



# General Assembly

Distr.: General  
16 February 2022

English only

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## Human Rights Council

Forty-ninth session

28 February–1 April 2022

Agenda item 4

**Human rights situations that require the Council's attention**

### **Written statement\* submitted by Association pour la défense des droits de l'homme et des revendications démocratiques/ culturelles du peuple Azerbaidjanais-Iran - «ARC» a non- governmental organizations in special consultative status**

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

[7 February 2022]

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



## **The Right to a Clean, Healthy and Sustainable Environment: non-toxic environment – A/HRC/49/53 Concerning the United Nations Office of the High Commissioner for Human Rights Report by the Special Rapporteur on the Situation of Human Rights in the Islamic Republic of Iran**

This is a Statement by Arc Association for the Defence of Human Rights of Azerbaijanis of Iran (ArcDH) to the 49<sup>th</sup> Session of the UN Human Rights Council (HRC) on the recurrent environmental issues in Azerbaijani provinces in Iran (Islamic Republic of). It provides evidence that human rights of Azerbaijanis are violated in Iran (Islamic Republic of) relating to the enjoyment of a safe, clean, healthy and sustainable environment. This is also the case for other minority nations in Iran (Islamic Republic of).

### **International Drivers Promoted by the UN**

The driver for the Statement by ArcDH is the human right to a safe, clean, healthy and sustainable environment, conferred in Resolution A/48/13 (2021); and the UN 17 Sustainable Development Goals (SDGs). The Statement seeks to critique relevant legislations and any mitigation measure adopted by the Iranian authorities through considering a few cases on the environment.

#### **1. Electricity Production by Burning Crude Oil**

**The Problem:** Consider air pollution in Tabriz since October 2021. Day in, day out, the population of Tabriz experienced unsafe air conditions for breathing. The cold season largely remained unsafe for vulnerable groups and this remained the headline within Azerbaijani social media.

The relevant authorities took no effective measure to mitigate the problem but blamed State-owned power plants in Tabriz; and threatened to shut them down but closed schools several times in a few months<sup>1</sup>. The situation has become chronic in Tabriz in recent years to the extent that the air was declared unsafe for all ages in the winter 2020-21 and the winter in 2021-22 and the smog remained a feature over the skyline of Tabriz. Reportedly, one of the burners in the Tabriz thermal plant was caught up fire on 2 February 2022 but whatever the reason, this was a great relief for the whole population. Yet Tabriz was renowned for its healthy and pleasant weather throughout history owing to its mountain breezes, which are no longer sufficient to clear the mess of air pollution created by inept Iranian authorities.

**Underlying Issues:** Transformative progress towards clean energy in Iran (Islamic Republic of) is not on the agenda of the Iranian authorities except for a few mundane measures, seen as lip service. Driven by Iran (Islamic Republic of)'s Clean Air Law (2017), crude oil burners of State-owned thermal plants have been converted to gas-fired thermal plants to reduce GHGs, but the Guardian reported in January 2021 that "air pollution in 11 cities in Iran (Islamic Republic of), including Tehran, Isfahan, Ahvaz, Zanjan, Karaj, Mashhad, Tabriz, Urmia, Arak, Qazvin, and Qom, became critical." The conversion program seems to be working, except in Tabriz, Binev (Bonab) and a few other parts of the country, subject to discrimination. The conflicting information on Tabriz is summarised as:

State-owned plants failed to convert their burners (conveniently local managers are blamed without mentioning failures in budget allocation, which stems from discrimination), or there is a shortage of gas and the discriminated cities or neglected parts of the country do not receive their share.

In spite of the conversion program, those in Tabriz have not been converted yet. This is due to the government's failure to allocate the appropriate budgets to the discriminated plants. These events showed that air pollution in Azerbaijani cities is critically dependent on stationary sources of thermal power plants, although mobile sources (car and transports) also play their roles, at least in Tabriz. Azerbaijani Members of Iranian Majlis spoke out on the issue and against the Iranian authorities and labelled the episode as discriminatory<sup>2</sup>. Another impact of discrimination is that there is no statistics and those which may be collected by

activists are risking persecution. Finally, there is another hidden dimension that electricity production gives a high priority to the bitcoin farms, reportedly maintained by foreign investors. This remains a true but untold story due to the lack of direct data.

Critical View: Article 13 of Iran (Islamic Republic of)'s Clean Air Law (2017) requires that after one year of the enactment of the law, all fuel users (public or private) must use standard fuels and in the event of their shortage the limits to maintain health must not exceed beyond their permissible limits. Thus, Azerbaijanis in Iran (Islamic Republic of) are being discriminated against, evidenced by the continued burning of crude oil. This is the tip of an iceberg that Iranian authorities violated their own laws against the nation of Azerbaijanis in Iran (Islamic Republic of).

