



DEFENDERS

autumn2016 / winter2017





Editor's Note

Violence and violation of human rights in the world today has not only worried and frightened human rights activists, but all the people around the world are also worried and frightened about the present situation. The extent of human rights violations and the pain that countless number of people around the world suffer from, threaten the most important values of Mankind.

Extremism, violence, intolerance, divisive approaches around the world have further resulted in human rights violations. And this is a process that will affect the whole world, and not just the points of origin.

The unrests in Syria is one of those instances. The bitter events of Syria which has resulted in the death of hundreds of thousands of people, and the displacement of millions of others, have caused huge challenges for international organizations, the United Nations in particular.

As a journal with the aim of raising awareness on human rights violations, and for timely reaction, Defenders has scrutinised the human rights violations trend in Syria. Reviewing the actions of international organizations towards finding a solution for this crisis, has been outlined in an article in this issue of Defenders. The Myanmar crisis and serious violations of human rights, is another challenge and concern for the world in the recent years which in spite of strong documented evidence that the report of the UN High Commissioner for Human Rights has called the gravest systematic violation of human rights, still, no serious measures have taken place to stop them.

The recent global crises have sadly threatened children more than any other groups of society. For this reason we have allocated a few pages on the review of children's conditions in the world and the violation of their rights.

The US presidential elections and the connection with human rights, human rights double standards in the world, the role of NGOs in the United Nations structure and a review of ODVV's participation in the UPR mechanism, in the two previous rounds of review, are among the other topics covered in this issue of Defenders. The Citizen's Rights Charter of Iran is one of the most important human rights developments in the country which is reviewed in two notes in this issue of Defenders.

A review of ethnicities in Iran, and Kurdistan Province of Iran, the situation of special juvenile's police units, alongside a brief report of ODVV's activities over the last six months conclude this issue of Defenders.

Special thanks goes to all those who have assisted us in this issue of Defenders, with all the challenges and concerns for the promotion of human rights, and we hope that these actions will result in raising awareness of human rights and access to these rights.

Editorial



An Approach to the Structure and Nature of the Citizen's Rights Charter of Iran

Seyed Mohammad Zaman Daryabari
Attorney at law; head of board member
of Clean Nature Supporters Institute

1 – History of citizen's rights in the Iranian legal system:

Citizen's rights includes innate, political, cultural, economic and social rights of a citizen in a free society. The first declaration of human rights in the world was issued in 538BC by Cyrus the Great, the founder of the Achaemenid Dynasty, during the opening of the gates of Babylon. Equality, religious and racial tolerance, the observation of the individual and social rights and freedoms of defeated nations and prisoners of war and respect for their religious beliefs and the abolition of slavery are some of the most important paragraphs of Cyrus the Great's human rights cylinder. Thus well before the signing of the UN human rights treaties, Iran had been a forerunner in

recognition of the citizen's rights and human rights infrastructures. The existence of the Magi and Founders' Assembly in ancient Persian Empire is another example of Iran being at the forefront of citizen's rights principles and the participation of the representatives of the people in their political, economic and social determination. Iran was one of the original signatories to the Universal Declaration of Human rights and the International Covenants on Civil and Political Rights, and Economic, Social and Cultural Rights, and the NPT, and was one of the recommenders in the signing of important environmental protection conventions such as the Ramsar Convention (ponds). The first laws passed in the Legislative Assembly of Iran deals with the new generation of human rights, one of which is the protection of national heritage act of 1930. Article 50 of the Iranian constitution, covers the most important article from the Stockholm Declaration which is sustainable development and the necessity to protect the environment – one of the most important pillars of citizen's rights.



2 – How the Iranian Citizen’s Rights Charter was compiled:

In view of this Iranian legal system history, the writing of the Citizen’s Rights Charter was put in the working agenda of the 11th government of the Islamic Republic of Iran. This Charter with 120 articles following initial editing and final amendments was published on 19 December 2015 with the signature of President Rowhani. The preamble of the Charter stresses that this Charter is for the aim of the realisation and promotion of citizen’s rights and for the purpose of compiling “government’s programme and policy” and with the identification of a collective of citizen’s rights existing in the legal system’s resources of Iran, and also the necessity for the recognition of some of their examples, been compiled through follow up on the legislation of laws, and subsequently achieving this objective requires the cooperation of other bodies of the government and participation of the people and NGOs.

3 – The topics of the Iranian Citizen’s Rights Charter

One of the important topics that has been identified and recognised in the Citizen’s Rights Charter, includes fundamental citizen’s rights such as life, health and living standards, human dignity and equality, citizen’s freedom and security, participation in determination of faith, good governance and good management, freedom of expression and opinion, access to information, access to cyber space, privacy, association, assembly and marches, citizenship, residence of freedom of movement, starting families, fair trials, transparent and competitive economy, housing, ownership, employment and decent job, social security and welfare, access to cultural participation, education and training, healthy environment, sustainable development, right to peace, national security and power. Points such as the appointment of a special assistant, attracting the participation of NGOs, information dissemination, training and presentation of annual improvement report from the president, are some of the important mechanisms and monitoring of the good implementation of Citizen’s Rights that are stated in this Charter.

4 – The accomplishments of the Iranian Citizen’s Rights Charter

One of the most important accomplishments of the Citizen’s Rights Charter is the facilitation of the basis for the adoption of regulations that guarantee the implementation of the concepts of various generations of human rights in the domestic legal system of Iran. Subjects that are spread out in international documents such as, the Universal Declaration of Human

Rights, International Covenant on Civil and Political Rights, International Covenant on Economic, Social and Cultural Rights, and various statements such as on the environment, sustainable development (Stockholm Declaration), MDG, Rio Summit, Climate Change Conventions, Protection of Migrating Species, Ramsar Convention etc. and efforts have been made to include the most key concepts that are in international treaties to which Iran is a member, in the text of the Charter in a united way so that all the people will recognise a text that includes the most fundamental concepts of their citizen's rights in civil society. And as a result the government structure too must apply these rights properly in society and support and guard them.

4 – Challenges in the implementation of the Citizen's Charter

Aging industries, cyber threats and war, the non-competitiveness of economy, reduction in oil production, Iran's pittance share of the global trade, currency fluctuations and the instability of currency policies are some of the infrastructural problems of Iran, with which the government has had to grapple with these big problems, and they are so big that perhaps there's no opportunity to deal with citizen's rights concepts and their realisation.

Furthermore, unfortunately in the past decades, due to some rushed policies, multi-voices in the culture and economy and foreign policy spheres, the previous government private sector managers and the spread of quazi-governmental institutions, the failure of the tax system, the class gap, non-coordination of the investment and financial markets, have all faced the Iranian society with many problems, each of which

on its own is a challenge and obstacle in the implementation of citizen's rights.

The ambiguity and the interpretation possibilities of laws, lack of conciliation and acceptance of criticism, the lack of the culture of political parties, lack of a practical action oriented evaluation system and effective and non-political, the accountability system, result-oriented management and the failure to benefit from the monitoring role of the media and NGOs in uncovering corruption are all some of the other challenges and obstacles in the way of the implementation of the contents of the Citizen's Rights Charter. Therefore, the Iranian society and government, are faced with such serious intertwined problems, that until they are not resolved, the full implementation of the objectives of the Charter will remain in limbo.

5 – Recommendation for the facilitation of the implementation of the Citizen's Rights Charter

In the first place, the Iranian judicial system and also other governmental bodies, must be bound with universal education of citizen's rights with regards to tax, administrative, employment and social security, environmental, banking, insurance and so forth matters to all relevant departments and bodies. And the mass media – through radio and television and also the press – cooperate in this regard. Also a necessary curriculum must be set to teach the abovementioned in schools.

Ultimately, for the guarantee of the implementation of the contents of the Charter, the framework a draft legislation must be presented to the parliament as a law with a guarantee of implementations and a suitable budget be ratified so that all the countries institutions and the people be bound to implement them.

Citizen's Rights Charter and Free Media



Majid Feizikhah, PhD Student in
Communications Study

Introduction

The Citizen's Rights Charter is one of the most important 2013 campaign promises of President of Iran, Hassan Rowhani. In a ceremony in November 2016, this Charter was officially published and in a statement by the President was announced to all the Iranian nation.

In this Charter, cases such as the right to life, right to dignity, right to freedom, right to participation in determining fate, right to freedom of expression and thought, right of access to information, right to privacy, right to association, assembly and demonstration, right of citizenship, residence and free travel, right to housing, right of ownership, right to employment, right to education and research, right to healthy environment, and sustainable development, right to peace, security and national power, are all points that have been mentioned in

this Charter. Publication of the draft of Citizen's Rights Charter drew different reactions right from the beginning, from political and legal activists. The main concern of critics is that how legally enforceable is this document? They believe that this Charter does not have necessary legal guarantee because article 4 of the Constitution states that all the laws of the country must be equal to Islamic Laws and be approved by the Parliament and Guardian Council.

But those who support the Citizen's Rights Charter believe that this document is the government's guidelines to executive bodies in the fields of basic human rights, citizen's rights, political and social rights, and ultimately economic rights that include right to ownership, housing, employment etc. While human rights institutions admit that the human rights issue in Iran is weak in the application of the law and dodging the law, than having legislative vacuums, the commitments of the Rowhani government drawn up in this Charter can mobilise a vast portion of the executive bodies to remove the existing problems in



According to the supporters, the Citizen's Rights Charter does have legal enforceable guarantees, because all the contents of this Charter are based on the Constitution and Civil Code. In other words, the Charter is a compilation and description of most of the contents of the laws of Iran which have human rights elements in them.

the implementation of human rights principles.

According to the supporters, the Citizen's Rights Charter does have legal enforceable guarantees, because all the contents of this Charter are based on the Constitution and Civil Code. In other words, the Charter is a compilation and description of most of the contents of the laws of Iran which have human rights elements in them.

This article attempts to scientifically compare the contents related to the freedom of the media in the Charter with the International Principles of Professional Ethics in Journalism, and present an analytical view in this regard.

International Professional Journalism Ethics and Regulations

The International Principles of Professional Ethics in Journalism, were prepared in a number of consultative sittings (from 1978 to 1983) and ratified. These sittings were held by a number of regional and international journalism organizations. The following organizations had a role in the compilation of these Principles:

International Organization of Journalists (IOJ), International Federation of Journalists (IFJ), International Catholic Union of the Press (UCIP), Latin American Federation of Journalists (FELAP), Federation of Arab Journalists

(FAJ), Union of African Journalists UAJ), and Confederation of Asean Journalists (CAJ).

The IFJ did not attend the conclusive meeting of this process in Paris, 20 November 1983, which issued the document.

The International Principles of Professional Ethics in Journalism which has been a cornerstone for the preparation of laws of ethics at national and international levels are as follows:

- Principle I: People's right to true information
- Principle II: The journalist's dedication to objective reality
- Principle III: The journalist's social responsibility
- Principle IV: The journalist's professional integrity
- Principle V: Public access and participation
- Principle VI: Respect for privacy and human dignity
- Principle VII: Respect for public interest
- Principle VIII: Respect for universal values and diversity of cultures
- Principle IX: Elimination of war and other great evils confronting humanity
- Principle X: Promotion of a new world information and communication order

Comparative Review of Conformities

In reviewing the contents of the Citizen's Rights Charter, six articles of the Charter can be pointed out which are from the International Principles of Professional Ethics in Journalism. These articles and annotations about them are as follows:

a) Articles 26, 29 and 33 of the Citizen's Rights Charter:

Article 26: Every citizen has a right to freedom of speech and expression. This right shall be exercised within the limits prescribed by law. Citizens have the right to freely seek, receive and publish views and information pertaining to various issues, using any means of communication. The Government shall, according to the law, guarantee freedom of speech and expression, especially in the mass media, cyber space, including in newspapers, magazines, books, cinemas, radio and television, social networks and the likes.

Article 29: The Government will protect the freedom, independence, plurality, and diversity of the media within the framework of law. No authority

has the right to put pressure on the press and other media to publish or refrain from publishing information or matters, in contravention of legal principles, or embark on censorship or control of publications or other media.

Article 33: Citizens have the right to freely and without discrimination enjoy access to and communicate and obtain information and knowledge from cyberspace. This right encompasses respect for cultural diversity, languages, traditions and religious beliefs and observance of ethical principles in cyberspace. Imposition of any type of restriction (such as filtering, interference, speed reduction and network interruption without explicit legal authority is prohibited.

The aforementioned articles specifically conform with the first and second principles of the International Principles of Professional Ethics in Journalism:

Principle I: People's right to true information

People and individuals have the right to acquire an objective picture of reality by means of accurate and comprehensive information as well as to express themselves freely through the various media of culture and communication.

