

**Written Submission to the UN Universal Periodic Review
20th Session of the UPR Working Group
Islamic Republic of Iran
15 March 2014**

1. Introduction

1.1 Founded in January 2008, the **International Campaign for Human Rights in Iran (ICHRI)** provides direct support to human rights defenders and civil society inside Iran, documents human rights violations, and advocates for policies worldwide that hold Iran accountable to its international human rights obligations. Based in New York, the organization publishes continuous news, in-depth reports, podcasts, and videos on the state of human rights in Iran, all in both English and Persian, and advocates with government and UN officials worldwide to support human rights in Iran.

1.2 This submission by the International Campaign for Human Rights in Iran (ICHRI) provides information regarding the Islamic Republic of Iran's implementation of Universal Periodic Review (UPR) Recommendations that the Government of Iran accepted after the First Review in 2010, as stipulated in the Guidelines for Relevant Stakeholders Submissions. All of the Recommendations cited in the following document are among the 123 UPR Recommendations that the Islamic Republic of Iran accepted after its last UPR on 15 February 2010. However, there is consistent, credible, and compelling evidence, documented and presented here by ICHRI that Iran has not followed through on the implementation of these Recommendations.

1.3 In particular, ICHRI calls attention here to the numerous and systematic violations of the Recommendations accepted by Iran which concern the continuation of the practice of torture; the denial of due process throughout the Iranian judicial system; the lack of freedom of speech, association, or assembly (and in particular, the right to dissent); the pervasive ill treatment in the Iranian prison system; the discrimination against and persecution of ethnic and religious minorities (and the denial of freedom of religion); the targeted persecution and prosecution of human rights defenders; the lack of accountability—indeed impunity—of government officials implicated in gross human rights violations; the continuation of gender-based discrimination; and Iran's lack of cooperation with international human rights mechanisms. This submission is based on ICHRI's research and reporting which included interviews with rights victims, their family members, lawyers and colleagues, and eyewitnesses, including prison cell mates.

2. Violations of Recommendations 4, 41, and 42 regarding Torture

2.1 There is consistent, credible evidence that Iran has continued to engage in systematic and widespread torture throughout the judicial system since the Islamic Republic's first Review

in 2010, despite the Government of Iran's acceptance of all 2010 UPR Recommendations regarding prohibitions against torture.

2.2 Detainees are routinely tortured, often in order to produce confessions. Methods include beatings, breaking bones and teeth, and electric shock administered to various body parts, including the genitals. There are confirmed cases, most recently that of the blogger Sattar Beheshti, of detainees being tortured to death during interrogation by prison officials; in that case, the Medical Examiner's report stated that Beheshti died of internal hemorrhaging of the brain, lungs, kidneys and liver. In another case, Christian convert and pastor Saeed Abedini was severely beaten while in prison, with prison doctors confirming the need for his hospitalization (which was denied) due to internal bleeding. Psychological torture is also frequent, and includes threats of rape and death (either by execution or carried out extra-judicially) to the detainee, and threats of imprisonment, rape, and death to the detainees' family members. In addition, the ill treatment that is endemic throughout Iranian prisons, and is detailed below under our documentation of violations of Recommendations 42, 43, and 44, often amounts to torture, and the cruel, inhuman and degrading punishments that are common sentences in the Iranian judicial system, which include amputation, flogging, and blinding, also amount to torture.

2.3 *Appendix I lists the cases of 51 individuals in which ICHRI documented, through reliable and consistent first-hand testimony, reports of torture carried out by officials of the Islamic Republic during the last 12 months.*

3. Violations of Recommendation 46 regarding the Guarantee of Due Process

3.1 There is overwhelming documentation that the denial of due process, which is pervasive and routine throughout the Iranian judicial system, has continued up to the present time, despite Iran's acceptance in 2010 of all UPR Recommendations, including, specifically, Recommendation 46, which guarantees due process.