## 2. Mining Situations in Azerbaijani Provinces

Major Mining Activities in Azerbaijani Provinces: The Iranian mining industry is in its full swing in Azerbaijani provinces in Iran (Islamic Republic of) (covering, Hamadan, Qazvin, Zanjan, Ardabil, East and West Azerbaijan provinces), and now foreign contractors are roaming Azerbaijani provinces drilling exploratory wells in an Iranian bid plundering any mineral for hard currency. The major Azerbaijani mines under severe exploitations include: Verziqan Mines in Qaradagh, Zarshuran Mines in Tikantepe (Takab), Anguran Mines in Mayinshan (Mahneshan) and 280 operational mines in Hamadan province, see a set of links below<sup>3</sup>. These mines cover gold, silver, copper, aluminum, Molybdenum, lead, tin, zinc, etc.

The Situation in Iran (Islamic Republic of): Iran (Islamic Republic of) attracts private investors through the Foreign Investment Promotion and Protection Act (FIPPA)<sup>4</sup>. This reassures foreign, public, and private miners but enables Iranian authorities to maintain their hard currency irrespective of their impacts. The Ministry of *Industry, Mines and Trade of Iran (Islamic Republic of)* has the sole responsibility for the mining industry. The Iranian Mining Act 2013 allows a cruel exploitative system without any effective regulation.

Impacts on Azerbaijani Provinces: The outcomes include the destruction of the natural environment, untold pollution, the plundering of the natural riches with zero return to Azerbaijanis, the expulsion of local residents, undermining local peace by lorries transporting raw ores to the processing industries outside Azerbaijani provinces, and undermining local management and contractors by deploying non-natives.

## 3. Mysterious Free Felling – An Attack on the Ecological Lung

Autumn 2018 saw a new onslaught against Azerbaijani trees and forests nearly in all cities but was particularly vicious in the Qara Dagh (Arasbaran) Region of East Azerbaijan. Night times encroachers appeared from nowhere, felled trees, denuded forests and transported them by lorries in highways. No one was persecuted despite a massive campaign on social media. The curious thing is that some of the Members of Majlis raised the issue in the parliament but received no response<sup>6</sup>. Ironically, the forests were the subject of being registered with the UNSECO under the auspices of Transforming our world: Agenda 2030. *The Law on Protection and Exploitation of Forests and Meadows* (1967) states that any cutting of trees is only possible in certain cases and through permission of the Forestry Organization<sup>5</sup>. Yet, the forests in Azerbaijani provinces underwent a savage attack, attributed to:

- Paper industries in the Gilan province laid their own trees fallow but felled those in Azerbaijani provinces<sup>7</sup> – allow for the misinformation in the link on the permit for the felling).
- Iranian authorities are preparing forest grounds for mining, a familiar ploy.
- Despite feasible alternatives, the Foundation of *Khatam-al-Anbia* implemented the gas pipeline to Armenia through these precious forests after extensive tree-felling.
- Lake Urmia

The mission to revive Lake Urmia is one of the founding principles of ArcDH. The lake is subjected to forced drying by policies of the Iranian government since the 1990s by a provision of more than 40 dams in this small closed-basin. As such, we reckon the basin has the largest number of dams/ km<sup>2</sup> in the world and must be unique for deliberately cutting off

the compensation flows to the lake! As such, the lake is condemned to vanish. This means a 1m deep saltpan covering some 5,000 km<sup>2</sup> at the heart of Azerbaijani provinces. Now, the people are experiencing salt-storms and more than 10 million at-risk population awaiting untold diseases and impacts. Internally displaced people from the region still remain unaccounted for. Freak rainfall events in the winters of 2006 and 2018, clearly showed that the lake is responsive to increased inflows and therefore a good strategy can revive the lake.

### **Concluding Remarks**

The Statement provides some evidence that Iranian authorities fail to meet their obligations towards minority nations in Iran (Islamic Republic of); the Iranian laws are slack; law enforcement is flouted and discrimination is widespread against minority nations. Their entitlement to enjoy a safe, clean, healthy and sustainable environment (the UN Resolution 48/13) is violated.

We recommend that the impacts of the biased Iranian governance on the environment of the minority nations are monitored by the Especial Rapporteur on Iran (Islamic Republic of) as a standing item.

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1. An example of school shutdown: <https://tabrizebidar.ir/news/1083411>
  2. <https://www.isna.ir/news/1400072719546/>
  3. Verziqan mines: to exemplify uncritical views (allow misinformation), see: <https://llk.dk/vo07j6> and <https://iranwire.com/fa/features/40791>; for exemplifying pollutions see: <https://iranwire.com/fa/news/east-azerbaijan/42371> and <http://avayehvarzeghan.ir/?p=51165>; for exemplifying protests see: <https://llk.dk/x3i4nw>.
  4. <https://lupicinio.com/en/mining-in-iran-sanctions/>
  5. <https://www.fao.org/faolex/results/details/en/c/LEX-FAOC159662/>
  6. <https://www.isna.ir/news/97100703525/>
  7. <https://www.isna.ir/news/97100804314>