



NATIONS UNIES · UNITED NATIONS

SERVICE DE L'INFORMATION - OFFICE DES NATIONS UNIES A GENÈVE
INFORMATION SERVICE - UNITED NATIONS OFFICE AT GENEVA

Press Release HR/1123
26 October 1981

HUMAN RIGHTS COMMITTEE URGES IRAN TO SUBMIT REPORT ON PROTECTION OF CIVIL AND POLITICAL RIGHTS OF IRANIANS

Committee Addresses Request To Eleven Countries Whose Reports Are Overdue

The Government of Iran was urged today, Monday 26 October, by a committee of 18 human rights experts to submit for international review a report on what it has done to protect civil and political rights guaranteed for the individual under international law.

These rights are guaranteed under the International Covenant on Civil and Political Rights. Iran has voluntarily accepted the legal obligation to protect them, but its present Government has been unable for the past three years to fulfil its promise to submit a report on its compliance efforts as required under the Covenant's provisions.

In a strong appeal, the 18-member Human Rights Committee said it had nothing but full understanding for a country when it was in difficulty over the submission of its report. This was how it felt about Iran.

However, it had no power to exempt the Iranian Government from its obligations. At best, the Government should give its own version of how human rights were protected in Iran. Besides it would be in its own interest to do so.

The Committee was set up to monitor compliance with the Covenant on the basis of the reports of the States Parties. Iran is one of eleven Governments whose reports are overdue. The Committee made its appeal as it decided to address to the Iranian Government the same reminder it had sent to the Governments of the other ten countries - Lebanon, Uruguay, Panama, Zaire, Dominican Republic, Trinidad and Tobago, New Zealand, Gambia, India and Chile.

(more)

Les communiqués sont destinés à l'information: ils ne constituent pas des documents officiels
For use of information media: not an official record

BP000438

The Committee has been meeting in Bonn since Monday, 19 October. The appeal came towards the end of a day marked by a series of events concerning Iran.

First the day's morning meeting of the Committee was interrupted by a group of Iranian students. Without being given the floor by the Chairman, a spokesman of the group began to make a statement. He ignored the request of the Chairman to cease and desist.

Next, the Chairman suspended the meeting. Following a flurry of consultations, the Chairman offered to arrange for a delegation of the Iranian students to be received privately by the Committee's bureau.

The Chairman emerged from the private meeting to reconvene the Committee in open session. Brief remarks by the Chairman explaining the reasons for the suspension of the meeting was followed by a decision confirming the Committee's earlier agreement to take up later today consideration of the question of the submission of the overdue report of Iran.

The day's events began as the Committee met to continue consideration of the report of the Netherlands, the second report to be taken up at the current meeting. The first report to be examined was that of Japan.

Proceeding in accordance with the agreed work programme for the day, the Committee concluded consideration of the report of the Netherlands. It also completed consideration of the question of the submission of the report of Iran.

The Committee will meet again tomorrow, Tuesday, 27 October to take up the report of Morocco.

Remarks in Explanation of Suspension of Meeting

The Committee's morning meeting was interrupted by the Iranian Students just before noon. The meeting was then suspended for one hour. The private meeting between the Committee's bureau and the Iranian student delegation lasted for about 20 minutes.

In his remarks explaining the suspension, the Chairman, Andreas MAVROMMATIS, expert from Cyprus, said he regretted the interruption. He suspended the meeting because the interruption was contrary to the Committee's rules of procedure.

As were the wishes of all its members, the Committee would do everything it could to proceed with its work independently under its own rules. That was exactly what it was doing until the interruption.

(more)

During the suspension, he said, members of the bureau met privately with a delegation of the Iranian students. They explained to the latter how the Committee worked. Apparently a telegramme had been addressed to the Committee, he stated. A further investigation suggested that a cable had been received. He was arranging for an informal translation of the text into English. It would then be dealt with in accordance with the usual procedure followed by the Committee regarding communications from individuals claiming that their human rights had been violated. (Such communications are considered in closed session under the Committee's confidentiality rule.)

