

ADVANCE QUESTIONS TO IRAN, ISLAMIC REPUBLIC OF- ADD.1

CZECH REPUBLIC

- Does Iran consider acceding to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment and Optional Protocol thereto? How is now on national level ensured punishability of crime of torture? How is ensured independent monitoring of conditions in detention and prisons? What complaint mechanisms are available to victims of torture?
- Does Iran consider withdrawing its reservation to the CRC? Does Iran consider adoption of further measures to ensure effectively elimination of juvenile executions and executions of persons for crimes they have committed when they were under the age of 18? Does Iran consider raising the age of criminal responsibility and age of majority so that they comply with international standards?
- With regard to several pending requests of human rights special procedures, we would like to ask whether, in compliance with the existing standing invitation, these special procedures mandate holders would be able to visit the country and in which time frame would these visits take place?
- What human rights education and training is provided to members of the police, army, prison and detention staff and judiciary? How is ensured their accountability for any violations of human rights, in particular for torture or other inhuman or degrading treatment? There were numerous reports of mistreatment in detention in the aftermath of the presidential elections in 2009, some cases have been also officially acknowledged. Have their perpetrators been prosecuted and punished? Have the numerous cases of excessive violence against demonstrators in the aftermath of 2009 presidential elections been independently investigated and persons responsible for the use of force held accountable?
- How is ensured freedom of the media from censorship, protection of journalists and human rights defenders against intimidation and attacks? Does the Government consider reviewing security and criminal laws that are open to abuse for persecution of human rights defenders and political critics?
- Noting the high number of transmissions from the WG on enforced or involuntary disappearances, we would like to ask how is ensured in practice protection of persons from this crime and accountability of its perpetrators? Are the currently registered over 500 cases of enforced disappearances being investigated?

- In order to improve implementation of obligations of Iran from the ICCPR in areas of the right to privacy and non-discrimination, does the government consider decriminalization of consensual same sex activity between adults and further revision of legislation with a view to ensure elimination of provisions discriminatory to women and religious, national or other minorities?

GERMANY

- In protests after the 2009 presidential elections, six special procedures mandate holders noted that at least 20 people were killed and hundreds seriously injured in clashes with security forces who allegedly used live ammunition and rubber bullets (A/HRC/WG.6/7/IRN/2, Page6). Germany would like to know whether independent investigations into these cases of excessive force have been carried out and those responsible have been held accountable ?
- The Compilation that the OHCHR provided for this review states: " During the period under review, 211 communications were sent, some jointly by a number of special procedures mandate holders. Issues raised included cases of men and women, intellectuals, students, artists, human rights defenders and activists, lawyers, religious or ethnic minorities, unionists, journalists, detained and arrested, in most cases, by the Ministry of Intelligence. Communications indicated that the great majority were taken to undisclosed locations, some for interrogation, and later transferred to places of detention where they were held incommunicado for long periods, facilitating perpetration of torture. Detainees were denied medical treatment, and sentenced on grounds like endangering national security, acting to disturb internal state security by establishing links with hostile opposition groups and foreign countries, and publication of these. Sentences included, inter alia, several years of detention, physical punishment, financial sanctions and capital punishment."(A/HRC/WG.6/7/IRN/2, Art 31) Unquote Germany would be interested to know, how the Government of Iran has reacted to the concerns addressed to it by UN Special Procedures?
- The Special Rapporteur on violence against women cited reports indicating a worrying increase in trafficking of girls and women, mostly in the eastern provinces where women are kidnapped, bought or entered into temporary marriage to be sold into sexual slavery. CRC echoed concerns over trafficking facilitated by temporary marriages or siqeh - which last from 1 hour to 99 years. In 2009, the ILO Committee of Experts requested Iran to ensure that children under 18, particularly young girls, are prevented from engaging in trafficking for commercial sexual and labour exploitation. (A/HRC/WG.6/7/IRN/2 Page 8)Germany would be interested to receive information about the measures undertaken to stop these appalling practices.
- The HR Committee emphasized that recognition of a State religion should not result in impairment of rights nor in discrimination against adherents of other religions or non-believers. The CRC noted that members of unrecognized religions continued to be discriminated against. It was concerned at reports that they, particularly the Bahai-s, are subjected to harassment, intimidation and imprisonment (A/HRC/WG.6/7/IRN/2, Page 9) .Germany remains deeply

concerned about the lack of freedom of religion in Iran and asks the Government of the Islamic Republic of Iran in which way it has reacted to concerns expressed in the same regard by UN Bodies?

JAPAN

- Japan understands that Islamic Republic of Iran is considering accession to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and The Convention on the Elimination of All Forms of Discrimination against Women(A/HRC/WG.6/7/IRN/1, para 74). As far as we understand, relevant domestic laws were passed by the Iranian Parliament (*Majlis*) in 2003, but the Guardian Council still has been examining whether to ratify the above Conventions. Japan would like to know the background and reasons for not having being able to do so and prospects for accession.
- We note that the Constitution of the Islamic Republic of Iran clearly stipulates fundamental human rights principles, including freedom of expression and peaceful assemblies (A/HRC/WG.6/7/IRN/1, para 6). However, we are concerned about reports that mention the repression of criticizing the authorities or calling for reform in the press (A/HRC/WG.6/7/IRN/2, Para 51). There are also some reports that freedom of expression and political activities have been restricted, including suspension of publication, blocking of websites, arrest and detention of opposition members and students, in particular, following the series of cases after the Presidential election on 12 June. We would like to obtain information from the Iranian authorities in this regard.
- The new laws on Islamic Penal code are on the *Majlis* approval process (A/HRC/WG.6/7/IRN/1, para 11). We would like to know the major improvement in the new laws, especially whether the new laws include prohibition of death penalty for juveniles, stoning and public execution.