Principle II: The journalist's dedication to objective reality

The foremost task of the journalist is to serve the people's right to true and authentic information through an honest dedication to objective reality whereby facts are reported conscientiously in their proper context, pointing out their essential connections and without causing distortions, with due deployment of the creative capacity of the journalist, so that the public is provided with adequate material to facilitate the formation of an accurate and comprehensive picture of the world in which the origin, nature and essence of events, processes and state of affairs are understood as objectively as possible.

b) Article 30 of the Citizen's Rights Charter:

Article 30: Citizens have the right to access public information available in public institutions and private institutions that provide public services. All organs and entities are required to continuously publish unclassified information required by society



But in view of the new interpretation of this principle, many governmental companies were privatised, it would have been better for the Charter to have added a paragraph which would have further stressed on the necessity to launch private TV and radio networks, and would further promote the literature of this subject noting the need for this important matter in the communications world

This article conforms with principle 5 of the International Principles of Professional Ethics in Journalism, which states:

The nature of the profession demands that the journalist promote access by the public to information and participation of the public in the media, including the right of correction or rectification and the right of reply.

c) Articles 9 and 42 of the Citizen's Rights Charter:

Article 9: Exercise of any type of undue discrimination, particularly in access of citizens to public services such as health services and occupational and educational opportunities is forbidden. The Government shall refrain from adopting any decision and taking any action that leads to the widening of the class divide, undue discrimination or deprivation of citizens' rights.

Article 42: Citizens have the right to have their dignity and privacy respected in the media and public fora. And, should this right be violated, causing material or immaterial harms, the violators shall be liable and obliged to make reparation, in accordance with the law.

This article also conforms to principle 6 of the International Principles of Professional Ethics in Journalism. This principle states respect to privacy and human dignity:

An integral part of the professional standards

of the journalists is respect for the right of the individual to privacy and human dignity, in conformity with provisions of international and national law concerning protection of the rights and the reputation of others, prohibiting libel, calumny, slander and defamation.

d) Private TV and Radio's Vacuum

In spite of the abovementioned conformities of the Charter to the International Principles, at the same time while presenting a suitable definition of the neutrality of state run media (TV and radio), it remains silent however, on launching private TV and radio stations. Article 18 of the Charter states: The Islamic Republic of Iran Broadcasting Organization and all media that use public budget or property shall observe complete neutrality in all stages of the elections to such an extent that no suspicion of supporting certain candidate(s) would arise. The author of this narrative believes that the most important and neglected part of this Charter regarding the media is silence with regards to the launching of private TV and radio stations. In this regard, article 44 of the Constitution states: "... The state sector is to include all large-scale and mother industries, foreign trade, major minerals, banking, insurance, power generation, dams and large-scale irrigation networks, radio and television, post, telegraph and telephone services, aviation, shipping, roads, railroads and the like; all these will be publicly owned and administered by the State..."

But in view of the new interpretation of this principle, many governmental companies were privatised, it would have been better for the Charter to have added a paragraph which would have further stressed on the necessity to launch private TV and radio networks, and would further promote the literature of this subject noting the need for this important matter in the communications world.

Conclusion

The Citizen's Rights Charter, which the Rowhani government saw its duty to prepare, draft and issue, has managed to include a good portion of the International Principles of Professional Ethics in Journalism. This Charter has tried to realise Rowhani government's commitment to accepting



This Charter has tried to realise Rowhani government's commitment to accepting international human rights norms and principles. Conforming comparison of principles regarding the media in this Charter clearly shows that the drafters of this text have paid particular attention to international aspects of human rights. In view of the high percentage of the conformity of the Charter to international principles and at the same time preserving the legal and religious framework of the Islamic Republic of Iran system, the Charter can be a successful model of the conformity of domestic and international laws and can offer a very good model for other institutions of the Islamic Republic.

international human rights norms and principles. Conforming comparison of principles regarding the media in this Charter clearly shows that the drafters of this text have paid particular attention to international aspects of human rights. In view of the high percentage of the conformity of the Charter to international principles and at the same time preserving the legal and religious framework of the Islamic Republic of Iran system, the Charter can be a successful model of the conformity of domestic and international laws and can offer a very good model for other institutions of the Islamic Republic. While collecting existing laws from the Constitution and Civil Code, the Charter can be deemed as a national document and its conformity with international laws, procedures and norms create new requirements for the government in the domestic and international spheres.

Sources:

<http://media.dolat.ir/uploads/org/148214241850511500.pdf>
http://ethicnet.uta.fi/international/international_principles_of_professional_ethics_in_journalism



New Approaches to Promotion of Human Rights in Iran

After a long period of ambivalence and misunderstanding, Iran and European Union has started new attempts to open venues for dialogue on Human Rights issues. Islamic Republic of Iran has shown its deep interests for closer interactions with the European countries. Meanwhile, European Union has tried to bridge new ties with Iran in various field of economic, trade, and political relations. In such atmosphere, some NGOs and human rights activists are optimist advocates of human rights dialogues between the two parties, while some are suspicious about any sort of interactions with the Iranian government.

Organization for Defending Victims of Violence (ODVV) thanks the organizers of this event, specially Ms. Elena Valenciano and Mr. Janusz Lewandowski, and appreciates the opportunity given to our NGO to participate in this workshop.

ODVV welcomes the European Unions' attempts for starting a new round of talks with Islamic Republic of Iran on Human Rights Issues. About three decades of humanitarian activities in Iran and the Middle East taught us that any changes in the human rights situation

in the developing countries require mutual interactions with the state officials and empowerment of civil society organizations and NGOs. As an Iranian NGO working inside Iran on prevention of violence, raising awareness, and promotion of human rights, ODVV has always invited all international bodies to actively engage in improvement of human rights issues through interaction and dialogue with the Iranian government. As an Iran based NGO active in the field of human rights, we should be worried about the decisions of international organizations and how they would affect the atmosphere of our humanitarian endeavors. The very fresh experiences in our career were the serious problems we faced in accessing vital medications and medical assistances for some of our clients in urgent need for support. Despite its probable political achievements, the sanction mechanism destroyed the economy and human rights situation, emphasized repeatedly in various United Nations' reports such as the report of the Special Rapporteur on "human rights and international sanctions", Idriss Jazairy (14 July 2015) and the report of the Office of the United



Nations High Commissioner for Human Rights (10 July 2014). The adverse position of the international community towards Iran and its economic and social side-effects, put NGOs under pressure by denigrating them in the eyes of the Iranian society and denouncing them as the beholders of ‘western values’.

Before making any decision in the EU headquarters, it is necessary for the decision makers to ask themselves how any given decision will affect directly or indirectly the activities of Iran based NGOs and the civil society. Such considerations will necessitate wider integration of Iran based NGOs, along with international NGOs, in the process of decision making in the European Parliament.

We invite the European Parliament to benefit from the existing atmosphere and start a smooth and steady interaction and negotiation with the Iranian officials on human rights situation in Iran. After a decade of mistrust between Iran and the EU, the successful experience of the Iran Nuclear Deal has changed the climate between the two parties. The bilateral positive perspective should be used by the EU in order to improve the human rights situation. The history showed us that other alternatives such as blind pressure, political confrontations or sanctions not only did not result in change of human rights condition in Iran but also worsened the circumstances for the human rights activists in Iran.

As one of the oldest Iranian NGOs, established in 1988, we have learned to make big changes and pursue our mission and goals through continuous negotiation with decision makers and constitutional bodies. Many of our suggestions were incorporated in the last amendment of the Iranian Penal Code introduced in May 2013. As an active member of the National Committee of Prevention of Violence, we were able to work collectively with other NGOs to lobby with various officials in the executive and legislative sections. Many of our comments on the Charter of Citizenship were incorporated in the last version of the text. In the Universal Periodic Review (UPR), ODVV insisted in the necessity for establishing a National Human Rights Institution in Iran. After months of lobbying, the bill for establishing Iranian National Human Rights Institution has been prepared by the cabinet of President Hassan Rouhani and it is getting into its final stage. In various cases of murder, we delayed or withdrew the execution sentences by seeking forgiveness of the “heirs of the blood”, or retrial of the accused according to Article 91 of the

ODVV invites the European Parliament to expand its activities beyond the Iranian policy makers and officials, and invest in training and empowerment of the Iran based NGOs. Most of the community groups and minority group NGOs even do not have the basic knowledge about the possible mechanisms for obtaining their preliminary legal rights - let alone fighting for improving their human rights standard. In order to raise public awareness on human rights, ODVV has been running expert meetings, workshops, training courses and exhibitions on introductions to human rights as well as publishing informative brochures and periodicals

new Penal Code. We made huge changes, but we still have a long way to go to reach to our ideals and targets.

Moreover, ODVV invites the European Parliament to expand its activities beyond the Iranian policy makers and officials, and invest in training and empowerment of the Iran based NGOs. Most of the community groups and minority group NGOs even do not have the basic knowledge about the possible mechanisms for obtaining their preliminary legal rights - let alone fighting for improving their human rights standard. In order to raise public awareness on human rights, ODVV has been running expert meetings, workshops, training courses and exhibitions on introductions to human rights as well as publishing informative brochures and periodicals. However, lack of funding has been always a major obstacle for the Iran based NGOs and activists in their projects. A mutual agreement with the Iranian officials can pave the way for the European Parliament to channel financial support to the human rights organizations and NGOs in Iran. Such initiatives will prepare a better atmosphere for Iranian civil society to play its effective role for promotion of human rights in Iran.

We announce our willingness to co-operate and interact with the European Parliament in producing reports, answering queries, offering expert advice and any other undertakings that will contribute to the promotion of human rights in Iran.

Active Participation of The Organization for Defending Victims of Violence (ODVV) in the Universal Periodic Review

Introduction

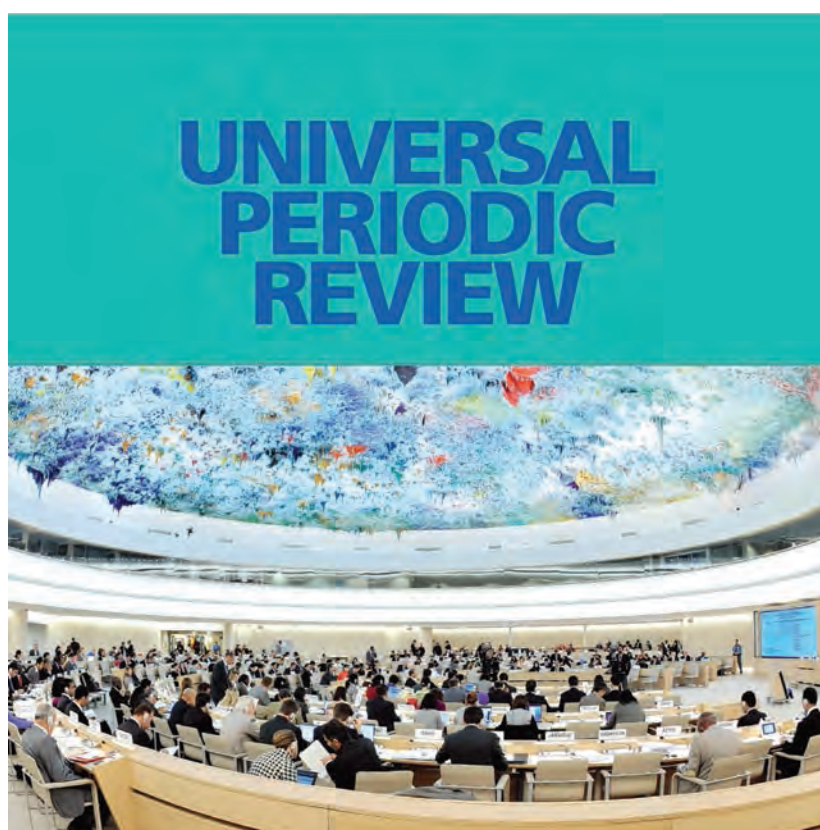
The Universal Periodic Review (UPR) is one of the monitoring mechanisms of the United Nations Human Rights Council in which the human rights records of all 193 UN Member States is reviewed over a period of four and a half years. The mechanism is based on equal treatment of all countries and is the first international human rights mechanism to address all countries and all human rights.

UPR aims at promotion of human rights on the ground using a peer review process. That is all member states take part in each review session and examine all the aspects of the human rights situation in the country under review (SuR) offering recommendations to improve the situation. The SuRs are expected to follow the recommendations to enhance human rights in their territories.

In addition to UN Members States, other stakeholders such as National Human Right Institutions (NHRIs) and Non-Governmental Organizations (NGOs) also take part in the mechanism. Important NGOs viewpoints and recommendations are summarized in the “Summary of Stakeholders Information”, one of the three main documents used in the UPR working group review session. The Organization for Defending Victims of Violence (ODVV) has been a pioneer among Iranian based NGOs participating in many UPR State reviews. Many of ODVV recommendations are reflected and cited in the “Summary of Stakeholders Information” of SuRs. What follows is a summary of ODVV’s UPR reports and recommendations which are quoted in the report prepared by the UN as one of the main documents used in the review session.

ODVV’s participation in UPR

During the first and second rounds of UPR, the organization for Defending Victims of Violence



(ODVV) has submitted written reports to the Human Rights Council in order to contribute to the protection of human rights situation on the ground.