The Committee, the Chairman went on to say, was concerned over the human rights situation throughout the world. It was for this reason that it reviewed, at each session, the question of the States Parties whose reports were overdue, such as Iran.

Repudiation of Earlier Iranian Reports

The Committee took up consideration of the question of the submission of the report of Iran at the day's afternoon meeting. Mehdi NAWAB, Ambassador of Iran to Bonn, appeared before the Committee for the discussion.

The Chairman opened the discussion with a brief review of the history of the question which can be summarized as follows:

Iran's initial and supplementary reports were submitted to the Committee respectively on 9 August 1977 and 29 May 1978, and were considered a few months later.

In April 1979, a representative of Iran, appearing before the Committee, said these two reports were submitted by the former regime of Iran and did not reflect the reality of the situation regarding civil and political rights in the country. Iran was going through a revolutionary process in which the foundation was being laid down for a new society. A new Constitution would be drafted, and elections would be held to set up a constituent assembly. In due course, Iran would submit a report in conformity with the relevant provisions of the Covenant.

When this pledge was not fulfilled by May 1980, the Committee sent a reminder to Iran. In the spring of this year, a representative of Iran informed the Committee that his country was going through an abnormal situation which made it difficult for his Government to submit its report.

At the 1981 spring session, the Committee stressed that derogations from certain fundamental rights, including the right to life, were not permissible even in times of emergency under the Covenant. Reports which States Parties had undertaken to submit were thus all the more important in difficult situations. Thus Iran was urged, at the spring meeting, to submit its report as a matter of urgency. The representative of Iran undertook to transmit the Committee's wishes to his Government.

(more)

In conclusion the Chairman said the Committee would welcome any further information Mr. Nawab, the Iranian Ambassador to Bonn, might have.

atement of the Ambassador of Iran

The Iranian Ambassador, responding to the Chairman's request for further information, said his Government rejected the report submitted by the Shah's regime. His Government had every intention of fulfilling its promise and wished to submit its report as soon as possible.

Indeed action, he asserted, had been initiated several times on the preparation of the report. However, as everyone was aware, Iran faced new difficulties every day. Almost daily it had new problems forced upon it, which it had to tackle.

For instance the individuals who were entrusted with the preparation of the report had been annihilated in bomb blasts. The delay in submitting the report was due mainly to this wave of assassinations which was caused primarily by the West.

Faced with a state of war as Iran was, no one could criticize it for failing to submit its report. In the prevailing circumstances, Iran was in no position to finish work on the report.

Committee Members Express Concern

In the discussion, Abdoulaye DIEYE, expert from Senegal, said special thanks were due to the Iranian Ambassador for agreeing, on his own initiative, to appear before the Committee. The purpose of the discussion was not to pass judgment as to what was happening in Iran. However, there was cause for concern. The Ambassador himself had highlighted some of the events, such as the loss of life through bomb assassinations.

It was precisely accounts of these events which led the Committee to consider once again the delay in submitting Iran's report. Whatever the circumstances, it was absolutely essential that it should be submitted without further delay.

Waleed SADI, expert from Jordan, said mass executions anywhere would cause concern for a body such as the Human Rights Committee. It was up to Iran to submit a report to apprise the Committee of the issues, such as how the public tribunals were conducted, the nature of the crimes people were accused of and what sentences were imposed and enforced.

There were daily reports of mass executions in Iran, almost unparalleled in contemporary history. For this reason, he welcomed the opportunity to hear the Iranian Ambassador. He hoped the latter would transmit the Committee's wishes to his Government.

Christian TOMUSCHAT, expert from the Federal Republic of Germany, referring to limitations of human rights allowed in times of emergency, recalled that the Covenant ruled out completely derogations from certain rights and fundamental freedoms.

For instance the right to life was guaranteed even in times of emergency, he stressed. This was the most elementary fundamental right of any individual. It would appear that this right enjoyed no protection whatsoever in Iran.

The facts must be made known. The Government must justify its actions. If it was in no position to provide a detailed report, perhaps it could submit a shorter report. He too hoped the Ambassador would transmit the Committee's wishes to his Government.

