

Human Rights in the Islamic Republic of Iran

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Introduction:

The basic structures and mechanisms of the UN in particular on the issue of human rights are based on establishing and enhancing international cooperation. The UN Charter, the Universal Declaration of Human Rights, the Vienna Declaration as well as documents of major world conferences all emphasize on the enhancement of international cooperation and interaction between member states.

In an inclusive examination of documents and basic principles of international cooperation, one might find that the improvement of human rights in a given country takes place as a result of several underlying measures such as: Ratification of basic international human rights instruments, cooperation with the UN human rights mechanisms, legislative reforms and capacity building in the country and finally structural reforms to the benefit of human rights situation.

It is obvious that the general direction of any international cooperation on human right should be established across the above- mentioned areas of activity. In this regard to evaluate achievements of human rights in the Islamic Republic of Iran, particular attention should be paid to the above areas that might actually serve as criteria for assessing the improvement of human right. In case, the general direction set by a country ensures the implementation of the recommendations of the world conferences on these areas, human rights situation of that country should be regarded as positive and progressive but not " deteriorated ".

Consequently, based on the analysis and normative tool for assessment, It is evident that the overall human rights record on the referred areas of activity in the Islamic Republic of Iran over the past two years is positive. The following is a brief reference to the measures and achievements of the Islamic Republic of Iran on the areas outlined in this introduction:

Part One: Ratification of human rights instruments:

- The Islamic Republic of Iran is a state party to four major Human Rights Treaties as following:
- Covenant on Civil and Political Rights,
- Covenant on Economic, Social and Cultural Rights,
- International Convention on the Elimination of All Forms of Racial Discrimination,
- Convention on the Rights of the Child.

Iran is also a party to some other international instruments relating to the rights of child and refugees such as the following:

- ILO Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour,
- Convention Relating to the Status of Refugees,
- Protocol to the Convention Relating to the Status of Refugees.

Part Two: Cooperation with the UN mechanism on human rights:

I- Cooperation at the Asia-Pacific level

- The Islamic Republic of Iran with the cooperation of OHCHR hosted a workshop in 1998 which adopted Tehran Framework for Regional Cooperation for the promotion and protection of human rights, - Iran hosted a regional preparatory meeting for the World Conference Against Racism in 2001,
- Former high commissioner for human rights, Ms. Robinson visited the country in 1998 and 2001,

II- Cooperation with the Office of the High Commissioner:

In recent years the Islamic Republic of Iran has engaged in bilateral and meaningful technical cooperation with the Office of the High Commissioner for Human Rights. In this regard and based on the recommendations of an OHCHR Needs- Assessment mission in 1999, the OHCHR explored four areas of possible cooperation including law Enforcement; Prisons and Correctional Institutions; City Councils and Human Rights Education. Finally and as the first step, Human Rights Education was selected as best - suited for a technical cooperation pilot project. However, OHCHR,s financial constraints delayed the implementation of activities from 2003 to 2004 .The long term objective of the project was through promotion of human rights education in Iranian

schools and also integrating human rights programs in high education institutions and universities curricula and teaching materials which can contribute to the promotion of international human rights in the country.

During the period of project, 20 documents relating to human rights education were translated into Persian. A glossary of human rights also was compiled and published.

A preparatory workshop was held on 23 August 2004 to inform the key stakeholders of the content and objectives of the project and its national workshop which was accordingly held on 5 & 6 September 2004 in Tehran .

In order to learn more about other countries' experiences in human rights education, two study tours to the Philippines and India were organized for two different groups of Iranian officials.

The project was ended in the first quarter of 2005 by drafting a document examining different aspects of Human Rights Education in the country.

III- Cooperation with Special Rappourters of the Commission on Human Rights:

Following the defeat of anti- Iran resolution at the 58th session of the Commission on Human Rights, Iran extended an open invitation to all thematic mechanisms of the Commission in July 2002. The following mandate-holders visited Iran since the time:

- The Working Group on Arbitrary Detention (February 2003),
- Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expressions (November 2004),
- Special Rapporteur on the Human Rights of Migrants (February 2004)
- Special Rapporteur on Violence against Women (February 2005),
- Special Rapporteur on the Right to Adequate Housing (March 2005),

Part Three: Human rights dialogues:

I: Dialogue with the European Union

So far four rounds of dialogue on human rights have been held between the I.R.of IRAN and the EU. Such Dialogues have provided a proper ground for exchange of views among human rights thinkers, activists and officials of the both sides.

II: Dialogue with Non - EU countries

In recent years the I.R. of IRAN has had a series of human rights dialogue with some Non-EU countries including Australia, Japan, Switzerland and Russia which aims at promotion of human rights, contribution to an intercultural dialogue and exchange of information, experience and technical cooperation in this field. Following this aim, such dialogues with the above-mentioned and the other interested countries will be continued in future.

