

UNITED NATIONS ECONOMIC AND SOCIAL COUNCIL
FIRST REGULAR SESSION OF 1986

ECOSOC DECISION 1986/137
APPROVING THE DECISION OF THE 42ND COMMISSION ON HUMAN RIGHTS
TO EXTEND THE MANDATE OF ITS SPECIAL REPRESENTATIVE ON IRAN

The Economic and Social Council, noting Commission on Human Rights resolution 1986/41 of 12 March 1986, approves the Commission's decision to extend the mandate of the Special Representative on the human rights situation in the Islamic Republic of Iran, as contained in Commission resolution 1984/54 of 14 March 1984, for a year, and to request its Chairman to appoint an individual of recognized international standing to fill the vacancy created by the resignation of Mr. Andrés Aguilar. The Council also approves the Commission's request to the newly appointed Special Representative to present an interim report to the General Assembly at its forty-first session on the human rights situation in the Islamic Republic of Iran, including the situation of minority groups such as the Bahá'ís, and a final report to the Commission at its forty-third session.

The Council further approves the Commission's request to the Secretary-General to give all necessary assistance to the Special Representative of the Commission.

RECORD OF VOTE

IN FAVOUR (21)

Australia
Belgium
Canada
Costa Rica
Finland
France
Germany, Federal Republic of
Iceland
Iraq
Italy
Jamaica
Japan
Panama
Peru
Philippines
Spain
Sweden
Uganda
United Kingdom
United States
Venezuela

AGAINST (7)

Bangladesh
Indonesia
Pakistan
Poland
Romania
Syria
Turkey

DID NOT PARTICIPATE
IN VOTE (7)

Byelorussia
China
Colombia
Djibouti
German Democratic
Republic
Guinea
U.S.S.R.

ABSTAINED (19)

Argentina
Brazil
Egypt
Gabon
Guyana
Haiti
India
Morocco
Mozambique
Nigeria
Papua New Guinea
Rwanda
Senegal
Sierra Leone
Somalia
Sri Lanka
Yugoslavia
Zaire
Zimbabwe

**Summary of debate in the
Economic and Social Council
at its first regular session of 1986
concerning the human rights situation in Iran**

The Netherlands (speaking on behalf of the twelve Member States of the European Economic Community) recalled that the Twelve had been happy when, at the Commission on Human Rights, the Iranian delegation had said that Iran was willing to cooperate with the Special Representative. However, the conditions set by Iran for such cooperation were totally unacceptable and therefore no agreement was reached.

Norway stated that it hoped that a new Special Representative on Iran would be appointed and urged Iran to cooperate with the Commission and its Representative.

Sweden said that it welcomed the decision of the Commission to appoint a new Special Representative on the human rights situation in Iran.

Canada said that the Commission's resolutions on Iran and Afghanistan confronted the Economic and Social Council with the "age-old problem" of how to deal with governments which refused to cooperate with the Commission and its designated Representatives. Canada suggested that the Commission should establish a new agenda item to deal specifically with the question of non-cooperating governments.

The United States said that the resignation of the Special Representative on Iran had left the Commission without a new, substantive report on that country but that, even without such a report, the facts were clear: torture, persecution of minorities - particularly the Bahá'ís - and other human rights abuses continued. The Commission had pointed out that allegations of such abuses could not be dismissed and had urged the Iranian authorities to change their attitude and to cooperate with the new Special Representative. It was important that the Economic and Social Council should endorse this decision.

Australia said that Iran's participation at the Commission on Human Rights in negotiations on the draft resolution dealing with the human rights situation in that country had been a positive sign, which it was hoped would lead to the full cooperation of the Government of Iran with the Commission. It was to be regretted that, despite vigorous efforts by Australia and other delegations, no satisfactory agreement had been reached to ensure that the Commission's Special Representative could visit Iran.

Iran, in a long statement, said that it would not cooperate with a Special Representative appointed under a Commission on Human Rights resolution, because the resolution pre-judged the issue. It would,

however, be willing to cooperate with a Special Representative appointed by the Secretary-General. Iran formally proposed that consideration of the draft decision be deferred in order to provide further time for negotiations to take place.

Australia said that Iran apparently had difficulty with the procedure under which the Commission on Human Rights appoints Special Representatives without conditions. Traditionally, there had never been any conditions - this was a broad principle. On that basis, the Commission's resolution was "proper and appropriate". No exception should be made to a long-standing principle.

[On a point of procedure, Australia queried Iran's right, as an observer delegation, to make a formal proposal and commented that, even if it were permitted to do so, Australia would oppose it. The Chairman stated that, according to the Rules of Procedure, Iran's proposal could be put to the vote only if one of the members of ECOSOC so requested. No such request was made and the debate resumed.]

Haiti asked whether there was any difference between a Special Representative of the Commission on Human Rights and a Special Representative of the Secretary-General.

Australia explained that, generally, the Secretary-General appoints Special Representatives to deal with political issues, whereas the Commission on Human Rights has created the mechanism of the Special Representative to deal with human rights issues. It was important not to blur the distinction, because a matter of principle was involved.

Iran intervened, basically repeating the arguments it had put forward earlier and emphasizing that a Special Representative of the Commission, whoever he might be, would not be welcome in Iran.

Haiti commented that Iran appeared to be trying to impose a procedure on the United Nations and that, if it was accepted, then human rights would be threatened everywhere. It appeared that this whole argument was simply a delaying tactic by Iran.