

ANNEX IV

High Council for Human Rights of I.R. Iran

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a) Background

The High Council for Human Rights of I.R. Iran started its consistent activities a decade ago. According to the provisions of the Iranian Constitution, the judiciary is “the protector of the rights of the individual and society and responsible for the implementation of justice” and is entrusted with the duty of “restoring public rights and promoting justice and legitimate freedoms”. Moreover, the Constitution has called for the establishment of a judicial system on the basis of Islamic justice, manned by just judges. Therefore, in order to coordinate the relevant organizations to better discharge the duties of the Judiciary, the Head of the this branch approved the 7-article statute of a body called Human Rights Headquarters in 2001 and obliged all the judicial units and subsidiary organizations of the Judiciary to cooperate with it.

It is amongst the duties of this headquarters to investigate and monitor the claims of violations of human rights of Iranian citizens in and out of the Iran and to offer practical solutions in accordance with the laws of the country.

The Headquarters changed its statute in 2005 and saw a promotion in status and terms of reference and, as the result, turned into a national body referred to as the High Council for Human Rights of I.R. Iran. Having adopted the role of a coordinator and policymaker in the field of human rights, the Council is entrusted with the task of planning, guiding and pursuing all the matters related to human rights at national and international levels with the cooperation of the other relevant organizations.

b) Terms of Reference

It is the duty and responsibility of the Council to plan, guide and pursue all the human rights issues at the domestic and global levels in cooperation with the relevant organizations. The council is duty-bound to send regular monthly reports on its activities to these organizations.

More specifically the High Council for Human Rights of I.R. Iran is expected to discharge the following duties:

1. Investigating and following up on the cases of violations of human rights of the citizens referred to the Council by relevant organizations, providing well-documented responses to the correspondence from international mechanisms concerning claims of human rights violations in I.R. Iran specially from special procedures, making efforts to present a real image of the domestic situation and the human rights issues, articulating the views of Islam on human rights issues, offering training on human rights to raise public awareness, make

human rights policies and plan bilateral or multilateral dialogues on human rights with other countries, cooperating with the UN Office of the High Commissioner of Human Rights

c) Structure

In order to have concentrated national activities in the field of human rights, make the most of the facilities available and implement the decisions in a more precise and accurate way, the following structure was established for the Council and all the respective organs were obligated to cooperate and coordinate with it. The chief members of the Council are:

- President of the Council: the Head of the Judiciary
- Secretary of the Council
- Members from the Judiciary: Prosecutor General, Head of the Supreme Court, Head of the General Inspection Organization, Head of the State Prisons and Security and Corrective Measures Organization
- Members from the Executive Branch: Minister of Interior, Justice Minister, Foreign Minister, Intelligence Minister, Minister of Islamic Culture and Guidance
- Members from Supreme National Security Council: head of the Legal Committee of the secretariat, deputy of International Security department
- Chief of the Police
- MPs from relevant Committees
- Head of the Presidential Office's Centre for Women and Family Affairs
- Two experienced jurists or judges

In addition, the Council has the following specialized committees:

1- Coordinating Committee

The coordinating committee holds weekly meetings supervised by the secretary of the Council and with the active participation of the relevant national organizations to discuss and delve into the current human rights issues and to decide about suggestions received for required internal and international actions. The reports of the meetings are communicated to the authorities and relevant organizations of the country.

2- The Committee in charge of responses

This committee is entrusted with the task of preparing and providing well-documented responses to the correspondence received from international organizations including human rights council mechanisms.

3- The NGOs Committee

This committee has been formed to expand and develop Non-Governmental Organizations and to benefit from the experience and professional expertise of such organizations and cooperate with them.

4- Human Rights Documents Center & Website

The center has not only collected general documents on human rights but also keeps records of human rights violations specially the ones related to Muslims in different countries. Every case comes with its own ID and well-recorded details based on which regular reports are released by the center. The objective is to attentively observe and follow human rights issues both in theory and practice. The center will also be in charge of the website of the High Council for Human Rights and its activities. The visitors of the website will be able to get the latest developments, facilities, documents and reports in a professional, accurate way and in different languages.