By March 2017 ODVV has sent 15 reports to the review session of different countries, 13 of which are reviewed by the Human right Council including Israel, Iran and Myanmar. The human rights issues brought up by ODVV are included and cited in the “UN Summary of Stakeholders Information” prepared by the UN as one of the main documents of all country’s review session. The issues mentioned by ODVV and cited in UN reports are summarized in Table1. The citations are classified under the titles used by UN in UPR reports for the ease of reference.

“Table 1: ODVV’s observations cited in the “UN Summary of Stakeholders Information

	UN UPR Report	Topics	Citations
1	A/HRC/WG.6/23/AUS/3	Right to life, liberty and security of the person	According to (ODVV), increased reliance on Tasers by police demonstrated an urgent need for more rigorous police training and more stringent regulation of police use of force. ⁷⁵
		Right to life, liberty and security of the person	ODVV referred to reports Aboriginal women were 31 times more likely to be hospitalized as a result of family violence-related assault than non-Aboriginal women. Women with disabilities were at a higher risk of being assaulted. ⁸⁶
		Migrants, refugees and asylum seekers	ODVV reported that asylum seekers who arrived by boat, including children, were subjected to mandatory detention and transfer to third countries.
2	A/HRC/WG.6/13/BHR/3	Right to life, liberty and security of the person	26. (ODVV) stated that women had not been immune from arrests, abuse and torture. Reportedly more than 25 women had been arrested during various protests in the country, and some had been raped. Allegedly children and youths had also been victims of the recent crisis. ⁵²
		Freedom of religion or belief	36. ODVV was deeply concerned over attacks on mosques and destruction of holy Islamic property, the banning of Shia from holding religious ceremonies and attacks on mourners, all of which were grave violations of international law.
		Freedom of religion or belief	ODVV recommended an immediate stop to the destruction, provisions for compensation and the reconstruction of centres and properties that had been destroyed. ⁷⁰
		Right to work	49. ODVV (7) noted grave violations and highlighted that ambulances, hospitals, clinics, doctors, nurses and medical staff had been targeted. While observing their code of ethics in fair treatment of injured protestors, doctors and nurses had been dismissed from medical treatment centres, and in instances arrested and detained. ⁹⁹
3	A/HRC/WG.6/24/BEL/3	Equality and non-discrimination	The Organization for Defending Victims of Violence (ODVV) called on country to condemn, monitor and combat any manifestation of racism, discrimination, xenophobia and Islamophobia in political statements, the media, and social life. ²⁰
	1 recom 1 .refer	Equality and non-discrimination	Increase of Muslims complaints about the media.
4	A/HRC/WG.6/24/DNK/3	Equality and non-discrimination	ODVV expressed serious concerns over discrimination against minorities in the country, such as Muslims.
		Equality and non-discrimination	It urged the government to take effective measures to promote tolerance and combat unlawful attitudes, and stereotypes against minorities.
		Equality and non-discrimination	ODVV called on the government to identify legislation that would draw a line between freedom of speech and hate speech and to
		Equality and non-discrimination	Urged the government to adopt stronger measures to secure minorities representation in the social and political spheres. ⁷⁴
5	A/HRC/WG.6/15/FRA/3	Equality and non-discrimination	For (ODVV) the danger of Islamism was campaigned by the media, Islamic publications were banned, and Muslims were all portrayed as extremists. ³⁸
		Equality and non-discrimination	27. ODVV considered that the mistreatment of French citizens of African or Middle Eastern origin was one of the biggest problems of France, noting that even educated individuals with university qualifications could not find work because of their name, religion or origin. ³⁹
		Equality and non-discrimination	ODVV stressed that although Muslims made up 10 per cent of the population, they were not represented in Parliament or the main power echelons. ⁹⁴
		Equality and non-discrimination	ODVV expressed concern about mass evictions and expulsions of Eastern European Roma

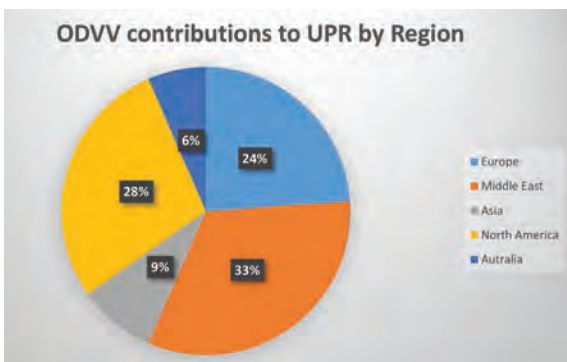
	UN UPR Report	Topics	Citations
6	A/HRC/WG.6/7/IRN/3	Policy measures	(ODVV) noted that the Fight Against Human Trafficking Act (2004) not victim-oriented, ¹¹
		Policy measures	recommending that steps be taken towards coordination between the laws and the justice system with a view to safeguarding victims' rights
		Policy measures	ODVV stated that the lack of coordination between institutions and organizations involved in the fight against human trafficking resulted in a waste of resources.
7	A/HRC/WG.6/15/ISR/3	international obligations	the establishment of Israeli settlements violates the Fourth Geneva Convention, which prohibits an occupying power from settling its civilian population in the territory it occupies. Similar concerns were raised by Organization for Defending Victims of Violence (ODVV) ^{115 a}
8	A/HRC/WG.6/23/MMR/3	international obligations	A number of organizations pointed out that, during its first UPR in 2011, Myanmar had supported recommendations to consider signing and ratifying core human rights treaties, but had made no significant progress
		Equality and non-discrimination	Organization for Defending Victim of Violence (ODVV) reported that the Rohingyas continued to face restrictions on the freedom of movement, on access to land, food, water, education and health care, and on marriages and birth registration. ³¹
		Right to life, liberty and security of the person	ODVV reported that more than 5,000 children were serving in the military, not including those who had been recruited as children but were now past their 18th birthdays.
		Right to life, liberty and security of the person	ODVV indicated that the Government continued to reject a United Nations report of the break out of violence in Rakhine State in January 2014, in which men, women, and children had been reportedly killed. ¹⁴²
9	A/HRC/WG.6/15/ARE/3	international obligations	3. ODVV called on the UAE to accede to the International Convention for the Protection of All Persons from Enforced Disappearance (CED).
		Right to life, liberty and security of the person	5 ODVV also recommended accession to the additional protocol to the International Convention against Transnational Organized Crime
		Right to life, liberty and security of the person	21. ODVV deplored that victims of trafficking were not protected by the law as the Government did not distinguish between prostitution and forced sexual exploitation.
		Right to life, liberty and security of the person	ODVV recommended that victims of trafficking be placed under special protection, and not be regarded as criminals.
		Administration of justice	30. ODVV stated that the age of 7 years for criminal responsibility was too low.
		Administration of justice	It urged the Government to amend the Juvenile Criminal Law and raise the age to international standards
		Migrants, refugees and asylum-seekers	ODVV similarly believed that further efforts were necessary to strengthen capacities for the protection of the living and working conditions of migrant workers. ⁹³

	UN UPR Report	Topics	Citations
10	A/HRC/WG.6/13/GBR/3	Right to life, liberty and security of the person	73. The Organization for Defending Victims of Violence (ODVV) stated that care for adult women trafficked for sexual exploitation was provided to those victims who satisfied specific criteria. Thus, not all victims in need of care received such care.142
		Right to life, liberty and security of the person	56. ODVV stated that the counter-terrorism policy encouraged the public to treat Muslims as legitimate objects of abuse.111
11	A/HRC/WG.6/9/USA/3	Right to life, liberty and security of the person	Indirectly referred to odvv, recommended adopting national standards for addressing violence and other abuses in prisons, jails and other detention facilities
		Right to life, liberty and security of the person	Indirectly referred to odvv , reported on the failure to provide adequate information about detainees reportedly in a “black site” in Afghanistan.
		Right to life, liberty and security of the person	ODVV expressed concern that the ICRC does not have access to secret detention facilities.
	A/HRC/WG.6/22/USA/3	international obligations	recommended the ratification of ICESCR
		international obligations	recommended ratifying CEDAW
		international obligations	recommended ratifying CRC
		international obligations	recommended the ratification of CRPD
		international obligations	recommended the ratification of OP-CAT and ICPPED
		international obligations	recommended the ratification of OP1-ICCPR
		Right to life, liberty and security of the person	recommended investigating torture allegations, extrajudicial executions and other violations of human rights committed in Guantánamo, Abu Ghraib, Bagram, NAMA and BALAD camps, and those carried out by the Joint Special Operations Command and the CIA
		Right to life, liberty and security of the person	recommended punishing trafficking in persons and child prostitution
		Administration of justice, including impunity and the rule of law	recommended the closure of the Guantánamo prison
		Migrants, refugees and asylum seekers	recommended avoiding the criminalization of migrants, end police brutality, guarantee migrants access to basic services

The main issues brought up by ODVV and cited in UN reports during the first and second rounds of the Universal Periodic Review are summarized in Figure 1.

As it is reflected in the data extracted from UN reports, “right to life, liberty and security of the person”, “equality and non- discrimination” and “International Obligations”, are among the most frequent issues brought up by ODVV in the UPR process and cited in the UN reports.

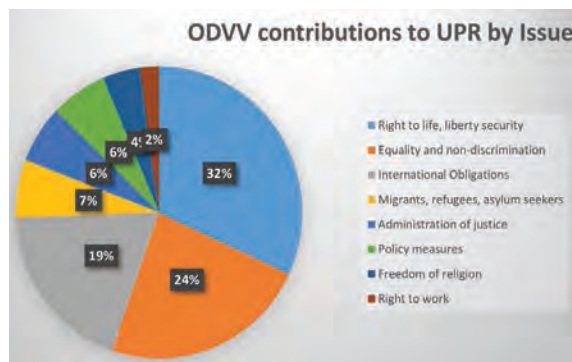
Figure 1: Human rights by Issue



As it is illustrated in Figure 2, the most frequent ODVV citations, distributed by geographical region, cover the Middle East, the Europe and the North America successively. Obviously, the Middle East, with the recent conflicts and instability, has been the main focus of the organization. In Table 2 the distribution of the mentioned “human rights issues” is illustrated by geographical region, reflecting the fact that “Right to life, liberty and security of the person” has the receive a considerable amount of attention both by ODVV and

the UPR mechanism. A right emphasized by the UN Charter, the Universal Declaration of Human Rights and the International Convention on Civil and Political Rights as the main sources of States’ commitments to universal human rights norms reviewed by the UPR working group. As stated earlier, the Universal Periodic Review is aiming at promotion of all human rights in all member states and non-governmental organizations are playing their role in the whole process.

Figure 2: Human rights by Region



ODVV has made significant submissions to the Universal Periodic Review mechanism and the contributions are noted by the UPR working groups. ODVV is looking forward to take further effective steps toward the improvement of human rights worldwide noting that the mechanism has offered NGOs and States a neutral platform in achieving such an invaluable goal.

Table 2: Human Rights Issues Distributed by Geographical Region

	Right to life, liberty security	Migrants, refugees, asylum seekers	Freedom of religion	Right to work	Equality and non-discrimination	Policy measures	International obligations	Administration of justice
Australia & Pacific	%4.2	%2.1						
Europe,	%4.2				19.1			
Middle East	%8.5	%2.1	%4.2	%2.1		%6.4	%4.2	%4.2
Asia	%4.2				%1.1		%2.1	
North A	%10.6	%2.1					%12.7	%2.1

A Look at the Subject of Nationalism in Iran



Faranak Bozorgavari
Political Science Expert

The term nationalism mostly has an application, and different interpretations have been made of it. One of these definitions is by Anthony Smith:

“a named human population sharing an historic territory, common myths and historical memories, a mass, public culture, a common economy and common legal rights and duties for all members.”

“ethnic groups” those human groups that entertain a subjective

belief in their common descent

Max Webber provides a definition of ethnicity which is accepted by many researchers. According to him: “ethnic groups are those human groups that entertain a subjective belief in their common descent...”¹

The rights that ethnic communities must

enjoy are the same rights that all the citizens of a state should enjoy, rights that according to the constitutional law deems all individuals of a society equal, rights such as:

- Equal opportunities in political and administrative officialdom of society
- Fundamental equal opportunities in education, suitable employment and welfare
- Equality in legal rights
- Equality in the right to political participation

Ethnicity in Iran

What we call Iranian ethnic groups today, as a rule are Iranians, and they also describe themselves as Iranians. Which means their national identity is Iranian, and their social identities include, Baluchi, Turkmen, Khorasani, Kermani, Khuzestani, Farsi etc. The social identities in Iran are recognised as ethnic groups, and according to the belief of some they are not deemed as minorities. Because the

Population Ratio	Number (2007)	Linguistic Group
100%	70,495,782	Whole population
60%	42,297,469	Farsi alongside Gilaki and Mazandarani
25%	17,623,945	Turkish
7%%	4,934,704	Kurdish
2%	1,409,915	Lori
6%	4,229,749	Arabic, Baluchi, Armenian, Assyrian, etc.

term minority might not include Iranian identity.² For example in some countries, minorities whose social identity is alien to the social identity of the country, might have at some time taken residence in the country and become minorities. It is something that cannot be considered in Iran, because the Iranian identity is part of the historic, social and even the ideological identity.³

The ethnic demography of Iran according to the National Digital Services of Iran website:

These ethnic groups continually deem themselves as part of the Iranian nation, a feeling of historic belonging to a reality and a broader identity called Iran, or the sense of belonging and sharing common history and culture with other Iranian ethnic groups is a fact that cannot easily be ignored. It means that all groups who have a different language, religion, colour, and race are deemed ethnic groups.