NORWAY

- How has the Islamic Republic of Iran involved the civil society organisations in the elaboration of the national report and why has a number of NGOs been excluded?
- The Centre for Human Rights Defenders has been closed by the Iranian Authorities since December 2008, and several of its members have been subject to arrests and intimidations. What will Iran do to improve the conditions for Human rights Defenders in Iran?
- The Iranian Constitution guarantees the right to freedom of speech, association and assembly through articles 23 to 28. However, both regulations in the Constitution, national legislation and practise limit citizens' right to freedom of expression, association and assembly. How can Iran ensure the right to freedom of speech, association and assembly for its citizens?

- Iran has repeatedly protested against the disproportional and excessive use of force against the civilian population in different conflicts around the world. How does the Iranian government explain the disproportional and excessive use of force displayed by Iranian police and governmental sponsored militia against the Iranian civilian population during the unrest following the June 2009 Presidential Elections?
- Following the unrest in Iran in 2009 there have surfaced numerous accounts of extreme sexual violence towards detainees, both men and women. What is the Iranian Government doing to protect its citizens against sexual abuse while in the authorities' custody and to prosecute the perpetrators and persons responsible for such crimes?
- In Iran, a number of rights for women such as the right to education, employment and free movement are conditional of their husband's approval. Women's access to divorce is also limited, while men have free access to divorce. Which steps is Iran taking to ensure equal rights for men and women in line with its obligations according to ICCPR and ICESCR?
- Norway has taken note of annex V to the national report where it is stated that close to 60 % of University admissions are engaged by young girls and women. However, approximately 1/3 of Iranian women in employable age are unemployed, while the general unemployment rate by the end of 2009 was 12, 8%. What is the Iranian Government doing to ensure equal access to employment for women as for men?
- Norway has also taken note of Iran's voluntary pledge and commitment to consider accession to the convention on the elimination of all forms of discrimination against women (CEDAW), the convention against torture and other cruel, inhuman or degrading treatment and punishment (CAT) and the optional protocol to the convention on the rights of the child on the sale of children, child prostitution and child pornography (OP-CRC-SC). Norway welcomes Iran's accession to OP-CRC-SC. Which concrete steps has been taken in relation to the accession of CEDAW and CAT?
- Despite the moratorium on stoning given by the Head of Judiciary in 2002, and the following request from the same in 2008 to the country's courts, there has been handed down several new sentences of stoning the last years and at least three persons was executed by this method only in 2008-2009. Does Iran have any plans to abolish this cruel and inhuman punishment?
- Iran has as a signatory state to the ICCPR committed itself to impose the death penalty only for the most serious crimes. Can the Iranian government explain why it considers adultery as a serious crime?
- Which steps will Iran take to publish national statistics on death sentences imposed and executions carried out?
- Norway takes note of annex VI to the national report where Iran states that religious minorities are absolute free to practise their religious rites and

customs. Further, Norway notes that Iran defines religious minorities as Jews, Christians and Zoroastrians. In the light of the much wider definition of religion that follows ICCPR art 18, may Iran explain on which grounds it has limited the definition of religious minorities? How can Iran ensure that also other religious minorities can enjoy religious freedom?

- In the concluding observations of the 1610th meeting of the Committee on the Elimination of Racial Discrimination, CERD observed that certain provisions of the Iranian legislation appeared to be discriminatory on both ethnic and religious grounds, and that certain minorities, including the Bahá'ís, faced discrimination and was deprived of certain rights. The committee recommended that the Iranian government ensured that all persons enjoy their right to freedom of thought, conscience and religion, without any discrimination based on race, colour, descent or national or ethnic origin, and that Iran permit students of different origins to register in universities without being compelled to state their religion. Which concrete steps has been taken to comply with the committee's recommendation?
- In conflict with both the Convention on the Rights of the child and the International Covenant on Civil and Political Rights, Iran is one of very few countries in the world who still execute juvenile offenders. Most of these executions take place in cases of qesas (retribution according to sharia). According to our knowledge, the Iranian Parliament is working on a new Juvenile Justice Bill. Which specific measures is Iran planning to implement in this bill to avoid that juvenile offenders in the future will be condemned to qesas?

POLAND

- What steps have been taken by the Government of the Islamic Republic of Iran to conduct an independent investigation regarding the protests after the 2009 presidential elections, during which at least 20 people were killed and hundreds seriously injured in clashes with security forces?
- How does the Government of the Islamic Republic of Iran guarantee in practice an access to legal representation of those detained in connection with demonstrations after the 2009 presidential elections?
- What measures has the Government of the Islamic Republic of Iran taken to implement the recommendation of the Human Rights Committee to bring its legislation and practice in line with requirements of the article 18 of the ICCPR?
- Does the Islamic Republic of Iran consider to establish an independent National Human Rights Institution in full compliance with the Paris Principles?