It needs to be mentioned that the plan entitled “reviewing the structure of the High Council for Human Rights” is now being prepared. The plan aims to promote and expand the activities of the Council and will focus on the following:

- The pillars of the Human Rights Council: Supreme Council, Secretariat and the Committees
- The research center, documents center and the publishing house of the Council
- Public relations and the spokesperson of the Council
- Setting up the website and establishing networks of communications
- Preparation of educational pamphlets
- Making the publishing house of the Council a reality
- Paving the ground for cooperation with universities and scientific centers such as Tehran University, Shahid Beheshti University, and Research Center for Humanities and Cultural Studies.
- Human resource development and logistics

d) Performance:

Human rights dialogues

Such dialogues will be aimed at:

- familiarizing other countries with the legal and judicial system of I.R. Iran
- familiarizing other countries with the measures undertaken by I.R. Iran to promote human rights subjects
- becoming familiar with the human rights activities that the other party is involved in and the relevant follow-up mechanisms
- constructive cooperation with other countries in international conferences

1- Bilateral human rights dialogues

Talks on human rights have already started with countries like Russia, Australia, Finland, Japan, Switzerland and China. Moreover, it is on the agenda to hold talks with India, Indonesia, Cuba, Austria, Italy, Belarus and South Korea too.

2- Multilateral cooperation on human rights

Talks on human rights have already started with countries like Russia, Australia, Finland, Japan, Switzerland and China. Moreover, it is on the agenda to hold talks with India, Indonesia, Cuba, Austria, Italy, Belarus and South Korea too.

2-1- Organization of the Islamic Conference (OIC)

According to the Cairo Declaration of Human Rights in Islam aimed at developing thoughts and practices in the field of human rights from the Islamic viewpoints and based on the agreement concluded in the Islamic Conference of Foreign Ministers in Uganda in 2008, August 5th has been named Islamic Human Rights and Human Dignity Day in order to achieve the instruments and the ways to propagate, promote and preserve the Islamic teachings and values related to human rights.

2-2- Non-Aligned Movement (NAM)

Publishing and approving the Tehran Declaration and Program of Action on Human Rights and Cultural Diversity adopted by the “Non – Aligned Movement Ministerial Meeting on Human Rights and Cultural Diversity. The collection has also been registered at the UN and UNESCO and

has gained even more prominence with the establishment of a NAM center for human rights and cultural diversity in Tehran.

2-3- Human Rights talks with the European Union

These talks were held in the past in four rounds but have come to a halt due to Iran's nuclear file.

3- Cooperation with the UN Office of the High Commissioner of Human Rights

It is one of the priorities of the High Council for Human Rights of Iran to maintain and further its cooperation with the UN Office of the High Commissioner of Human Rights. The Council arranged the visit by Ms. Louise Arbour the then High Commissioner for Human Rights to I.R. Iran in the September 2007 and, consequently, held several rounds of bilateral talks within the framework of the I.R. Iran Judiciary's plan to expand technical cooperation with the office, and has welcomed the appointment of Ms. Navanethem Pillay as the new High Commissioner for Human Rights and has tried to invite her to the upcoming Human Rights conference in Tehran in 2010.

4- Cooperation with the special procedures

After I.R. Iran extended a general invitation, the High Council for Human Rights has now placed on its agenda to welcome and accept the request of the special rapporteurs of the Human Rights Council to visit Iran. So far five renowned special rapporteurs have expressed their interest to Iran: special rapporteurs for Freedom of Religion or Belief, Torture, Independence of Judges and Lawyers, Extrajudicial or Arbitrary executions and Minority Rights. Preparations and arrangements have been made for the visits by special rapporteurs for Independence of Judges and Lawyers and the Education.

5- Responding to special procedures

- responding to the correspondence from the special rapporteurs of the UN Human Rights Council

- responding to the correspondence from the 1503 Procedure

These were fifteen independent correspondences that were concluded by holding more than thirty working sessions with the attendance of all the members of the afore-mentioned committee and by codifying and preparing more than 3500 pages of appendices. Finally after texts and responses were

translated and sent to the Office of the High Commissioner of Human Rights, the correspondences were removed from the agenda of working group of the Human Rights Council.

- responding to the draft and the report of the Secretary General of the UN concerning the human rights situation in Iran before the General assembly

6- Preparation of the booklet of the 10th Presidential election in Iran

The booklet tries to elucidate the processes of staging elections in I.R. Iran especially the 10th Presidential election and to remove and clarify the ambiguities and allegations made during the aforesaid election and shed light on the movements of some western governments in the aftermath of the election. The booklet has been translated in English, Arabic and French and has been made available to international authorities and other countries.