Minorities in the international law

With regards to the ethnicity, an international conference was held in Paris in 1929⁴, and despite all the efforts that were made for determination of the treatment of foreigners, the conclusion was not positive. But the Vienna Convention includes suitable instances for minorities and ethnic groups.

There are principles in international law clearly are related to ethnic groups, and special support is given to them. These principles stress that all people, including members of ethnic, racial and religious minorities have equal rights as other members of society, and they must be able to enjoy their rights without discrimination. Some rights, are of significant importance for ethnic and religious minorities, these rights include, social and cultural rights, freedom of association, freedom of expression, right to education, and the right to learn mother tongue and other clear principles in international laws.

Although the terms minority and ethnicity have not been mentioned in the UN Charter and the Universal Declaration of Human Rights, in paragraph 3 and 4 of article 1 and articles 55 and 65 of the UN Charter, which refer to observation of human rights and fundamental freedoms, declares these rights and freedoms are for all individuals



With regards to the ethnicity, an international conference was held in Paris in 1929 , and despite all the efforts that were made for determination of the treatment of foreigners, the conclusion was not positive. But the Vienna Convention includes suitable instances for minorities and ethnic groups.

without regardless of race, gender, language or religion.⁵

Ethnic Groups Problems in Iran

Today's ethnic groups problems in Iran can be reviewed from two aspects, no attention to mother tongue, and other economic problems.

a) Economic problems

Like the whole of today's Iranian society, ethnic groups are faced with economic sufferings and the resulted problems.

The lack of industrial and production centres and essential economic infrastructures in some provinces of the country, increase in the differences in welfare indexes among deprived provinces comparing to prosperous provinces and the unsuitable distribution of managerial job opportunities, are factors that result in the increasing of poverty in deprived bordering regions, and failure to utilise existing capacities in bordering regions.

A look at the development planning process in the last few decades shows that not enough attention has been given to growth, and people in deprived regions have been faced with numerous problems.

But evidence points to the fact that the inequality

is not due to the ethnicity issue, but it is due to the lack of suitable infrastructures and correct economic management of the country. Since one of the important indexes of the economic problems of a country, is the unemployment index, the review of the unemployment rate in provinces where Iranian ethnic groups live in, we can correctly or incorrectly see the link between ethnicity and unemployment levels in Iran.

For example there are six provinces, three of which are the Kurdistan, Kermanshah and Loristan, and South Khorasan in the east of the country, West Azerbaijan in the north-west, and Isfahan in the centre of Iran, which respectively have Kurdish, Kurdish-Fars, Fars, Turkmen-Fars, Turk and Fars ethnic groups. With a study of the unemployment index in these provinces and analysis of ethnic groups in them, we reach a notable conclusion.

The Statistics Centre of Iran, announced the unemployment rate for 2015 at 11 percent.

Unemployment rate index, ethnicity and provincial distribution in Iran

- Loristan Province – Ethnicity Fars – Unemployment rate: 13.3%
- Kermanshah Province – Ethnicity Fars-Kurd – Unemployment rate 17.7%
- Kurdistan Province – Ethnicity Kurd – Unemployment rate 13.3%
- Isfahan Province – Ethnicity Fars – Unemployment rate 13.8%
- West Azerbaijan Province – Ethnicity Turk – Unemployment rate 10.9%
- South Khorasan Province – Ethnicity Turkmen, Fars, Baluch – Unemployment rate 8.6 (lowest)

Thus the following points regarding the link between ethnicity and unemployment is notable:

- By having a diverse ethnic population, South Khorasan has the lowest unemployment rate in the country.
- Having a majority Fars ethnic population, Isfahan province has higher unemployment rate compared to provinces with Turkish ethnic populations.
- With a study on the aforementioned provinces we reach the conclusion that the unemployment rate in Iran is not proportionate to ethnicity,



The biggest challenge that ethnic groups in Iran have faced is the matter of the teaching of mother tongues by official education institutions in the country, the Department of Education and Training in other words. It is a challenge that according to article 15 of the Constitution must be done, but not happened.

because Isfahan and many other provinces that have majority Fars populations, such as Ghom, Semnan etc. the unemployment index is 13, which is equal with Kurdistan Province whose majority population is Kurd. The comparison of the unemployment rate in the country's provinces shows that the lowest unemployment rate of 7.9 is that of the Fars dwelling central province and South Khorasan with a rate of 8.9 percent.

- The highest unemployment rate are in the Fars dwelling provinces of Kohgilouyeh and Booyr Ahmad and Kermanshah with an average of 17.7 percent.

b) Mother Tongue

Chapter 2, article 15 of the Iranian Constitution states "...the use of regional and tribal languages in the press and mass media, as well as for teaching of their literature in schools, is allowed in addition to Persian." Article 19 states: "All people of Iran, whatever the ethnic group or tribe to which they belong, enjoy equal rights; and color, race, language, and the like, do not bestow any privilege."

The existing languages in Iran are part of the historic heritage of the country, and teaching them can be very fruitful for the survival of this valuable heritage. One of the beauties of Iranian culture is the diversity of languages among ethnic groups, and just as the preservation of historic heritage is a human duty, the protection of the ethnic groups' languages is a message that the Constitution pays

respects to.

The biggest challenge that ethnic groups in Iran have faced is the matter of the teaching of mother tongues by official education institutions in the country, the Department of Education and Training in other words. It is a challenge that according to article 15 of the Constitution must be done, but not happened.

“The common language and script of the people of Iran is Farsi. Documents, communications and official texts and schoolbooks must be written in this language and alphabet. But the use of local languages in the press and mass media and teaching their literature in schools, alongside Farsi is free.”

This article of the Constitution protects the right of ethnic groups to learn their mother tongue, but the application of this has redundant over the years, and ignored.

Fortunately, by prioritising the subject of mother tongue, the current Iranian government has placed efforts for Iranian ethnic groups in enjoying their rightful rights as stated in the Constitution, in its working agenda. Following Hassan Rowhani’s win in the 2013 presidential elections, he added another deputy to the usual deputies of the president, “special deputy on ethnic groups and minorities affairs.” One of the president’s campaign promises was the creation of mother tongue curricula and teaching them in universities. Following last year, when the teaching of Kurdish language and literature in Sannandaj University took on students, this year, the Azeri Turkish language and literature has also entered into as one of the university optional curricula.

Serious efforts are also in president Rowhani’s government working agenda for teaching of mother tongues of Iranian ethnic groups in the Education and Training Department.

Former member of the 9th Parliament, Omid

Karimian, from a Kurdistan provincial town believes that: “the constitution has put an end to argument for all.” Stressing on the “there is no need for a new law or definitions of these laws” in an interview with Iranian press he said: “without a doubt the wish of every homeland loving Iranian is for the united survival of Iran, but this survival must be with political realism, recognition of obstacles in the way of national unity and the challenges of the country. Also not to have conflicts with the understanding of policies and executive methods.”

The representative of Marivan stressed on the necessity to recognise the rights of ethnic groups and said: “what is clear is no diversity, inherently is bad, and not all assimilations are approved, the diversity of social and ethnic forces enable these communities with their capacities and talents, and the proper utilisation of them can be the engine for growth, development, cultural, social, political and economic harmony.”

Conclusion

Without a doubt the economic situation as a result of various factors such as the eight year Iran-Iraq war, international sanctions and economic mismanagement have not been able to provide a suitable economic condition for all members of society. But this economic situation has been a burden for all Iranian communities and they have affected all members of the Iranian society, regardless of ethnic backgrounds.

According to the Iranian constitution, Iranian ethnic groups have equal rights as all of the Iranian people. Now, the right to learning mother tongue which had been in limbo for a while, has been fulfilled with the efforts of the current government and civil society institutions. Although there is a long way to go for the full realisation of human rights, but we hope that such measures can be seen as positive steps on this path.

1. The Sociology of Ethnicity by Sinisa Malesevic, translated by Dr. Parviz Delirpoor
2. <http://sspp.iranjournals.ir>
3. http://en.iran.ir/en_news/ethnic-groups.html
4. http://www.unic-ir.org/hr/Booklet_Minorities_Farsi2.pdf
5. <http://legal.un.org/repertory/art55.shtml>



Kurdistan

Land of Ancient Traditions and Customs

Amir Sadeghi
Anthropology MA

According to history, as an original race, the Kurds have always had a key role in the strengthening and retrieval of the national-Iranian identity.

Researchers believe that the first concentrated empire in the Iranian plateau was created by the Medes, and Kurds are one of the important branches of them. The demography of the Kurdish population of Iran is in the western plateaus of the country and archaeological findings in the western part of Iran and Turkey and Iraqi Kurdistan strengthens the belief that the Kurds had a more highlighted role in the formation of the Mede civilisation in the western plateaus of Iran. Iranian Kurds are spread throughout the west of Iran with an extensive linguistic and customary diversity, and their historic role in the solidification and sustainment of

the Iranian culture is very awe inspiring. The effect of Iranian Kurdish culture on the Iranian national identity resisting the extinction of the overall Iranian culture in the fight against foreign invaders throughout history has been very shining.

From the cultural and anthropological aspects, the customs, traditions and Iranian-Kurdish beliefs are inseparable. Due to geographical and climate conditions and also the dispersal of Kurds among a number of neighbouring countries, and also not having a central political power in their history, their lifestyle, and also the safeguarding of pure culture among themselves has been more than other ethnic groups in Iran who show themselves more in their attire, language, and historic and traditional customs and traditions.

Like the rest of the Iranians Kurds have pure beliefs such as respecting the purity of water, earth and fire which today is upheld like many of ancient Iranian customs such as the Nowrooz



Marivan - Zarinvar - lak - Kourdastan

and Chaharshanbesoori celebrations uniquely in Kurdish regions.

Kurds in the View of Experts

Various experts in history books have spoken of the Kurds ethnic and linguistic origins. Vladimir Minorsky¹, Wladimir Iwanov², Martin Van Bruinessen³, Basil Nikitin (have written 37 books on the Kurds), Straboon, Anne Lambton, Henry Field and dozens of others have conducted serious studies on the Kurds. For example Straboom says:” Iranian youths are trained in such way that they can endure the cold, heat, and rain. They call them Kardak.”

In the his book Anthropology of Iran, Henry Field says: “from language and physical attributes, the Kurds are Iranians, and as a branch of the Iranian race, from language, morals, customs and their way of livelihood aspects they are common with other Iranians.”⁴

In his book “Kurd and Kurdistan” Derek Kennane writes: “Kurds are one of the purest Iranian races who for centuries have existed on the shores of Mesopotamia, Iraq and Turkey to the borders of the Soviet Union were parts of Iran. On the Iranian plateau they are in farming and agriculture and their language is a part of ancient Farsi.”⁵

Kurdistan province is one of the Kurdish speaking provinces in western Iran. With an area of 28,200 km sq. it makes up 7.1% of the whole of the country. This province shares 200 km border with Iraq. The population of Kurdistan province according to the 2011 census is 1,493,645 and has six members in the Iranian parliament.

Religious Diversity among the Kurds: Peaceful Coexistence, Solidarity and Friendship

In reviewing religion among the Kurds, there are two periods, pre and post Islam. The religion of the people of Kurdistan before Islam was Zoroastrianism like the rest of Iran or Persia as it was called then. Zoroastrian rituals among the Kurds, institutionalised the feeling of altruism, valuing human dignity and even the importance of nature among Iranians, from which the Kurds are not an exception from.

With the arrival of Islam into Iran, most Kurds converted to Islam, most of them to the Sunni branch. The majority of the Kurds are Sunni, but if we consider the Kurdish population of Iran alone, there are almost equal number so Sunni and Shia Kurds, which indicates a peaceful

coexistence among Kurds without consideration of ethnicity and religion and peaceful mixture of sects and rituals, which has reached to a peak in humanity.

Rich Treasure of Diverse Human Culture in Kurdistan

As mentioned earlier, from anthropological perspectives, Kurdistan is a rare treasure from cultural elements with amazing blends which has created a wonderful cultural sphere in western Iran. The existence of the Setabr Afrashteh mountains, mountainous climate and seriously hard working people, highlights the culture more than any other place in Iran.



shawls, unique weddings, women's colourful clothes (nationally registered), beautiful and practical handicraft (nationally registered), Kurdish Nowrooz (nationally registered), skills in the use of fantastic traditional and herbal medicines (nationally registered), hundreds of various games (nationally registered), various Kurdish dialects, and dozens of other instances which has made the Kurdish culture into a rainbow over the skies of Iran.

Kurdish Dance, Peace Ambassador

Kurdish dances can be deemed as one of the oldest dances. In the past, Halparakay or Kurdish dancing, was done for physical and mental



Today, living conditions have changed, roads and communications have expanded, living standards have improved, subsequently the cultural performance has changed, and the same cultural elements have manifested into various customs and traditions.