3.2 Due process violations typically accompany arrests, which are routinely made without presenting warrants or any other court documents. Arrests are frequently carried out with physical abuse including beatings and the illegal search and confiscation of personal belongings. Families are often abused in the process. Detainees are frequently taken to unknown locations, held in solitary confinement and incommunicado, and not informed of the charges. Family members of detainees are routinely given no information regarding the detainee's charges, condition, or whereabouts. Detainees are routinely denied access to lawyers, and their lawyers are often not informed of the charges and other critical case information until the trial. There are many cases of detainees being held for years without charges or trials. Trials are often brief, with little or no evidence presented other than confessions that have been elicited under torture. Evidence for the defense is routinely not presented. Convictions are generally swift and sentences are carried out on the basis of such trials, even in capital cases.

3.3 For example, prisoners such as Habibollah Golparipour have been executed based upon

convictions in which allegations of torture were never independently investigated, and after trials in which little or no evidence was presented and which reportedly lasted minutes. The Kurdish, Arab, and Baluchi minorities in Iran are especially vulnerable to executions following convictions based on a judicial process lacking even the most minimal standards of due process.

3.4 One of the most prominent cases of the complete lack of due process concerns the de facto house arrest for three years (it began on February 14, 2011) of the three opposition leaders Mehdi Karroubi, Mir Hossein Mousavi and Zahra Rahnava, without charge or trial.

3.5 *Appendix II presents the cases of 34 individuals in which ICHRI documented, through consistent and credible reports and first-hand testimony, the systematic denial of due process by the Islamic Republic of Iran over the last 12 months.*

4. Violations of Recommendations 46 and 59, which concern freedom of expression, association, and assembly; Recommendation 52 regarding the right to express dissent; Recommendation 54 allowing freedom of the media; Recommendation 55 guaranteeing the right to political activity; and Recommendations 57 and 58 which guarantee unrestricted access to the Internet

4.1 While the Islamic Republic of Iran accepted UPR Recommendations 46, 52, 53, 54, 55, 57, 58, and 59 in 2010, which all pertain to freedom of expression (including, specifically, the right to express dissent), association, assembly, and freedom of the media (including, specifically, unrestricted access to the Internet), these freedoms continue to be routinely denied.

4.2 Journalists, bloggers, students, teachers, lawyers, labor activists, artists, filmmakers, musicians, political activists, and many other citizens are systematically harassed, banned from work and/or education, arrested, and imprisoned for the peaceful expression of views or activities with which the government disagrees. Their family members are often threatened and harassed as well. The media and the Internet continue to be stringently restricted and Iranians' ability to communicate and gain access to information is strictly censored: reformist publications have been shut down; journalists and editors have been arrested and detained, thousands of websites are blocked; digital communications are hacked, monitored, and used to prosecute citizens, and satellite broadcasts continue to be jammed. There was a marked uptick in media repression prior to the June 2013 presidential elections, and since the August 2013 inauguration of Hassan Rouhani there has been a crackdown on IT professionals with dozens arrested and forced to confess to various crimes (usually related to national security) publicly. Simply put, the right to dissent is still not tolerated, in word, act, print, image, or cyberspace. Moreover, human rights defenders who attempt to defend citizens against these violations, are themselves often arrested, banned from further legal work, and imprisoned.

4.3 *Appendix III presents numerous cases in which ICHRI documented, through eyewitness reports and first-hand testimony, violations of these Recommendations by the Islamic Republic of Iran over the last 12 months.*

5. Violations of Recommendations 42, 43, and 44 regarding Ill Treatment

5.1 Despite the Islamic Republic of Iran's acceptance in 2010 of UPR Recommendations 42, 43, and 44, which concern the rights of prisoners and the prohibition against the abuse of prisoners, ill treatment throughout the Iranian judicial system remains endemic.