7- UN Universal Periodic Review

According to the timetable, the human rights situation in Iran will be reviewed in early 2010. Therefore the High Council for Human Rights has established a special and specialized committee with the participation of relevant organizations and is involved in the preparations for the effective presence of the Iranian delegation in the session. The Council is also preparing I.R. Iran's national report to be submitted to the 7th session of UPR and has also achieved positive and salient results in this regard by holding several special weekly sessions and appointing a team for drafting the national report. This report is now almost finished and will soon be sent to the relevant authorities once it is translated and attachments have been added to it.

8- Meeting with foreign ambassadors residing in Tehran

in order to examine bilateral and international human rights issues as well as other issues of mutual interest, the secretary and authorities of the High Council for Human Rights have held numerous meetings with high-ranking officials and specialists from various countries including: Germany, Norway, Sweden, Switzerland, Turkey, Pakistan, India, Qatar, Malaysia, Indonesia, Russia, China, Australia, Greece, and France.

9- Dispatching delegations to international conferences

- To the Human Rights Council:

As a part of its international activities, the High Council for Human Rights has already dispatched more than 10 groups comprised of its own members and judicial and legal experts to take part in the UN Human Rights Council sessions in Geneva.

- To other international councils:

- Regional and international conferences of World Economic Forum
- Security Conference in Frankfurt (2008)
- UNESCO Conference in Paris (2008) and meeting with the French Minister of Human Rights
- The Conference of Abrahamic Faiths, Human Dignity and Human Rights in Oslo, Norway (2008)
- Three conferences on "Education Indicators in Malaysia"
- Two conferences on human rights by China's "Center for Human Rights Studies" (2006)
- The regional Conference of Red Cross in Heydar Abad, India (2009)

- Holding 10 seminars and specialized workshops

- The scientific seminar with the participation of Iranian and European judges on the role of prosecutor in just proceedings
- Seminar on Citizenship Rights (2006)
- Conference of the Prosecutors of the Islamic Countries (2007)
- Seminar on "Judiciary and Human Rights" (2007)
- "Heads of the Judiciary of Islamic Countries" Conference (2007)
- "Experts from the Judiciary of Islamic Countries" Conference (2008)
- Specialized workshop on "Children Rights" in cooperation with the judicial officials and public prosecutor offices in Tehran (2008)
- "Conference of Prosecutors of Islamic States" to discuss the effective legal and judicial ways of prosecuting the war criminals in Gaza
- Holding specialized sessions on human rights issues for judges, Heads of the Ministry of Justice and public prosecutor offices, managers of prisons and police force within the framework of the rules and regulations of I.R. Iran.
- investigating the crimes perpetrated by the Zionist regime in Gaza. The crimes and incursions and all their different aspects were looked and, ultimately, a legal statement was made by the secretary of the Council addressed to international figures, human rights organizations and ministries of foreign affairs denouncing the genocide, discrimination and the use of chemical and non-conventional weapons etc.

- holding a specialized workshop on human rights issues and preparing reports for UPR in cooperation with ministries, respective organs, and some NGOs active in the field of human rights (2009)

Upcoming events and programs:

- Human Rights Conference in 2010:

The foremost objective behind holding the conference is to systematically affect and contribute to intellectual, academic, political and human rights circles at different levels. The main topics of the conference are as follows:

- briefly review the history of human rights documents and related international systems and how they came to existence
- promote the role and status of the world of Islam in international human rights discussions
- Pave the ground for the entry of Islamic thoughts to human rights documents and incorporation of Islamic culture into the executive organizations.
- Analyze the double standards used by the west regarding the human rights and why they have discredited the human rights-related endeavors
- Seriously confront Islamophobia and animosity towards Islam fuelled by the west and Zionism as well as the hideous discriminations against Muslims in the international arena.

- The role of democracies based on Islamic thoughts in developing human rights:

This conference will be held in association with various scholars, thinkers, political and human rights activists and NGOs from the Muslim communities will be attended by a large number of famous figures from the west and international authorities.

10- Publishing reports, books and pamphlets

The following have been prepared and released by the Human Rights Council:

- 1- The pamphlet entitled “introducing NGOs” that examines the various aspects of NGOs.
- 2- Report on the third round of human rights talks between I.R Iran and Switzerland
- 3- Booklets on human rights to be presented to China’s Center for Human Rights Studies. Booklets are now being translated.
- 4- Two booklets in English on human rights have already been delivered to China’s Center for Human Rights Studies: “Development of Human Rights Concepts in a Balanced World” (1996) and “Cultural Diversity and Human Rights Concepts” (1998)

5- Report on “Prohibition of Forbidden Weapons specially the Nuclear Weapons” (May, 2009)