Expression of Life in the Colourful Customs and Traditions

Life in mountainous regions has always been enduring, but the Kurdish people have wrapped the brutal realities of life with beauty, by using anecdotes to each other, sooth their emotional problems with a beauty and fly over difficulties. Also as mentioned their non-material culture is so strong that it can be claimed that it engulfs everything. Harvest festivals, bridal shower, the tradition of giving food to snakes, draping

preparedness and strengthening of the people in Kurdish regions. These regions have always been on the path of foreign invaders and also living in these regions due to particular geographic positions, required people to be prepared to resist invasions and fight for life. Therefore the people of these regions in between combats and for various occasions would hold hands with each other to show their steel unity and readiness for battle. Doing Halaparakay during harvesting, occurrence of natural disaster, strengthens the earlier mentioned aspects of the appearance of Halaparakay. This dance is intertwined in Kurdish culture as one of the performance arts, and the reason for its preservation despite many ups and downs, is its engraining with the life of the people. Today these dances as symbolic body movements, have created a language for dialogue

with other races – body dance. In June 2011, the dances of Kurdistan province were registered on the list of the national heritages in Iran (No. 224).

Music, the Language of Reconciliation

Some of Kurdistan's music is ancient and does not fit into the Iranian music and musical instruments categories. Another part of Kurdish Music that include Iranian music notes and instruments, although might not be the lead in Iranian music, but is still an inseparable part. Big Kurdish musicians in Iran have managed to give an image to give excitement and the legends of the Kurdish mountains and joy and pain of the people in the form of the music the

Houraman, Kurdistan's Paradise

Many of the tourists who have visited Kurdistan believed that the Houmaran region is a piece of heaven that God has sent to earth. This vast region includes a part of Kurdistan of Iraq and parts in Iran, in the Kurdistan and Kermanshah provinces.

In Houraman colours are thrown together, mountains reach the skies and valleys are guardians of people with their pure and sacred beliefs, where "worship" is the least word for the whole of their living. Life breathes in Houraman, and wherever you look you will see God's fingerprints.

The villages of the region are often stepped on



produce.

Kurdish music, is the music of reconciliation. The music screams of seeking peace and happiness. Not many after listening to this music will not discover the spiritual connection, connection with nature and human dialogue. Hope for life, the expression of pains and putting them behind, and happiness and excitement of rising up, are the main elements of Kurdish music. This music is also nationally registered as a cultural heritage.

the inclines of the mountains, and if in turn we look from top to bottom we shall see the sky which has come to the ground, and the mountains that they have climbed, and humans and then the forests and finally the water which have found their way and continued. What is good from Houraman is ancient and harmonic which humans and nature have created. And because of this the "Cultural View" case of the Houraman region has been sent to UNESCO for international registration, until it is placed in the temporary list.

1. V.Minorsky, "The Guran", Bulletin of the School of Oriental and African Studies 11, No. 1 (1943), 75. 39
2. Wladimir Iwanov: "the term Kurd in the Middle Ages was applied to all nomads ofIranianorigin", published by G. Bardim (1940) p42
3. Martin VanBruinssen: "The ethnic identity of theKurds", in: Ethnic groups in the Republic of Turkey, compiled and edited by Peter Alford Andrews with Rudiger Benninghaus (Beihefte zum Tubinger Atlas des Vorderen Orients, Reihe B. No. 60), Wiesbaden: Dr. Luf-wich Reichert, 1989, pp613-21
4. Henry Field, Anthropology of Iran, 1964, translated by Abdollah Fariar, Franklin Publications
5. Kennane, Derek (1969), Kurd and Kurdistan, translated by Javad Hatefi, Tehran, Attaee Publications



Trump and Human Rights

Saeed Sarani , PhD student in
International Relations

Introduction

The United States of America can be seen as one of the influential countries in global developments. Any change or development in this country can quickly and strongly take on global repercussions. Donald Trump winning the presidential elections was one of the most unexpected political events following the end of the Second World War in the era of the domination of democracy discourse. One of the various consequences that can occur with Trump in the Oval Office might be the subject of human rights. Aside from political exploitations of human rights by superpowers, human rights can be seen as one of the most important achievements of Mankind in the modern era. Here, a number of questions arise: How much in conflict are Trump's campaign slogans and policies with human rights? What relation do these conflicts have with the nationalist and populist tendencies of Trump? And finally, what relation does Trump's anti-human rights tendencies have with ideology?

1- Human Rights

Human rights are the most basic and fundamental rights that each individual inherently and naturally has for being a human. This simple definition has important social and political consequences and reactions for the people and governments. According to the Universal Declaration of Human Rights and other international documents, these rights include characteristics such as, universal, undeniable, non-transferable, inalienable, non-discriminative and equality seeking, interconnected and intertwined. Thus these rights belong to all individuals in every part of the world, and no one can be denied these rights regardless of what geographical location they may be in. These rights include natural and legal rights which exist in national and international laws.

2 – Trump and the Position of NGOs

Human Rights Watch listed President-elect Donald Trump as a threat to human rights, calling his campaign a “vivid illustration of the politics of intolerance.”

“Donald Trump's election as US president after a campaign fomenting hatred and intolerance,

and the rising influence of political parties in Europe that reject universal rights, have put the postwar human rights system at risk,” the group said in a 13 January 2017 statement announcing a new report.

Trump's position and remarks on minorities, women and immigrants has caused the reactions of human rights defending groups. Plans such as the building of the wall on the Mexican border, and deportation of 11 million illegal immigrants, his views on women's rights and many other controversial views, has spread these reactions. So basically it can be said that Trump is a potential threat to human rights. We must see where these threats to human rights of his originate from.

3 – The Clash between Globalism and Isolationism

Modernism, sees its ideas and theories as universal, and it deems it for the wellbeing of Mankind necessary and apt. In other words, this ideology, deems the realisation of western modernity in the world possible or necessary, and in any event, good. For this reason, from the outset it had the notion of claiming to be global and universal. Human rights is one of these concepts. On this basis one of the most common challenges that human rights concept is faced with, is interpretations that exist from the wisdom institutions (such as universality). In this regard, the most important question is, is human rights a universal concept, and it's the common ground of all moral and belief systems? Norms such as human rights, although might appear that are legitimate in all ages, but its concept in different eras practically will result in a difference in definition and ultimately change in concepts. The Universal Declaration of Human Rights tells us that these rights are regardless of gender, race and nationality, the dignity, innate and inalienable inherent rights must be protected under any circumstances. These concepts that are absolute and universal on which the basis of the concept of human rights is solidified. Various philosophical approaches of the 20th Century say in different times and places, the definition of values change, and from the



we must point out that nationalism is a right wing socio-political movement which by focusing on national interest as a turning point of all internal and external interests, causes evolutionary leaps and speeds up nations' movements towards a global civilisation.

knowledge aspects it is a big blow to the concept of human rights. Trump, has in various ways stated that he's not much interested in America's international responsibilities, because he is trying to solve America's domestic problems. Trump's tendencies, according to his speeches and stated positions is to isolationism, which is Trump's first conflict with human rights.

4 - Trump, National Interests and Human Rights

The net question is can trump be seen as a nationalist, if so, what effect will it have on the position of human rights in America's policies? In reply we must point out that nationalism is a right wing socio-political movement which by focusing on national interest as a turning point of all internal and external interests, causes evolutionary leaps and speeds up nations' movements towards a global civilisation. Today all politicians speak of national interests. Trump speaks less of the common language and culture heritage of America. But one his important slogans was "make America great again", and to an extent that slogan brings him closer to being a nationalist politician. The logic of this narrative



Ideological tendencies means that parallel to factual subjects (in relevant aspects) that get closer to mental subjects satisfactorily, the treatment of factual subjects too get closer towards the determined behaviour in a satisfactory way on the basis of mental laws

is that nationalism in any form ultimately is at the service of local (internal) objectives, and clashes with any form of universality. Human rights is a universal concept. Stressing on the interests of a particular race clashes with this concept. Human rights is based on an international nature, and nationalism contradicts world homeland or internationalism. Internationalism supports the removal of all borders and the demise of the today's concept of "country". When we compare this ideology with Trump's wall plan, the conflict level is clearly notable. With concepts such as "love for country" and or "love for the nation", nationalism goes to war with internationalist beliefs and tries to the shortfalls that have come as a result of system and individuals' failures of the "world homeland". Universality is one of the most important characteristics of human rights and the argument of the relationship of human rights universal principles and the micro basis on which these principles have been conformed with are of significant importance.

5 – Trump, Populism and Human Rights

Donald Trump's slogans specifically put him in the category of populist politicians. He claims to have created the most jobs than any other president to-date. He has also vowed that by the end of his four year term to draw positive approval ratings of 95 percent of African-Americans. Such slogans are the main profile of populist politicians.

Populism has a number of the following characteristics:

1 – Drawing people's support by giving general

and ambiguous promises, and usually under the control of a charismatic leader

2 – Following political objectives, independent from existing parties and institutions, by calling the masses to put direct pressure on the government.

3 – Glorification and sanctification of the populace, with a belief that political objectives must be determined by the will and the power of the people and separate from political parties or organizations.

Of course the political tradition of populism has a special form in each country. Expansionism and boosting forces related to domestic markets and at times freedom of syndicates are some of the important natures of the populism period.

As observed the major nature of populism is leaning towards the masses. By creating a hegemonic structure this nature tries to fulfil the nation's interests in a general concept. History has shown that these policies ultimately result in conflict with human rights. Furthermore the collective popularize with an individualistic nature of human rights clashes with knowledge.

Conclusion

Ideological tendencies means that parallel to factual subjects (in relevant aspects) that get closer to mental subjects satisfactorily, the treatment of factual subjects too get closer towards the determined behaviour in a satisfactory way on the basis of mental laws. By proposing ideas, Trump tries to portray the real world in a different way. There are two groups of ideas. Ideas that have come about from historic experiences and those that are from the mind. Human rights is an idea as a result of bitter historic experiences of Mankind, particularly in the 20th Century. Disregarding the world's realities and launching these ideas will bring a dangerous situation in which demands and values are based on the induction of hegemonic structure and towards the fictitious interests of the populace or nation. These ideas simply clash with human rights. Trump is a clear example of this new situation.



Syria and the Human Rights Challenges

Zahra Mirabian, International Relation
Researcher

Terrorism is the first and most important outcome of the Syrian crisis. ISIS terrorism which originates from an extremist ideology, has managed to the legacy that had been left behind by Al-Qaeda, attack the sinew of the fundamental institutions of Mankind. Now, with the beginning of 2017, not only Syria, but the whole world is under serious threat of extremist ideology.

Over these years, the UN, who, can be said, is in charge of peace, has in a way been responsible for the growth and escalation of terrorism due to not having enough political will and only satisfied with impractical resolutions, recommendation and statements. Whereas, the important issue regarding the serious crisis is the lack of attention towards the growth of terror groups in the country and the tools use of a number of countries in

reaching their political objectives through these groups.

The fight against terrorism towards observation of peace, is one of the duties of the UN (Security Council Resolution 1368). But what kind of performance has the UN made from 2011 at the same time as the rise in terror activities on one hand, and crimes committed by extremist groups such as ISIS and Al-Qaeda?

From the outset of the Syrian crisis back in March 2011 till the final days of 2016, the international community spent more than five years just releasing resolutions and statements, until finally the Security Council in a consensus issued Resolution 2366 for the ceasefire in Syria. But how much have these measures managed to reduce terror acts in the world?

Now with the expansion of the infiltration of these groups around the world, a world that did not pay much attention to the rise of terrorism in Syria, is now under threat of these groups and their

sympathizers or supporters. In this article we have a brief review on evidence of this little attention.

Little Attention to the Rise of Terrorism in Syria

This low or lack of attention towards the terrorism crisis in Syria can be reviewed from various angles.

1 – From 2011 and the start of the Syrian crisis, in spite of being aware of their citizens joining the ranks of terror groups in Syria, numerous countries did not conduct necessary investigations and did not prevent their citizens from joining extremist groups in the region.

2 – The borders of a number of Syria's neighboring countries have been completely open to allow extremist groups and military equipment into Syria.

3 – With the fall of Mosul into the hands of ISIS, and the taking over of oilfields in Iraq, ISIS has sold oil, freely exchanging money from a number of countries.

4 – Terrorism which is the root cause of today's crisis in the Middle East region, takes many casualties every day in the world. Unfortunately terrorism and its threats drew worldwide attention only when it infiltrates some countries. The threat of Al-Qaeda drew the world's attention when the 9/11 attacks took place.

ISIS with its vast swaths of territories under its control in Iraq and Syria became top attention to some international organizations, the media and governments when it launched its terror attacks in Europe.

And foreign extremists who had joined terror groups in Iraq and Syria drew international attention, when concerns were raised from the returning of these individuals to their countries.

These four instances are only some of the signs and reasons behind ISIS becoming powerful in Syria, which the international community paid less attention to and despite the media and press warnings about them, up until 2014 the international community and the UN hardly paid any attention towards them.

