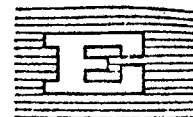


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COMMISSION ON HUMAN RIGHTS

Thirty-seventh session

SUMMARY RECORD OF THE 1604TH MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 17 February 1981, at 4.30 p.m.

Chairman: Mr. CALERO RODRIGUES (Brazil)

CONTENTS

Question of the human rights of all persons subjected to any form of detention or imprisonment, in particular:

(b) Question of missing and disappeared persons.

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hatred and recourse to crime as a means of government. It was in the name of sacred values that Pax Romana urged the Commission to redouble its efforts to solve an extremely serious problem to which public opinion throughout the whole world should be alerted.

25. Mr. KNIGHT (Baha'i International Community) said that he wished to report on the disappearance of 14 prominent members of the Baha'i Community in Iran. Three of them had been kidnapped between May 1979 and January 1980 and the other 11, including all 9 members of the National Administrative Council of the Baha'is of Iran, had been arrested by revolutionary guards in August 1980. The families of the persons who had disappeared had made every effort to locate their relatives, but their appeals had gone unheeded. He therefore took the opportunity afforded by the discussion to request the Iranian Government once again to throw some light on the fate of those disappeared persons. The Working Group had already been provided with details of the kidnappings, but he nonetheless wished to give the Commission a brief summary of the situation.

26. Since the revolution, prominent Baha'is in many parts of Iran had been arrested and, in some cases, executed as part of a continuing and systematic campaign to demoralize, paralyse and ultimately eradicate the Iranian Baha'i Community. Although Iran's 300,000 Baha'is were indigenous Iranians and constituted the largest religious minority in the country, the new Constitution, which recognized the smaller Christian, Jewish and Zoroastrian minorities, did not recognize them, so that they were outside the protection of the law. Those who wished to perpetrate attacks on Baha'is and their property could therefore do so with virtual impunity. Since the inception of the Baha'i faith in Iran in 1844, the Baha'is had been frequently persecuted in that country. During the Pahlavi régime (1921-1979), discriminatory legislation had been enacted which had deprived the Baha'is of many basic rights and freedoms. Since the revolution the persecutions had been resumed with even more intensity. The enemies of the Baha'i faith were conducting a campaign of vilification against the Baha'is, who were accused of supporting the former Shah, of being agents of Savak, opponents of Islam, spies for Israel, moral degenerates, and enemies of the Iranian Government and people, all of which accusations were totally unfounded. The Iranian Baha'is, in common with Baha'is the world over, were obliged to show loyalty and obedience to the Government of the country in which they lived, and to refrain from involvement in politics or any subversive activity. They were committed to the highest standards of morality and rectitude in their public and private lives. In addition, they believed that the essential spiritual unity of all mankind was expressed through all the great religions - including Islam - which they regarded as divine in origin and whose founders they honoured and revered. Those facts had repeatedly been presented to the Iranian authorities, together with evidence that the Iranian Baha'is had steadfastly upheld those fundamental principles of their faith, but all such representations and appeals for justice and fair treatment had gone unheeded.

27. Mrs. von ROEMER (International Confederation of Free Trade Unions) said that the Working Group's report and other documents before the Commission confirmed the fact that trade unionists were among the most frequent victims of enforced disappearances. ICFTU therefore welcomed the Working Group's report, which was truly impressive in its thoroughness and objectivity. But a great deal remained to be done. The massive amount of information before the group continued to grow as new cases of disappearances were reported to it. It was therefore of the utmost importance that its mandate should be renewed and that it should be enabled to continue its work on the basis of the methods used thus far. It would be unthinkable

to restrict it in its access to or use of sources of information. With regard to the procedure relating to communications from individuals and non-governmental organizations, ICFTU considered that Economic and Social Council resolution 1503 (XLVIII) had never been the only resolution governing the consideration of such communications. For example, allegations of infringements of trade union rights made by organizations such as ICFTU against a State which was not a member of ILO were brought before the Economic and Social Council in open session. Resolution 1503 (XLVIII) had been meant as a response to the cries of anguish which had, for years, reached the United Nations, only to be met with an icy silence. It had not been intended either to protect governments from individuals or to prevent United Nations bodies from devising other procedures that were better adapted to specific violations. She emphasized the importance of giving publicity to the work of the Working Group because of the preventive effect which such publicity could have. As stated in the introduction to the report "while the Working Group has been existence, it may well have been realized by those throughout the world who contemplated the detention of a person and his disappearance that the Group was continuously acting as the eyes of the international community and acting with that sense of urgency which alone can save lives". It was encouraging that a draft resolution had been introduced to renew the Working Group's mandate and she hoped it would have the Commission's support.

28. Mr. ALANIZ (Observer for Nicaragua) said that during the meeting reference had been made to the closure of the premises of the Permanent Commission on Human Rights in Nicaragua, which had been described as an act of repression on the part of the Nicaraguan Government. In fact, the Commission's premises had been closed for four days only because the Minister of Justice had required the Commission to establish itself as a private association in accordance with the civil law in force in the country and, until then, the Commission had not agreed to do so. The Commission had been able to resume its activities on 14 February after regularizing its situation, as it had been requested to do on several occasions by the Minister of Justice.

29. Mr. DABIRI (Observer for Iran) said that the statement by the Observer for the Baha'i International Community called for some comments. In the first place, the case of the Baha'i minority was provided for under the Iranian Constitution, which recognized the rights of minorities to practise their religious rites in complete freedom. The Baha'is were part of the Iranian people: consequently, they had the same rights and were subject to the same duties and obligations as the rest of the population. Secondly, the allegations of enforced disappearances and kidnappings were totally unfounded, and he had been instructed to reject them energetically. Thirdly, there was absolutely no question of any kidnappings in Iran. If certain people had been detained, it was in accordance with the law in force and because they had committed acts of which they had been found guilty by duly constituted courts which had tried them in a spirit of justice, humanism and Islamic mercy.

The meeting rose at 6.30 p.m.