Part Four: Main human rights related issues:

I: Human rights of Women:

- Gender mainstreaming in the national development planning system: This program has led to a remarkable change in raising the issues of women in the country's budget system for developing women's social and cultural participation. The growth rate of 360% of credits for women's affairs results from the above – mentioned policy in the Iranian government's budgeting system.
- Encouraging and contributing to the quantitative and qualitative expansion of active NGOs in women's affairs which have accounted for the increase of these organizations as many as eight times.
- Promotion of the National Machinery for the Advancement of women has been done to provide more efficient condition. Furthermore, the membership of the Director of the Center for Women and Family in the Cabinet and Specialized Commissions of High Councils of Decision-making have made it possible to raise the issues of women at high levels of decision- making.
- Establishing committees on women's affairs in all provinces. At the present time, 540 positions of decision- making at regional and local levels have been assigned to women.
- Increasing the number of women's cooperatives (a 253% increase from 1997 to 2002) and cultural empowerment of women through increasing the number of women's cooperatives
- Appointment of two women in the Cabinet one women as deputy to the President and another

as the Head of the Environment Protection Department

- Increase in literacy rate of women, which has reached 74.66% at the end of 2002
- Setting up the National Committee on the Elimination of Violence against Women and formulating the National Plan of Action for preventing, combating and eliminating violence against women
- Establishment of special women police centers (WPCs) comprising of female personnel in police stations and large cities. These centers can play a valuable role in combating violence against women
- Increasing in the number of female students entering universities to 63%
- Due to the importance of mother's role in the upbringing of children, especially in the early years of birth, a bill has been approved by the Expediency Council to extend the mother's custody of children, regardless of the child's sex, up to the age of 7.

II: Rights of the Child:

- Considerable development in achieving results in a number of the targets set out in the Program of Action of the 1990 World Summit on Survival, Protection and Development of Children;
- Active participation of representatives of the Iranian children in the UN special session on Children held in New York(2002);
- Preparations for establishing a national focal point for children's rights.
- Preparation and submission of the second Periodic Report of the Islamic Republic of Iran to the Committee on the Rights of the Child in 2002 under the supervision of the Ministry of Foreign Affairs as the focal point for the national periodic reports; which was considered by the Committee on the rights of the child in January this year (2005).
- Accession of the Islamic Republic of Iran to the Worst Forms of Child Labour Convention 1999 (NO.182) of the International Labour Organization and its Supplementary Recommendation;
- Establishment of the Office for the Protection of Women and Children in the Judiciary ;
- The Judiciary has taken steps towards employing the global achievements relating to the juvenile crime. In this regard, "the Law on the Establishment of the Juvenile Court" has been forwarded as a bill for the approval of the Parliament. After ratification of the Parliament, the Juvenile Courts, comprised of one judge and two counselors, should be created in all provinces to examine the crime of juveniles, from the age of 9 to 18;

III: Administration of Justice:

- Councils of Arbitration have been established to promote a culture of reconciliation among people and to avoid unnecessary recourse to tribunals. Negotiations between the parties in a judicial procedure are being encouraged in order to reach a conciliatory outcome, particularly in less serious cases; i.e. Cases relating to offences punished with less than 91 days imprisonment and with fines up to 5 million rials;
- A center for legal counsel composed by judicial experts has been established in order to facilitate the access of people to legal assistance. This has allowed a better , more precise and more cost- effective resolution of judicial cases;
- The re-establishment of the Office of the Public Prosecutor has speeded up the consideration and resolution of cases;
- A number of legal bills have been drafted by the judiciary and are now ready to be submitted for consideration to the Majles (Parliament): a draft bill on the establishment of courts for juveniles, another bill on alternatives punishments to imprisonment, and drafts on support of victim's relatives, crime prevention and computer-related offences;
- Establishment of Human Rights Committee within the judiciary which is considered as the high level human rights monitoring body in the country;

IV: Achievements regarding the Millennium Development Goals (MDGs)

The Islamic Republic of Iran pursues the MDG's in a wide social development framework. Goals such as poverty alleviation, productive employment, education, health, empowerment of women, environmental protection and international cooperation for development have always been

among the goals underscored in the Islamic Republic of Iran's Five-Year Development Plans over the past years. The major achievements obtained by the Islamic Republic of Iran concerning the targets specified by the MDG indicators have so far included as follows:

First, a considerable decrease of the population under the extreme poverty and those under the national poverty line as well as a notable reduction in infant and child mortality rates and maternal mortality ratio because of pregnancies and deliveries.

Second, a sustainable increase in the net enrolment rate in primary schooling and in the ratio of female to male students in tertiary education, the number of child births attended by skilled personnel, the ratio of the area protected to maintain biological diversity as well as the proportion of population with remarkable access to safe drinking water, telephone lines and personal computers.