5.2 In addition to substandard nutrition and hygiene and overcrowding in Iranian prisons, the most egregious and pervasive ill treatment suffered by Iranian prisoners is the denial of critically needed medical care. This includes medical care for life-threatening, pre-existing conditions, care for illnesses that have developed as a result of the substandard conditions of incarceration, and urgent medical care needed for grave and potentially life-threatening injuries sustained as a result of torture during interrogations and imprisonment, which is common and widespread throughout the Iranian prison system.

5.3 *Appendix IV presents numerous cases in which ICHRI documented, through first-hand testimony and eyewitness accounts, credible and consistent reports of ill treatment in Iranian prisons over the last twelve months.*

6. Violations of Recommendations 47, 48, 49, 50, 51, and 64 regarding discrimination against and persecution of ethnic and religious minorities and the protection of freedom of religion; and Recommendation 8 regarding apostasy as a capital offence

6.1 Iran accepted all UPR recommendations in 2010 regarding protecting freedom of religion and prohibiting the discrimination and/or persecution of individuals on the basis of religion or ethnicity. However, discrimination in law and practice, systematic persecution on the basis of religion and ethnicity, and the denial of freedom of religion, all continue unabated in Iran.

6.2 Ethnic and religious minorities, including Baha'is, Christians (especially Christian converts and Protestant Evangelicals), Kurds, Sunnis, Baluchis, Arabs, and Shi'a Dervishes, among other minorities, face systematic discrimination and persecution in all walks of life in Iran. The leaders of these communities frequently face arbitrary arrest and imprisonment (and are typically prosecuted under vague national security-related charges), the practice of minority religions (especially when conducted in the Persian language) and the expression of (minority) cultural identity is either severely circumscribed or prohibited, and members of minority groups engaging in religious or cultural activities are routinely arrested, subjected to the denial of due process in the Iranian judiciary system, convicted of national security-related charges, targeted for ill treatment and/or torture in the Iranian prison system, and disproportionately sentenced to death by execution. Ethnic and religious minorities face discrimination in employment and education, and in the Islamic Republic's Penal Code as well.

6.3 In addition, apostasy continues to be treated as a capital offense. While not codified as a

crime under Iran's Penal Code, the courts continue to treat the act as a crime. In order to circumvent the lack of a codified prohibition, judges invoke provisions in the Iranian constitution that explicitly instruct courts to utilize Islamic jurisprudence where crimes or punishments are not covered by the code, and Iranian courts typically draw on conservative jurisprudence that views the act of leaving Islam for any other religion as a crime punishable by death.

6.4 *Appendix V presents numerous cases in which ICHRI documented, through first-hand testimony and eyewitness accounts, the continued discrimination and persecution of ethnic and religious minorities in Iran over the past year.*

7. Violation of Recommendation 53 regarding safeguarding all groups, especially human rights defenders; and Recommendation 59 which protects human rights advocacy

7.1 Although Iran accepted UPR Recommendations in 2010 concerning the protection of human rights defenders and human rights advocacy, in fact the Islamic Republic has systematically persecuted and prosecuted human rights defenders. Lawyers who have defended the basic rights of Iranian citizens—rights that are enumerated in Iran's own constitution and/or international treaties to which Iran has signed—have been harassed, banned from work, arrested, and imprisoned, sometimes for years. While Iran's high profile release of internationally recognized human rights lawyer Nasrin Sotoudeh, after three years of imprisonment, was encouraging, other human rights defenders still remain in Iranian prisons.

7.2 For example, human rights lawyers and defenders Abdolfattah Soltani and Mohammad Seifzadeh remain in prison, serving a 13-year sentence and an eight-year sentence respectively for their human rights work, and Soltani's wife, Massoumeh Dehghan, was sentenced to a year in prison for travelling to Germany to receive a human rights award on behalf of her husband. Human rights activist Mansoureh Behkish has been repeatedly harassed and threatened with imprisonment by officials, and the lawyer Massoud Shafiee has been continuously harassed, effectively blacklisted, and prevented from continuing his legal work in Iran.