The UN and Beginning of Crisis in Syria

The UN and its fundamental pillar i.e. the Security Council have had a political procedure regarding the Syrian crisis and have not shown enough awareness towards the rise of terrorism.

The lack of indexes to guarantee investigation of Security Council resolutions and the political approach towards human and humanitarian issues in the UN always result in the occurrence of painful catastrophes in the world.

The main issue in the expansion of the Syrian crisis and its being prolonged, is the ignoring of terror groups as the main cause of the complexity and lengthiness of the crisis by the UN.

Perhaps a brief look at the practical approach of



the UN towards the terrorism issue will help us understand this lack of attention. And perhaps in the event of the acknowledgment of the international community to this shortfall and active measures towards the existence of the terror threat from the beginning of crisis and investigation of the reasons behind the formation and strengthening of terror groups, today we might not have been witness to the bitter and painful events of the past.

Practical Approach of the UN from the Outset of the Crisis

To date, the UN Security Council which is responsible for preserving international peace and subsequently protection of human rights, has issued 21 resolutions on Syria. On behalf of the

Human Rights Council Independent Investigation Commission on Syria also has released around 17 resolutions and nearly 30 reports, statements and oral reports to the Council.

The majority of UN (Security Council and Human Rights Council) resolutions that have been issued, even though the Syrian crisis began in 2011, but the attention to terrorism and its spread, the resolutions have mostly been issued since 2014. It means up until 2014, the UN has shown less reaction towards drawing the attention of the international community to the threat of rising terrorism in Syria. Correspondingly world leaders too had deemed the Syrian issue a civil war and religious conflict, while from 2011 to 2014 ISIS was expanding territories under its control in Syria and Iraq.

A quick review of Security Council and Human Rights Council resolutions on Syria proves this point. Also a quick review of UN resolutions on terrorism gives us the warning that the terrorism issue only came to the attention of the UN in 2014, three years after the beginning of the crisis.

1 – Human Rights Council Actions

With the start of the Syrian crisis in March 2011, on 12 September the same year, the Human Rights Council selected members of the Syria Investigations Committee. According to its founding document, this Committee has had the duty to review the events and the situation of crimes committed as a result of the Syrian crisis, also those who had participated in these crimes. The first report of this Committee was published in 2011.

According to article 6 of the founding document of this Committee, the members of the Committee can investigate crimes committed by individuals.

In the initial report cases of human rights violations committed by the security forces and the military in Syria are reported. Also in this report the violation of the Constitution in Syria and disregard for international commitments have been

mentioned. And in the report, the Syrian regime is condemned for numerous violations of human rights.

The reports of the Investigation Committee on the human rights violations in Syria, February and August 2012, February, June, September and December 2013, February, August and September 2014 condemns the Syrian government's actions in violating human rights. In November 2014 for the first time the Committee reviews a report on living under ISIS. In March 2015, the oral statement of the Independent Committee is published.

With the start of 2016, as well as the Syrian government which is condemned in Council statements, the other side of the conflict also gets



condemned by the Independent Committee, as well as the Syrian government. And in mid-2016, publishes a report which condemns the crimes committed by ISIS against the Yezidis.

Despite the efforts of the Independent Investigation Committee of the Human Rights Council, the terrorism and spread of terrorism issue as a result of the activities of groups associated to Al-Qaeda, such as Al-Nusra and ISIS have been ignored. Terror campaigns of ISIS and other groups is no secret to anyone, but the prioritization of the Independent Investigation Committee on Syria regarding the Syrian government and ultimately crimes committed against the Yezidis, is something that confirms the selective and political approach towards terrorism in Syria.



Genocide is one of the absolute principles of international law, and the violation of this law is deemed the violation of peace, something that is not covered in the Independent Committee's reports. And the subject of crimes against humanity is recently raised in the siege of Aleppo five years after the start of the crisis, at the UN and Human Rights Council.

According to videos that have been posted on the internet and according to reports of journalists, terror groups in Syria are committing brutal crimes against the Syrian nation, be they Christian, Sunni, or Alawi.

Genocide is one of the most important issues that has been conducted by these terror groups. Crimes against humanity commence from 2011, and the horrific clip of a child being beheaded by terrorists is just one of hundreds of thousands of instances which should move the world. Just like other institutions, the international media, through selective coverage of the atrocities in Syria, only highlight a tiny part of the painful reality in the country.

The notable point here is that genocide commences towards the end of 2013 with ISIS and other terror groups becoming more powerful in Syria. The genocide committed against the Yezidis, Christians and Alawis in Syria and Iraq is no secret to anyone. Genocide is one of the absolute principles of international law, and the violation of this law is deemed the violation of peace, something that is not covered in the Independent Committee's reports. And the subject of crimes against humanity is recently raised in the siege of Aleppo five years after the start of the crisis, at the UN and Human Rights Council.

2 – The Security Council

With the start of the Syrian crisis in 2011, the UN Security Council has issued 23 resolutions (from 2011 till the December 2016). Four of

these resolutions have condemned ISIS and Al-Qaeda. These four resolutions in February, August and September 2014, and November 2015, have spoken of the threat of ISIS and Al-Qaeda affiliated terror groups. Thus, in spite of existing news that these terror groups have been active since 2011 and in 2012 gradually took over, the issue was only highlighted in 2014.

3 – Resolutions on Terrorism

Since 2001, when the famous “terrorism” resolution was adopted, the UN put the fight terrorism in all its forms its slogan and goal. But in being confronted with the Syrian crisis, terrorism resolutions were issued with a very long delay. From 2013, ISIS and Al-Qaeda and other extremist terror groups managed to actively and extensively with full military equipment and unlimited financial resources take over vast parts of Iraq and Syria, and commit atrocities.

Brief Review of Terrorism Resolutions Background

UN Resolution 1368 on terrorism, which was issued according to Chapter Eight of the UN Charter, following the 9/11 attacks that killed 2973 people and left over 6000 injured, condemns any form of funding and support for terrorism.

Through this Resolution, the Security Council has stressed on the link between international terrorism and organized crime such as drugs trafficking, money laundering, arms trade, human trafficking, and illegal transportation of nuclear, chemical and biological materials.

Another important Resolution is 1373, which was issued on 28 September 2001, and is not much different to Resolution 1368. This Resolution only deems countries joining the international agreement on the fight against terrorism as necessary and calls upon all member States to:

1 - Prevent and suppress the financing of terrorist acts;

2 - Freeze without delay funds and other financial assets or economic resources of persons who commit, or attempt to commit, terrorist acts [...]

3 - Prohibit their nationals or any persons and entities within their territories from making any funds, financial assets or economic resources or financial or other related services available, directly or indirectly, for the benefit of persons who commit or attempt to commit or facilitate or participate in the commission of terrorist acts, of entities owned or controlled, directly or indirectly, by such persons and of persons and entities acting on behalf of or at the direction of such persons

According to the aforementioned Resolutions, the fight against terrorism towards the preservation of peace is necessary and countries must refrain from supporting these groups. This is while from the start of the Syrian crisis till 2015 and the adoption of Resolutions, 2250, 2253 and 2255, the terror groups issue – such as ISIS – has remained untouched.

In Resolution S/RES/2249 (2015) ISIS and Al-Qaeda affiliated groups have been deemed as threats against international peace and security. And in Resolution S/RES/2253 (2015) growing terrorism has been referred to as a threat to international peace and security.

The two aforementioned Resolutions are perhaps a new chapter in the fight against terror in the Middle East, but the few years delay in the adoption of these Resolutions indicates the politicization and prioritization of the interests of governments in confronting terrorism; an issue that continually is one of the serious criticisms directed at the performance of the UN, which is political approach to world crises and not enough attention to human rights.

Conclusion

The world enters 2017 under circumstances which is sadly faced with inhuman actions, violation of customary laws in international law and the expansion of terrorism faces Mankind with a difficult challenge. Following the end of the Second World War and with the UN Charter, there were mechanisms with the hope of bringing peace and security to the world, but they are repeatedly violated and not applied and exploited by interests and politicizations. And according to past routines, more people fall victim on a daily basis, like in Rwanda, Bosnia, and now Syria and Iraq. With the adoption of the latest UN Security Council Resolution regarding the multilateral ceasefire in Syria, perhaps new hope on the road to peace might be created. But existing concerns on the spreading of extremist ideologies which are the main factor in today's terror crisis, will seriously and vigorously remain a serious challenge in the future. Overall it seems that for as long as crisis neighbouring countries and regional governments benefit from the Syrian crisis in reaching their long and short term objectives, the crisis will remain at full strength. Nevertheless, a heartening point has come about these days. The new UN Secretary General in his first speech has expressed hope for 2017 to be a year full of peace for Mankind. In parts of his speech he stressed that we cannot wait for a miracle to happen. Perhaps what he means is that without resolute determination and will in the world, peace and human rights will just remain empty slogans and distant dreams. The Syrian crisis perhaps is the most important confirmation of this dream.

Sources:

<http://m.huffpost.com/us/entry/6758672>

<http://mm.huffpost.com/us/entry/8808024>

<http://www.securitycouncilreport.org>

<http://www.ohchr.org/EN/HRBodies/HRC/IICISyria/Pages/Documentation.aspx>

The Human Rights Council, in its resolution S-17/1, mandated the commission to investigate all alleged violations of international human rights law since March 2011 in the Syrian Arab Republic, to establish the facts and circumstances that may amount to such violations and of the crimes perpetrated and, where possible, to identify those responsible with a view of ensuring that perpetrators of violations, including those that may constitute crimes against humanity, are held accountable.

<https://documents-dds-ny.un.org>

<https://www.youtube.com/watch?v=8A6HbSXhE5E> Graphic! Beheading of a child by Noreddin Rengi terror group

http://www.un.org/en/sc/ctc/docs/2015/N1538413_EN.pdf



The Human Rights Situation of Children

Negar Paidar
Human Rights Issues Resercher

In 2016, Just like the previous years, the human rights situation in the world was pretty bad, and of course the cases of human rights violations in regions such as the Middle East was more severe and extensive. Subsequently, with an overall violation of human rights, the human rights situation of children will not be good either. In the international human rights system, children are the first vulnerable group in social categories, therefore the least of violence and abuse, and undermining of rights can have direct and irreversible physical and mental effects on children. Children are young, immature, can be easily exploited, and in many cases they are abused by individuals who are responsible for taking care of them.

Today, millions of children have no access to education and health care, work long hours under hazardous conditions and are forced to serve as soldiers in armed conflicts. They suffer targeted attacks on their schools and teachers or languish in institutions or detention centers, where they endure inhumane conditions and assaults on their dignity.

Phenomena such as armed conflicts, terrorism, refugees, and internal conflict are some of the

crises that extensively affect the lives of children. In this report we look at the critical situation of children:

1 – Children as refugees

Refugee is an individual who is forced to leave his country for various reasons including war, natural disasters, and abuse and often tries to get permission to live in another country. Children make up more than half of the refugee population. According to UNHCR figures there are 21.3 million refugees in the world and more than half of them are individuals under 18 years of age. Fifty-three percent of the world's refugees are from Syria, Afghanistan and Somalia.

Not only do these children suffer from wars or other forms of abuse in their countries, but they also face numerous human rights issues in destination countries too. Problems relating to residence and housing, education, health, employment and their cultural life, that on the basis of these realities, the International Convention on the Rights of the Child, pays particular attention to child refugees and asylum-seekers. According to article 22 of this Convention, States must guarantee protection of child refugees and provide them assistance. This is applicable to both unaccompanied minors and those that are with their parents or other guardians. States must also to find the parents or the families of child refugees that are in their countries.

In accordance with international human rights principles and refugees rights, the protection of refugees has various aspects and includes their safety against return to dangerous conditions, fair and suitable access to the refugee processing and guarantee of the observation of their human rights when they are seeking long-term solutions. And of course the observation of this principles is not possible for one regional or international organization and requires international attention and cooperation.

1-1 Right to education

Today, education remains an inaccessible right



Today, millions of children have no access to education and health care, work long hours under hazardous conditions and are forced to serve as soldiers in armed conflicts

for millions of children around the world. More than 72 million children of primary education age are not in school and it is girls who have the least access to education. They make up more than 54% of the non-schooled population in the world. Factors linked to poverty such as unemployment, illness and the illiteracy of parents, multiply the risk of non-schooling.

Due to several reasons, the study of statistics on refugee children's education has many complications. Meaning that the housing or sheltering of refugees is not spread equally around the world. Developing countries have taken in four fifths of forced migrants, and there are not many reports on the access of these refugees to education in these countries. Also a lot of the host countries have not signed the Refugees Convention and therefore the UNHCR is limited in providing assistance to refugees in these countries.

According to UNHCR, only 50 percent of child refugees have access to primary education. In other words there are 6 million children that are of school-going age between 5 and 17 and more than half, 3.7 million, have no school to go to. Some, 1.75 million

refugee children, are not in primary school and 1.95 million refugee adolescents are not in secondary school.

These figures show that refugees' access to education is very difficult, and it seems that statements on refugees and observation of their human rights are nothing more than symbolic. Of course aside from financial restrictions which alone can be an important factor for their lack of access to welfare and good social conditions, host countries who fear the wave of refugees coming to their countries try to reduce the influx of refugees by avoiding provision of education due to budget limitations.

