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COMMISSION ON HUMAN RIGHTS
Fifty-seventh session
Agenda item 9

**QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL
FREEDOMS IN ANY PART OF THE WORLD**

**Australia*, Austria*, Belgium, Bulgaria*, Canada, Denmark*, Estonia*,
Finland*, France, Germany, Greece*, Hungary*, Iceland*, Ireland*,
Israel*, Italy, Latvia*, Liechtenstein*, Lithuania*, Luxembourg*,
Malta*, Norway, Poland, Portugal, Romania, San Marino*, Slovakia*,
Spain, Sweden*, Switzerland*, The Netherlands*, United States of America,
United Kingdom: draft resolution**

2001/... Situation of human rights in the Islamic Republic of Iran

The Commission on Human Rights,

*Guided by the Charter of the United Nations, the Universal Declaration of Human Rights,
the International Covenants on Human Rights and other human rights instruments,*

*Reaffirming that all States Members of the United Nations have an obligation to promote
and protect human rights and fundamental freedoms and fulfil the obligations they have
undertaken under the various international instruments in this field,*

* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Mindful that the Islamic Republic of Iran is a party to the International Covenants on Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Rights of the Child,

Recalling previous resolutions of the General Assembly and the Commission on Human Rights on the subject, the most recent of which are Assembly resolution 55/114 of 4 December 2000 and Commission resolution 2000/28 of 18 April 2000,

1. *Welcomes* the report of the Special Representative of the Commission on Human Rights on the situation of human rights in the Islamic Republic of Iran (E/CN.4/2001/39);

2. *Notes with interest* the assessment of the Special Representative that certain foundational improvements have taken place in areas such as women's education, democracy, and health, and that the trend is now irreversible and hopes that this trend will be further consolidated and also include other areas during the coming year;

3. *Deeply regrets* that, since 1996, no invitation has been extended by the Government of the Islamic Republic of Iran to the Special Representative to visit the country and strongly urges the Government to invite the Special Representative and resume its full cooperation with him, in particular so that he can, through direct contacts with all sectors of society, observe the evolution of the human rights situation in the country and assess future needs, including in the area of technical cooperation in the field of human rights;

4. *Welcomes* improvements in the field of women's education, health and democratic participation in the Islamic Republic of Iran and the efforts made by the Sixth Majlis to improve the status of women and girls, in particular a bill to raise the age of marriage and a bill to remove the existing ban on unmarried women studying abroad, but is deeply concerned that many of these efforts have not yet been promulgated as law, which would be a step towards ending the systemic discrimination against women and girls in law and in practice and the obstacles to the full and equal enjoyment by women and girls of their human rights;

5. *Warmly welcomes* the positive developments regarding the situation of Iranian children in the fields of education, health and juvenile justice, as reported by the United Nations Children's Fund and the Special Representative, and strongly encourages the Government of the Islamic Republic of Iran to implement the recommendations made by the Committee on the Rights of the Child (CRC/C/15/Add.123) as a matter of priority, as well as to consider ratifying International Labour Organization Convention (No. 182) on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour;

6. *Also welcomes* the reports that religion will no longer be requested in the registration of births, marriages, divorces or deaths;

7. *Notes with interest* the announcement that the Office of the Public Prosecutor will be re-established, as well as the work of the so-called Article 90 Commission of the Iranian Parliament which investigates, among other things, complaints against the judiciary, has taken the initiative in following up some cases with a political background and demands due process of law;

8. *Notes* that government agents accused of involvement in the suspicious deaths and killings of intellectuals and political activists have been convicted, while regretting that all the circumstances surrounding the killings have still not been fully clarified, and urges the Government of the Islamic Republic of Iran to continue the process of investigation and to bring alleged perpetrators to justice in accordance with due process of law;

9. *Notes* recent positive steps regarding the situation of the Baha'is, including the report that they will be allowed to re-establish their cemetery in Tehran, but expresses its concern at the still-existing discrimination against persons belonging to minorities, in particular against Baha'is, and calls upon the Government of the Islamic Republic of Iran to eliminate all forms of discrimination based on religious grounds or against persons belonging to minorities and to address this matter in an open manner with the full participation of the minorities themselves, as well as to implement fully the conclusions and recommendations of the Special Rapporteur on religious intolerance relating to the Baha'is and other minority groups until they are completely emancipated;

10. *Calls upon* the Islamic Republic of Iran to continue its efforts to consolidate respect for human rights and the rule of law and to abide by its freely undertaken obligations under the International Covenants on Human Rights and under other international instruments on human rights;

11. *Recognizes* the efforts made by the Government of the Islamic Republic of Iran to strengthen the respect for human rights in the country, but expresses its continuing concern at the violations of human rights in the Islamic Republic of Iran, in particular the recent deterioration of the situation with regard to freedom of opinion and expression, especially attacks against the

freedom of the press, the harsh sentences imposed on those who participated in the Berlin Conference, the imprisonment of journalists and the harsh reactions to student demonstrations, including their imprisonment and mistreatment, and urges all Iranian authorities to ensure full respect for freedom of expression;

12. *Deplores* the continued executions in the apparent absence of respect for internationally recognized safeguards, in particular public and especially cruel executions, and urges the Government of the Islamic Republic of Iran to ensure that capital punishment will not be imposed for crimes other than the most serious and will not be pronounced in disregard of the obligations it has assumed under the International Covenant on Civil and Political Rights and the provisions of United Nations safeguards, and to provide the Special Representative with relevant statistics on this matter;

13. *Calls upon* the Government of the Islamic Republic of Iran to take all necessary steps to end the use of torture and other forms of cruel, inhuman and degrading punishment, in particular the practice of amputation, and to carry out penitentiary reform;

14. *Expresses its concern* over the still unsatisfactory compliance with international standards in the administration of justice and the absence of due process of law and the use of national security laws to deny the rights of the individual, and strongly urges the Government of the Islamic Republic of Iran to expedite the judicial reform, to guarantee the dignity of the individual and to ensure the full application of due process of law and fair and transparent procedures by an independent and impartial judiciary and, in this context, to ensure respect for the rights of the defence and the equity of verdicts in all instances, including for members of religious minority groups; in this context the fate of the convicted in the Shiraz trial is still a matter of concern;

15. *Encourages* the Islamic Human Rights Commission to continue and increase its essential work to enhance the human rights situation in the Islamic Republic of Iran;

16. *Calls upon* the Government of the Islamic Republic of Iran to give effect, in the near future, to its invitation to the Working Group on Enforced or Involuntary Disappearances to visit the Islamic Republic of Iran, as well as to consider extending invitations to other relevant thematic mechanisms to visit the country;

17. *Decides* to extend the mandate of the Special Representative, as contained in Commission resolution 1984/54 of 14 March 1984, for a further year, and requests the Special Representative to submit an interim report to the General Assembly at its fifty-sixth session and to report to the Commission at its fifty-eighth session, and also to keep a gender perspective in mind when seeking and analysing information;

18. *Requests* the Secretary-General to continue to give all necessary assistance to the Special Representative to enable him to discharge his mandate fully;

19. *Decides* to continue its examination of the situation of human rights in the Islamic Republic of Iran, paying particular attention to further developments, including the situation of the Baha'is and other minority groups, at its fifty-eighth session under the same agenda item.