7.3 *Appendix VI lists seven cases in which ICHRI documented, through first-hand testimony and eyewitness accounts, the clear and blatant persecution of human rights defenders in the Islamic Republic over the last 12 months.*

8. Violations of Recommendations 104, 105, 112, and 116 regarding Investigating and Prosecuting Officials Suspected of Mistreatment, Torture or Other Rights Violations

8.1 Despite Iran's acceptance of 2010 UPR Recommendations regarding the accountability of government officials and the requirement to fully investigate any allegations of abuse or rights violations, there have been a number of cases documented by ICHRI which demonstrate an egregious continued lack of government accountability. ICHRI has documented credible and

consistent evidence of widespread torture by prison and judicial officials and prisoners have died from injuries sustained during interrogations by prison officials, with little or no subsequent investigation or government accountability.

8.2 For example, there has been no accountability in the deaths of Sattar Beheshti and Haleh Sahabi, both murdered by government agents. In addition, the government official (Saeed Mortazavi) who was the prime suspect in the torture deaths of three detainees in Kahrizak Prison (Mohammad Kamrani, Mohsen Rooholamini, and Amir Javadifar), was fined \$60.00.

8.3 *Appendix VII presents three cases documented by ICHRI in which there was little or no government accountability for clear and serious human rights violations over the last year.*

9. Violations of Recommendations 7, 32, 33, and 34 Prohibiting Gender-Based Discrimination

9.1 While the Islamic Republic of Iran has accepted all Recommendations concerning the prohibition against gender-based discrimination, women continue to be discriminated against in both law and practice in Iran. The Islamic Republic's Penal Code discriminates against women in matters of personal status, such as marriage, divorce, custody, guardianship, and inheritance, and the courts continue to discriminate against women regarding the weight of their testimony. Women are also discriminated against in higher education: in September 2012 more than 30 universities in Iran announced new rules banning female students from almost 80 different degree courses, and introduced quotas that limit the percentage of female students in certain 10 fields of study. http://www.iranhumanrights.org/2013/05/podcast_59/

10. Violations of Recommendation 24, 25, 26, 27, 28, and 29 regarding Cooperation with International Human Rights Mechanisms

10.1 While the Islamic Republic of Iran accepted the UPR Recommendations 24, 25, 26, 27, 28, and 29 in 2010 regarding cooperating with international human rights mechanisms, in fact it has shown little cooperation with such mechanisms. It has refused to allow visits by the UN Special Rapporteur on the situation of human rights in Iran, despite repeated requests by the Special Rapporteur; it has ignored communications from other UN Special (Thematic) Mandate holders and has not allowed any of the thematic UN mandate-holders to visit the country; it has ignored recommendations by the Working Group on Arbitrary Detention; it has ignored the recommendations by the UN Secretary General issued in his annual reports on the state of human rights in Iran; it has ignored UNGA resolutions on the state of human rights in Iran; it has not implemented the majority of the recommendations from the HRC Universal Periodic Review; and the Ministry of Foreign Affairs has failed to respond to the majority of communications by the UN Special Procedures regarding specific individual human rights cases.

Appendices

Appendix I: Violations of the Recommendations Prohibiting Torture

Appendix II: Violations of the Recommendations regarding the Guarantee of Due Process

Appendix III: Violations of Recommendations regarding Freedom of Speech, Association, and Assembly; the Right to Dissent, Political Activity, and Human Rights Advocacy; Freedom of the Press and Unrestricted Access to the Internet; and the Safeguarding All Groups, Journalists, and Human Rights Defenders

Appendix IV: Violations of Recommendations Prohibiting Ill Treatment

Appendix V: Violations of Recommendations Prohibiting Discrimination against and Persecution of Ethnic and Religious Minorities and Protecting Freedom of Religion

Appendix VI: Violations of Recommendations Protecting Human Rights Defenders

Appendix VII: Violations of Recommendations regarding Government Accountability for Human Rights Violations