1-2 Right to health

43% of children under 5 years of age in low- and middle-income countries – 249 million children – are at risk of not reaching their developmental potential. According to UNHCR, vulnerable children are prone to acute infections such as respiratory infections and diarrhea because of poor living conditions and deprivation during migration, and they require access to acute care. Lack of hygiene can lead to skin infections as well.

Health conditions of children in under-developed and developing countries require special attention. It seems that improper infrastructures, the lack of enough personnel, equipment and medicine, internal and international wars and conflict, have made the access of women and children to health in these countries more difficult than before. Also access to drinking water due to both drought and conflict in some regions, has become difficult for children who live in poor and war torn countries. Malnutrition is strife in poor and conflict regions for example more than 3 million women and children are suffering from malnutrition since the start of the conflict in Yemen.

According to UNHCR, in relation to forcibly displaced populations in developing countries, the top five killers of children under the age of five are malaria, malnutrition, measles, diarrhea and respiratory tract infections.

The abovementioned health related issues is direr for refugees and particularly those refugees who are in unofficial and illegal camps. The budget that has been considered for their health is so limited that they can hardly benefit from it. Also according to a UNHCR report, governments usually do not have the inclination or necessary capacity to legislate for the health of the country with refugees. Also these children have particular conditions which makes the

provision of services to them more difficult, such as difference in language and culture.

Child marriage is also an important factor in damaging the physical and mental health of children, limits their access to education and hinders their social development. Today, nearly 700 million girls are married and it is estimated that this figure will reach 950 million in 2030. Some of the factors of this phenomenon include traditional culture, parents' fears and economic poverty. It means that the parents of girls in Africa and South Asia who are worried about their children getting subjected to sexual violence and being forced to let their daughters into shame marriages, when they even provide the full dowry of the marriage, and many of them receive money for giving their daughters away to husbands.

1-3 Child labour

According to the International Convention on the Rights of the Child, individuals under 18 are deemed children, unless applicable law regarding children foresees a lower age. Therefore the minimum age for child employment varies from country to country. But most countries of the world deem 18 as the legal age for all types of work, particularly hard work, and 15 for some easy jobs which do not affect the physical and mental health of children.

According to International Labor Organization (ILO) statistics, 250 million children aged 5-14 are deprived of childhood. According to these figures, 150 million of them enter the job market and are working fulltime – 61 percent of these children live in Asia, 32 percent in Africa and 7 percent in Latin America. Human trafficking is one of the major ways in bringing children into the job market. Various factors are influential in this regard, such as the family structure, poverty, sudden economic changes due to war and incorrect learning. These children can easily become the puppets of professional criminals that include robbers or drugs distribution groups, or brothel owners, the military etc.

2 – Children and armed conflicts

One of the important causes in the violation of human rights and creators of living crises, are wars and internal and international armed conflicts, which severely affect children. The right to life is one of the most basic of human rights that threatened every moment in conflict regions, and it seems that it does not leave a place for the observation of other rights.

During the last 10 years, around 10 million

children are estimated to have been killed as a result of war. For instance, by mid-December 2016, Syrian Observatory for Human Rights (SOHR), reported the number of children killed in the conflict had risen to 15,948. UNICEF estimates that 8.4 million children are affected by the conflict either in Syria or as refugees.

According to the Geneva Convention, article 27 to 34, the fundamental guarantees granted by these texts, such as the right to the respect of life, physical and moral integrity, the ban of forced bodily services, torture, collective punishment, and reprisals are applicable to children.

War affects every aspect of a child's development. Children affected by armed conflict can be injured



or killed, get uprooted from their homes and communities, internally displaced or refugees, orphaned or separated from their parents and families, subjected to sexual abuse and exploitation, victims of trauma as a result of being exposed to violence, deprived of education and recreation, at risk of becoming child soldiers.

Since these problems have been discussed in the first part of this article, here, we shall deal with another important instance, child soldiers in other words.

According to the Geneva Four Convention Additional Protocols and the activities of the Child's Rights Committee of the Convention on the Rights of the Child (1989), every individual under 18 is deemed a child, and States and conflict parties are duty bound to refrain from having them in armed conflicts. According to the Optional Protocol on the Involvement of Children in Armed Conflict,

individuals under 18 must be allowed to take part in armed conflicts and the recruitment of these individuals is prohibited. Therefore a child soldier is anyone under 18 who is a member of armed governmental forces or of a regular or irregular armed group or associated with these forces, whether or not there is an armed conflict.

Child soldiers can play various roles, such as taking part in war and conflict, act as human shields on the front lines, setting up mines and explosive devices, reconnaissance, couriers, preparation of supplies and ammunition, cooking and domestic chores, and ultimately sexual exploitation.

It is estimated there are 300,000 children in armed groups around the world.

Child soldiers continuously face numerous problems and issues, and this matter deserves more attention than before. Today, it has become easier to use children as soldiers with the spreading of light and cheap weapons; because they are easy for children to carry and use. The physical injuries of children in war is only a part of the cost that children pay. These children face with numerous social problems, they are deprived of their families and school, and do not have access to medical treatment. They are isolated and hidden and spend most of their time away from society and are in the theatres of war. Usually they do not return from the battlefields, because ultimately they get killed or are let go when they get injured.

These children, unable to grow up in an atmosphere of trust and having had to face atrocities from a very young age, often develop the conviction that violence is a way like any other to solve disputes, and so it is difficult for them to send a message of peace and international security to future generations.

Conclusion

Children are the first vulnerable group of society, the protection whose rights are stressed in all human rights conventions and covenants. Today, armed conflicts, being refugees, displacement, poverty and many other factors have put the lives of millions of

children in danger. These children are struggling with the threat of having no chances in education, hygiene and medical treatment. From early age they have been witness to various disasters which can regenerate violence.

States, organizations and the people of the world must try more than before to reduce the tragedies that take place for children. The most important way, and perhaps the only way to end the problems of children in wars is to stop armed conflicts in the first place. International actors can play a role in prevention through lobbying and talks with each other and searching for long term and peaceful solutions. The prevention of the outbreaks of civil and international wars and establishment of sustainable peace is one



of the important objectives of the international community.

With regards to migrants and asylum seekers, necessary and legal measures must be taken so that these people are not faced with discrimination, isolation, racial violence, forced labour, extrajudicial detention and forced repatriation. Because according to international laws, regardless of their means of arrival in other countries, their rights are protected and host countries need to integrate their foreign individuals' into their culture.

Sources:

<https://www.unicef.org/sowc2016/>

https://www.unicef.org/iran/fa/children_youth_2693.html

<http://www.unric.org/en/world-refugee-day/26978-new-report-developing-countries-host-80-of-refugees->

<http://www.humanium.org/en/middle-east-north-africa/syria/>

<http://www.humanium.org/en/children-in-war/?gclid=CKb4y8GrutECFcIp0wodKqEMBA>

<https://www.warchild.org.uk/what-we-do/protection/child-soldiers>

Children's Police and the Necessity for its Formation in Iran

Nosaibeh Sadat Alavi
Political Science Expert

The global village today has gradually removed national, geographical and continental borders and the advancing technology has given the present world an opportunity for more constructive communication. However, challenges such as poverty and crime are the other sides of the world's reality, which threatens peace and security of mankind in general and challenges children and their innocent privacy in particular all over the world. Today millions of children around the world are either in difficult conditions because of having no guardians, displacement due to conflict or natural disasters, malnutrition, infection from dangerous diseases, parents' addictions or problems due to parents' divorce, or are in the trap of evil individuals, they are exploited and their rights are abused in various forms while they are engaged in activities such as distribution of drugs, prostitution and forced labour. Of course the form of children's rights violation varies in different parts of the world. In developing countries, children mostly struggle with poverty and its repercussions such as malnutrition, lack of hygiene, lack of access to medical and educational services; whereas in developed countries, children struggle with moral problems and weakness of the family institution. Under these circumstances, the guarantee of the observation of children's rights, support for their welfare, and a life without fear, and their growth in peace and tranquillity, requires, ethnic, national and international commitments. To this aim, the setting up of an expertise body for the support of juvenile criminals or victims of crime, can be an important step in the support of our future generation.

A look at children's rights

At the international level, children's rights is



not a new issue, and dates back to the end of the First World War. Adoption of the International Convention on the Rights of the Child (1989) by the unanimous vote of the UN General Assembly showed a universal will for the move towards a better future for children. The contents of the Convention is the result of decades of thinking and collection of experiences from all over the world from different cultures and countries. Since then, we have witnessed a move towards the realisation of children's rights in accordance with the contents of the Convention, in a way that many countries have reviewed their national laws within the framework of the Convention on the Rights of the Child. In 1994, the Islamic Republic of Iran signed the Convention conditionally, and since then it has showed its commitment towards the improvement of children's situation through notable advances in health and hygiene, education and training, freedom of expression, participation of children in designing and



implementing programmes for themselves. The several years efforts to compile a draft legislation for the investigation and prosecution of juvenile crimes until the adoption of the generalities of the legislation in the Islamic Parliament is another measure of Iran in new achievements such as the setting up of child and juvenile police to meet national and international standards.

The need for Children's police

The New Islamic Criminal Code which was approved by the parliament in mid-March of 2013, is a law that according to many experts will remove many the existing vacuums in the Criminal Code (Article 570 and 230 of the Islamic Criminal Code have clauses which were ratified in the 23 February 2014 meeting of the Parliamentary Judicial and Legal Commission in accordance with article 85 of the Constitution. This law was confirmed by the Guardian Council on 17 March the same year). One of the achievements of the

new law is the formation of a special police unit for children and juveniles. In the new law, the criminal justice process for children, senior citizens and women have been noted and with the training of relevant judicial bailiffs, attempt has been made to approach these individuals with juvenile criminals or victims organized. In fact with the formation of this specialised police unit, with the observation of specific and legal principles, officers of the law and bailiffs will observe citizen's rights in courts in a much better way. The children and juvenile police formation draft legislation has been prepared according to article 31 of New Islamic Criminal Code. The article states: "For the purpose of the good execution of the duties of bailiffs regarding children and juveniles, a special children and juveniles police unit is set up within the Police Force of the Islamic Republic of Iran. The duties and jurisdiction of this unit is based on the draft that is prepared by the Head of the Judiciary." Currently children's and juveniles

police have been set up and are active in all gendarmeries and special police, and with the adoption of the executive guidelines of article 31 of the New Islamic Criminal Code the activities of this police unit will improve.

Today, court bailiffs are the executive arms of prosecutor's offices and courts carrying out their duties, the law has set them many duties, which covers the first moment after a crime is committed until the final minutes of the implementation of punishment. These duties and jurisdictions indicate that individuals with particular and unique criteria must be in this position. In child and juvenile crime, the importance of having experts is multiplied, because in their prosecution process, there is a high possibility of violation of legal criteria. Therefore the existence and presence of a police unit that is trained how to deal with children and juveniles is a solution. It seems that due to important reasons such as the sensitivity of the child and juvenile group and their vulnerability, their immunisation from the damaging repercussions of the intervention of the criminal justice system and also prevention of future crimes, the setting up of specialised children and juveniles police unit is very important in the criminal justice system. To this aim, international enforceable documents stress on the existence of these police units, and have set specific regulations in this regard, subsequently the most developed countries have taken steps in setting up this unit.

The necessity for a suitable judicial process for children and the status of children's police unit requires a practical and expertise workforce who knows how to face children who break the law or juvenile criminals and be aware of the occurrence of a crime or a dangerous situation, before other judicial authorities and carry out preliminary investigations as an effective supportive institution.

Children and juveniles police characteristics and their objectives

Criminologists' studies show that the most

important causes of child and juvenile crimes are mental, moral and emotional issues, and this results in their excessive sensitivity. Therefore it is necessary for child and juvenile police to have particular and unique characteristics, because if a police officer whose duty is to approach children and juvenile law breakers, does not have the necessary expertise, the officer will not be successful when confronted with these children and cannot play his constructive role in protection and guidance of these individuals.

The main objective of this police unit is the creation of suitable conditions and opportunities



for children who are deemed as criminals or offenders. According to the generalities of the children's police draft legislation, some of the key characteristics that these officers of law must have are as follows:

- Be present in the accurate identification of the cause of crime, how children and juveniles take part in crime.
- Be present (women police in particular) in getting information and opening files for child and juvenile criminals and offenders.
- Create a calm and suitable environment for child and juvenile offenders in the arrest process in the police station.
- Present effective counselling and guidance to the families of victims of child and juvenile

crimes or the criminals.

- Create a feeling of safety for children and juveniles, particularly when the child has been exposed to violence and is hurt.

- Identify children in dysfunctional families or abandoned children and referring them to their relatives or families who can take care of these children.

For the realisation of these conditions, a group of police officers and employees, women police in particular, will receive numerous and various trainings so that they have enough ability to deal with the child when in police station.

We must also consider that in addition to the police force, institutions such as education and training, Aid Committee, Welfare Organization and the governorship will participate in this project too.