Felix ERMACORA, expert from Austria, said there was a voluntary acceptance of collective responsibility on the part of all the States Parties to co-operate with one another in ensuring implementation of the Covenant. The submission of reports by States was a crucial factor in this collective responsibility, since only in light of such reports could the Committee assess adherence to the Covenant.

The Committee members would be under indictment, accused of shirking their responsibility if they were to remain silent in the face of persistent reports of summary executions and the execution of religious groups.

Admittedly the situation could be examined only in light of the report of the Government of Iran. Thus, he supported the call for clarification of the situation, especially regarding the right to life. It was absolutely essential that the Government submit its report, if it wished to command any credibility.

Nejib BOUZIRI, expert from Tunisia, said he was among those who accepted as valid the view that Iran was going through a revolutionary period. As a national of a Third World country, he fully understood Iran's difficulty.

He joined other Committee members in saluting Iran for its undertaking to submit its report in spite of the circumstances prevailing in the the country, and he was distressed to learn that those entrusted with this task had since been killed.

However, the Committee had a responsibility. The situation had become aggravated. Those who started the revolution had become the subject of execution, exile and sudden departure. He had become perplexed by the extremely alarming accounts of events in press reports, especially in regard to the Covenant's provisions on the right to life.

As was well-known, he had made reservations regarding the proposal made in the past that the Committee request Iran for a special report. However, in view of persistent media accounts of events, he felt in duty bound to support a request for such a report.

(more

Torkel OPSAHL, expert from Norway, agreed that a short report would do in certain circumstances, such as those of Iran. The Committee must, of necessity, act on the basis of the Covenant. However, in so doing, it should treat everybody equally, not only Governments but people as well.

It needed to do this for its own credibility. It had considered the case of other countries, including El Salvador. The Committee would fail in its duty if it did not consider the case of Iran.

Julio Prado VALLEJO, expert from Ecuador, said the very presence of the Iranian Ambassador gave cause for optimism. His presence showed that his Government was willing to co-operate with the Committee.

Concern for delays in submitting reports was not confined to Iran. He had supported the action taken by the Committee in regard to countries of Latin America, his own region. For instance, he fully endorsed the request to Chile to honour its reporting obligations under the Covenant.

Accounts regarding special tribunals and summary judgment and executions in Iran had caused grave concern throughout the world, including his region, Latin America. He hoped the Iranian Ambassador's presence was an indication that his Government would soon submit its report.

In summing up the sense of the Committee's discussion, the Chairman, Mr. Mavrommatis, said it was the feeling of all its members that Iran should submit its report without any further delay. As some had suggested, the Government could at least submit an interim report. The Committee would be addressing a request to this effect to the Iranian Government through the Ambassador. He hoped the Iranian Ambassador's presence was an indication that his Government would soon submit its report.

In final remarks, the Iranian Ambassador, Mr. Nawab, said he had taken note of the Committee's concern. He was satisfied that it was not the intention of any of its members to create difficulties for Iran. He would transmit the sense of the Committee's discussion to his Government.

However it was difficult to indicate, with any precision, when his Government would be able to provide the report. The problem of his Government was one of honesty. Of course it could produce a report which could run up to 20 pages but would not solve the problem. His Government did not wish to do that because it was anxious that its dialogue with the Committee should be on an honest basis.

The matter could be compared to a situation, he said, where you held someone's nose and then asked why he was unable to breathe properly. In fact, he might be blown up in a bomb blast as he left the Committee, and might not be able to deliver its message to his Government.

(more)

Reference had been made to media reports of events in Iran, he noted. Over 95 percent of this was the result of a slanderous propaganda against Iran. The death sentence was enshrined in the Iranian Constitution, and those who were involved in bomb assassinations were executed in accordance with the law.

The Chairman, Mr. Mavrommatis, in his final remarks, said the Ambassador's concluding observations had borne out what had been said by several members in the discussion. It would be in Iran's own interest to submit a report to put the records right.

* * * * *

