### **Paragraph 6**

It has to be mentioned that all recommendations which do not violate Iran's international obligations have been taken into account and implemented. In fact, most of the recommendations asserted in the abovementioned article confirmed earlier recommendations in the first universal periodic review and were to a large extent implemented. And that was defended by the Iranian envoy at the twentieth session of the Working Group on the Universal Periodic Review on 31 October 2014.

It must also be noted that the Iranian judiciary set up its Human Rights Committee for more interaction with the United Nations human rights mechanisms. The committee also works with the secretariat of the central board of civil rights and legitimate freedoms to ensure greater rights for Iranian citizens, offer guarantees to protect those rights and prevent any possible violations.

#### **Paragraph 7**

In order to form a national institution, the High Council of Human Rights at the judiciary is preparing a bill which will enter legislative process after being finalized. The Human Rights Committee follows its annual agenda to protect the rights of citizens and also coordinate the activities of different member organizations and ministries to promote and protect human rights and supervise the fulfilment of various international commitments.

#### **Paragraph 8**

To adhere to its international commitments, the Islamic Republic of Iran has presented periodic national reports concerning the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities, also taking into consideration the recommendations of the related committees. Moreover, it should

be mentioned that Iran has also established a national focal point for children's rights to further interact with human rights institutions and realize commitments.

#### **Paragraph 9**

Iran has always honoured its commitments and is intent upon their fulfilment. Moreover, Iran has always presented its periodic national reports on the endorsed conventions to the related observing committees in good time. According to the Constitution, international conventions and agreements assume legal force and become binding upon endorsement. Article 19 of the 1969 Vienna Convention on the Law of Treaties states that countries, when signing, approving, accepting or endorsing a convention, can set conditions on their commitments toward certain provisions of the document. From that point of view, it can be said that the Vienna Convention sets the principle of sovereignty of nations as a basis to be manifested in the will of States. Meanwhile, acceptance, conditional acceptance or non-acceptance of conventions are decisions made by sovereign powers of nations.

#### **Paragraph 10**

The Islamic Republic of Iran, in compliance with the recommendations of the first round of the universal periodic review, has presented and also defended its report to the twentieth session of the Working Group on the Universal Periodic Review on 31 October 2014. In addition, the number of the recommendations of the second round that have been accepted will be publicly announced before the twenty-eighth session of the Human Rights Council (March 2015), and it will not, naturally, be rational to expect countries to implement recommendations not yet finally accepted. The government of the Islamic Republic of Iran has also secured the participation of civil society entities in the implementation of the recommendations made at the first round of the universal periodic review and also the preparation of the second national report, and will continue to do the same to implement the accepted recommendations from the second round.

#### **Paragraph 11**

In line with the requirements set by the special procedures, the Islamic Republic of Iran has invited thematic rapporteurs on several occasions; so far seven rapporteurs have visited Iran, which is greater than the average number of such visits to many other countries. As for correspondence with special procedures, it must be mentioned that Iran has responded to the majority of the correspondences, and there are no grounds for the claim made in the draft resolution.

#### **Paragraph 12**

The claim regarding punishment of individuals having cooperated with United Nations mechanisms is also baseless because no one can be prosecuted for mere connection with such mechanisms.

#### **Paragraph 13**

The selective appointment of a country-specific rapporteur in Iran's case is in conflict with the positive developments and the relevant measures Iran has taken in recent years, measures which have been acknowledged by independent unbiased sources. Such selective assignments also disregard Iran's continuous and

constructive cooperation with the office of the United Nations High Commissioner for Human Rights (OHCHR) and mechanisms of the Human Rights Council, as well as follow-up activities to ensure improvements in the area of human rights. Therefore it is necessary to seriously avoid such strategies because they can disrupt and undermine the current process of constructive cooperation and positive interaction.

#### **Paragraphs 14 and 15**

Within the context of interaction with human rights mechanisms of the United Nations, the Islamic Republic of Iran has been continuously cooperating with the Office of the United Nations High Commissioner for Human Rights through the activities of officials at the levels of Minister of Foreign Affairs, Secretary of the Iranian High Council of Human Rights at the judiciary and the Vice-President and Head of the Centre for Women's and Family Affairs.

An invitation was also extended to Ms. Navi Pillay, the former High Commissioner for Human Rights, to visit Iran. Along the same lines, Iran hosted the preliminary delegation of the High Commissioner for Human Rights in December 2011; the delegation met with governmental and civil society representatives and studied the grounds for further cooperation with Iran in matters of human rights. Also within a framework of cooperation, a delegation from the High Council of Human Rights at the Iranian judiciary has met with officials of OHCHR. Iran has recently invited the esteemed High Commissioner, Mr. Zeid Ra'ad Al Hussein, to visit the country.

The Islamic Republic of Iran has actively participated in the human rights meetings of the United Nations, including those of the Human Rights Council, the Third Committee of the General Assembly and the Commission on the Status of women. Iran has also submitted periodical reports to the Human Rights Committee, as well as the Committee on Economic, Social and Cultural Rights and other entities related to the convention. With the approval of the Economic and Social Council, Iran gained membership in five United Nations-related entities, including the Commission on the Status of Women, the Committee on Non-Governmental Organizations and the Commission on Population and Development.

The Islamic Republic of Iran has also been in close cooperation with international organizations including the International Labour Organization (ILO), UNESCO and the United Nations Children's Fund (UNICEF). A case in point is the visit in 2014 by an ILO high-ranking delegation concerning the implementation of the ILO Convention No. 111 concerning Discrimination in respect of Employment and Occupation, and ultimately, the removal of the issue of supervising Iran from the agenda of the 103rd session of the International Labour Conference. The Under-Secretary-General for Humanitarian Affairs of the United Nations Secretariat also visited Iran in August 2014 to speak with Iranian officials.

#### **Paragraph 16**

The appointment of a special country rapporteur for a country like Iran, which has always honoured its commitments toward its citizens and the international community, is basically unjustifiable, meaningless and downright destructive.

The Human Rights Council was formed to prevent double standards; and the universal periodic review system, still in its formative stages, is based on the equal responsibility of all countries; its activities should not be undermined by parallelism and overlapping. Consequently, for the fundamental reasons mentioned early in this paragraph, and the disregard of the above mentioned five criteria, the Islamic Republic of Iran is of the conviction that assigning a special rapporteur to Iran is unacceptable. Unfortunately, the Special Rapporteur has disregarded Iran's evidence based and well-reasoned responses and, under the influence of certain circles and with reference to unreliable sources, has again repeated baseless allegations without verification and adherence to the Code of Conduct for Special Procedures Mandate-holders of the Human Rights Council (Council resolution 5/2).

### **Paragraphs 17 and 18**

The request directed to the Secretary-General to present two parallel human rights reports at the seventieth session of the General Assembly is in contradiction to the overall mission of the Secretary-General and limits him to only one of the functions of the United Nations. This is while the main human rights institution is the Human Rights Council, which, on an equal basis, reviews the human rights condition in different countries through the universal periodic review mechanism. Moreover, the request works against the continuous attempts and the resulting progress of Iran concerning the promotion of human rights; it can be considered only another addition to multiple reports, and thus redundant and unconstructive. And this comes only one month after the latest universal periodic review on human rights conditions in Iran.

### **Conclusion**

Considering the above-mentioned details, the factually grounded arguments and the growing trend of constructive interactions in the area of human rights, the Islamic Republic of Iran, like many other countries and unbiased entities interested in true promotion of human rights in the world, expects countries to pay close attention to the above-mentioned and adopt a constructive position with regard to the draft in question and the vote.

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