

Member states at 19th Session of UN Human Rights Council support work of UN Special Rapporteur on Iran; others claim process is “politicized”

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- *Member states praise professionalism of Dr. Ahmed Shaheed’s report; particularly in light of challenges he faced since he was not permitted to visit Iran*
- *Member states strongly criticize Iran’s spiraling execution rate; urge moratorium on death penalty*
- *Other states decry country-specific mandates as inappropriate “politicization” of the Council’s work; maintain that Universal Periodic Review only legitimate way to bring country specific recommendations at the UN*
- *Iran delegation, some member states, and NGO representatives voice concern about effect of external sanctions on Iran’s human rights situation; Dr. Shaheed says there are a number of issues he encountered in his work that would be best examined through dialogue with Iran and the effect of sanctions is one of them*

GENEVA – On Monday, March 12, 2012, Dr. Ahmed Shaheed—the UN Special Rapporteur on the human rights situation in the Islamic Republic of Iran—presented his latest report to the UN Human Rights Council at its 19th session in Geneva, Switzerland. Dr. Shaheed’s full report can be read [here](#) and the Iran Human Rights Documentation Center’s quick breakdown of the report’s findings can be read [here](#).

In the interactive dialogue between Dr. Shaheed, member states, and participating NGOs at the session, many states, including Mexico, Japan and Switzerland, roundly praised the professionalism of Dr. Shaheed’s report despite the enormous challenges he faced since he was not permitted to visit the Islamic Republic of Iran (IRI) during the report’s preparation.

The most frequently voiced concern of member states during the interactive dialogue pertained to the IRI’s rising rates of execution, and its disproportionate and discriminatory use of the death penalty. Spain, in particular, referenced its global effort to end the death penalty, and called for an immediate moratorium on the use of the death penalty in Iran. The case of Pastor Yousef Nadarkhani – a pastor sentenced to death by the IRI for his conversion to Christianity and other allegations related to his religious activities – was condemned by several states as a clearly disproportionate use of the death penalty and persecution of a religious minority.

While some states rightly noted that the removal of explicit references to stoning and juvenile execution in the IRI's new Islamic Penal Code does not in fact mean these punishments are now eliminated under IRI laws, other states offered measured praise to Iran for abolishing those punishments. IHRDC notes that although explicit references to stoning and juvenile execution have been removed in recently approved amendments to the Islamic Penal Code, a judge can still, under the laws as written and within their discretion under Shari'a law, issue a sentence of [stoning for adultery](#) or sentence a [juvenile to execution](#) in Iran.

In addition to concerns over the application of the death penalty, member states primarily expressed concern over the treatment of ethnic and religious minorities, including Dr. Shaheed's reports on abuses against the Baha'i religious minority and the Kurdish ethnic minority in Iran. Concerns about increasing restrictions on the internet in Iran (Austria), the lack of women in Iran's judiciary (Sweden) and the IRI's continued detention of political opposition leaders (United Kingdom) were also raised.

While many states voiced their support for Dr. Shaheed's report and expressed a desire for the renewal of his mandate, other states, including Pakistan, Sri Lanka, and Zimbabwe, decried the practice of country-specific mandates as a "politicization" of the work of the Council and expressed doubt over whether such initiatives help bring about any actual improvements in the human rights situation on the ground. Syria - whose own human rights record has been the subject of intense debate at this session of the Human Rights Council - dismissed the mandate as an expression of the "hegemony" of powerful states and accordingly called for its end.

Several states maintained that the Universal Periodic Review (UPR) remained the only legitimate and effective way to bring country-specific recommendations through the UN system. Venezuela observed that in the recent UPR review of the IRI, the latter accepted 123 of the recommendations made by other countries. However the United Kingdom noted that the IRI had not implemented those recommendations. Further, the delegation from Brazil reminded the room that just a year before the member states authorized Dr. Shaheed's mandate and therefore recognized the utility of this post.

Member states, including the Czech Republic, voiced concerns about the IRI's demonstrated unwillingness to engage with the UN process and comply with UN mechanisms and asked for further details of the IRI's responsiveness to Dr. Shaheed and his office. Several states, including Germany, reiterated their demand that the IRI permit Dr. Shaheed to make site visits in-country.

Another point, voiced by the IRI delegation itself and Ecuador, was directed at the methodology of Dr. Shaheed's report and focused on whether the report should have included an analysis of the impact of sanctions on the human rights situation in Iran. In response, Dr. Shaheed noted that he was interested in learning about the impact of

sanctions but that some issues necessitated the cooperation of Iran and an examination of sanctions was one of them.

During the interactive dialogue some countries appeared to want to gauge whether or not their own, non-UN based initiatives on Iran were having any effect. Germany, in particular, asked Dr. Shaheed if he knew how the human rights sanctions passed by the European Union were viewed by the people of Iran. The German representative also asked Dr. Shaheed which provinces in Iran experienced the worst human rights abuses—a question that may have stemmed from the request of some NGOs that the EU employ [greater geographical diversity](#) in its selection of IRI officials targeted for human rights sanction.

In response to comments and questions from member states, the Iranian delegation—represented by Javad Larijani, the head of the human rights council of the Iranian judiciary—chose to focus on questions regarding the case of Pastor Yousef Nadarkhani. Larijani asserted that Nadarkhani had been convicted of crimes other than apostasy and claimed that since the inception of the Islamic Republic, no one had ever been put to death or “pursued” for converting from Islam to another religion. IHRDC notes that its collection of first hand witness testimony and documents on the treatment of apostates by the IRI government [strongly contradicts](#) Larijani’s claim.

For more on the issues raised in Dr. Shaheed’s report and by member states in the 19th session of the UN Human Rights Council, see:

Abuses against Bahais in Iran

[Crimes Against Humanity: The Islamic Republic’s Attacks on the Bahá’ís](#)
[A Faith Denied: The Persecution of the Baha'is of Iran](#)
[Community Under Siege: The Ordeal of the Baha'is of Shiraz](#)

Abuses against Kurds in Iran

[Haunted Memories: The Islamic Republic’s Executions of Kurds in 1979](#)

Abuses against apostates in Iran

[Witness Statement: Soraya](#)
[Witness Testimony: Morad Mohktari](#)