The formation of such processes require the awareness and ability of many members of the police force. In fact, the effective function of child and juvenile police is dependent on the ability and awareness of an intertwined collective ranging from operations units to administrative teams in the headquarters of the police force. All police forces and units who are directly or indirectly dealing with children and juveniles must have necessary specialised abilities. Thus, the working agenda includes a study of the organizational, social and legal dimensions of the child and juvenile police publications, brainstorming on the issue, technical sittings and social studies.

Conclusion

Important reasons such as the characteristics of

children and juveniles, their immunisation against the damaging repercussions of the intervention of the criminal justice system, and prevention of their future crimes, makes the existence of child and juvenile police units a necessity.

The statistics of countries that have these special police units, show that the creation of these special police units, have notably been effective in the reduction of child and juvenile crimes. Therefore the existence of special police, easy and timely access and their training in confronting crimes with presentation of sociological, psychological and criminological teachings in police academies and stress on having sympathetic and prejudging behaviour towards children and juveniles are some of the important measures that are necessary in protection and support of children To-date, in the Iranian justice system, no specific law has foreseen the creation of child and juvenile police, but the aforementioned reasons and the international documents on protective measures for children, made the Islamic Republic of Iran to foresee child and juvenile police and fortunately today we see the consideration of these police units in the criminal justice guidelines draft legislation along with a plan to prepare a draft on juvenile crimes.

Since January 2015 pilot studies have been launched and child and juvenile police units have been established in various parts of the Capital. We hope that in the Persian New Year (beginning on 21, March 2017) the final ratification stage is accomplished and these special police units expand in the country in an organized manner.

Sources:

- Islamic Parliament's laws and legislations regarding children's rights and child and juvenile police – the new Criminal Justice Guidelines Act

- International laws and conventions on children's rights, particularly the International Convention on the Rights of the Child

- Review of the Necessity for the Formation and Duties of Women Police for Children and Juveniles – Written by: Amir Malekzadeh and Hamid Hashemi – Research and Study Collective in the Field of Law

- The High Council for Human Rights

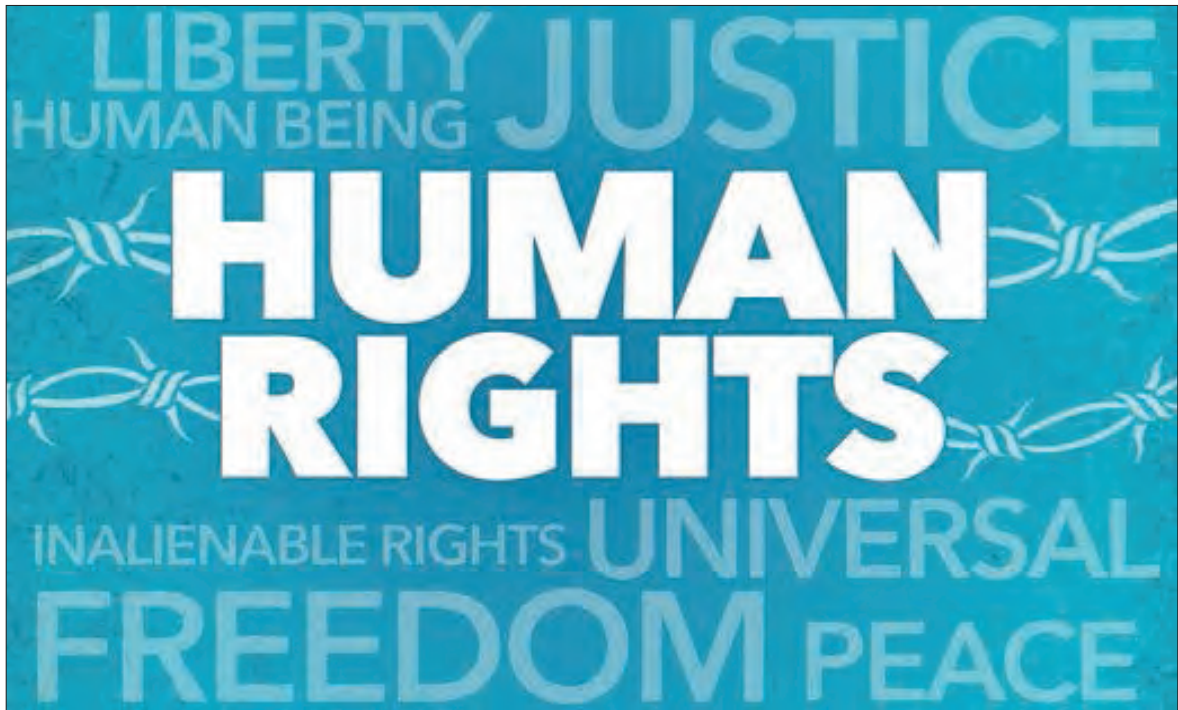
- Scientific and Practical Conference on Police and the Justice System for Children and Juveniles

- Status of Child and Juvenile Police in the Criminal Justice Process – Behzad Jahani and Parivash Poorshakibae

- Fardanews

- UNICEF

- Child Law Committee



A Look at Some Human Rights Double Standards in the International System

Marzieh Azizian
Human Rights Issues Researcher

How to promote human rights in the world, has always had a political dimension. We are talking about those groups of countries who ignore or deny the violation of human rights committed by their allies or try to portray it as unimportant.

In the last decade, the use of human rights as a political tool and the politicisation of human rights, has been particularly noticeable among the big powers in the United Nations and the Human Rights Council. For example, Iran has been under economic sanction for years on the pretext of ignoring human rights. The UN has appointed several special rapporteurs to report Iran's violations of human rights, and that, in itself, has been a justification for imposition and continuation of economic sanctions.

Without a doubt, all countries must observe human rights principles and be held accountable

for any human rights violations. International pressures must force them to observe human rights principles, but at the same time, necessary impetus must also be created for good behaviour.

Attempts to promote human rights can be effective when all countries are treated equally, while it has never been the case in the international community. There are countless number of countries which violate human rights, nevertheless they are treated positively at the international level.

The best example is Saudi Arabia. The human rights record of the country is very bleak. The Saudi government extensively discriminates against the Shia minority. The extensive discriminations, have been criticised by human rights organizations, such as Human Rights Watch and many other observers, on numerous occasions.

Saudi Shias have continually been under pressure, cannot enjoy the minimum of some basic rights as other Saudi citizens. Additionally,

their access to political, economic and social positions are limited. While the Shia regions of Saudi Arabia produce the most oil for the country, receive less benefits in comparison to other provinces. Discrimination against the Shia has even affected the education and training sector. In all schools, the Shia students are forced to study Wahabi books and extremist ideology. The execution of Sheikh Nimr Bagher Al-Nimr on 2 January 2016, drew international attention towards the terrible conditions of the Shia minorities in Saudi Arabia more than before.

Furthermore, Saudi Arabia has one of the worst records regarding women's rights, and to-date it has not paid any price for the extensive violations. Human rights organizations are concerned about Saudi women's rights, particularly with their access to education in universities, enjoying basic rights such as driving and being employed in certain jobs, and the strict segregation of the sexes continues unabated. The UN has called upon the Saudi government to put an end to "extreme discrimination" against girls on several occasions.

Violation of children's rights by the kingdom is shocking too. On 7 October 2016, the UN Committee of the Rights of the Child accused the Saudi led coalition of endangering children's lives in Yemen airstrikes, also it accused the coalition forces of food embargo on the regions under the Huthi control in order to force them to surrender. According to the committee, the coalition actions endanger food security and health of the children of the regions, and is condemned by the international community.

The international relations with Saudi Arabia reached its peak when UN Secretary General Ban Ki Moon was forced to omit the name of the country from the list of violators of children's rights; while the Saudis are responsible for the death of hundreds of children in airstrikes in Yemen. In this regard Moon said that the important reason that resulted in him removing Riyadh from the list of violators of children's rights was that the kingdom and a number of its Arab and African allies had threatened they would stop their financial aid to the UN including the



Support for terrorism is another issue where double standards are applied with regards to Saudi actions. In the US State Department report Iran is named as the biggest supporter of terrorism, but the Saudi government has hardly been mentioned.

funds for humanitarian activities. The Secretary General said that the cutting of financial aid could threaten the activities of the UN in Palestine, Syria and Yemen.

Support for terrorism is another issue where double standards are applied with regards to Saudi actions. In the US State Department report Iran is named as the biggest supporter of terrorism, but the Saudi government has hardly been mentioned.

Without a doubt, one of the most important aspects of human rights violations by Saudi Arabia in the recent years can be seen as the unjust aggression of this country against Yemen, to which a number of human rights organizations have reacted. The destruction of almost all economic infrastructures and important trade and cultural centres, hospitals, the killing of thousands of defenceless Yemenis and displacing millions of others, is just a part of the Saudi crimes committed in this country.

Meanwhile, in a statement released on 23 November, Amnesty International deemed the

United States as an ally of the aggressors against the Huthis in Yemen, and said that doctors and other hospital personnel in the southern towns of Taaz, had been systematically terrorised, abused, harassed, arrested and even at times threatened with death by US backed rebels.

Violation of the rights of migrant workers in Saudi Arabia, violation of religious freedom, arbitrary detentions, terrible conditions of human rights activists, torture and inhuman treatment of prisoners, lack of freedom of expression and opinion must also be added to all of the above mentioned breaches.

In spite of the human rights record and to the shock and surprise of independent human rights institutions, the UN General Assembly, renewed the membership of Riyadh to the Human Rights Council for the third time on 28 October, 2016.

Furthermore, on 29 September, 2016, the Human Rights Council, rejected the investigation of war crimes in Yemen. According to human rights activists this was good news for the Saudis and depressing thoughts for Yemeni civilians.

At the same time, in Myanmar, Rohingya Muslim minorities are spending one of the most violent parts of their history. The violence committed by Buddhists against this group began in June 2012. To-date the ethnic violence has left hundreds dead and made thousands homeless. During the period, many Muslim homes and villages have been set on fire and destroyed. Many have been arrested, killed and or raped, and the severest form of crackdowns against the Rohingyas continues. On numerous occasions, the UN has warned that the root cause of Myanmar disputes must be investigated and

the country's officials must know that they are accused of ethnic cleansing of Muslims in the country.

In Afghanistan, the disregard of big powers for human rights issues is debatable. In a statement released on 23 November 2016, Amnesty International stated that recently in a memorandum the EU has stated that Afghanistan deeply suffers from terror attacks and killing of civilians. According to the statement, the cause for concern is that not much interest is shown towards the protection of the lives of Afghanistan people.

The EU has been silent while on 15 November 2016, an ICC report stated that there was the probability of committing war crimes by the US military in Afghanistan. The report stated that US military forces and the CIA had probably committed war crimes by torturing prisoners in the country.

The United States has been using force to silence the protestors in North Dakota who are trying to stop the oil pipeline project. They claim their drinking water will be affected and the sacred lands will be destroyed by the pipe line. The decision can be considered as a blatant violation of human rights committed by a country that claims to be advocating freedom of speech and supporting minority rights. The use of tear gas, rubber bullets and high power water cannons in below freezing temperatures against the Natives, has brought the collective protests of UN special rapporteurs.

Sadly, it must be said that big powers extensively abuse the concept of, protection and respect for human rights, and to them, human rights is just a tool for fulfilment of foreign policy objectives.

-
1. <https://lobelog.com/human-rights-double-standards-iran-and-saudi-arabia/>
 2. <https://www.independent.co.uk/news/world/middle-east/saudi-arabia-stoning-un-children-united-nations-a7349861.html>
 3. <https://www.independent.co.uk/news/politics/un-chief-says-he-removed-saudi-arabia-from-damning-human-rights-report-under-undue-financial-a7073696.html>
 4. <https://lobelog.com/huan-rights-double-standards-iran-and-saudi-arabia>
 5. <http://www.salon.com/2016/11/23/u-s-allied-rebels-terrorising-hospitals-and-dctors-in-yemen-amnesty-international-says/>
 6. <https://www.rt.com/news/364584-russia-saudi-unhrc-election/>
 7. http://www.huffingtonpost.com/entry/united-nations-hman-rights-yemen_us_57ecc6a7e4b.a52d2cee68
 8. <https://www.hrw.org/news/2017/11/13/buma-massive-destruction-rohingya-villages>
 9. <http://europe.newsweek.com/amnesty-human-rights-afghanistanfuture-afterthought-world-leaders-505610?rm=eu>
 10. <http://www.telegraph.co.uk/news/2016/11/15/us-forces-may-have-cmmitted-wr-crimes-says-icc-prosecutors/>
 11. <http://www.un.org/apps/news/story.asp?NewsID=55560#.WDQTB1xWySp>. It must be said that since the writing of this article, the US Army Corps halted the construction of the pipeline, pending the rerouting of the pipeline.



Capacities of NGOs in Consultative Status to the UN

Parastoo Eskandari & Maryam Alaei , Resercher
in non - governmental organization studies

The World Bank defines NGOs as “a private organizations that pursue activities to relieve suffering, promote the interests of the poor, protect the environment, provide basic social services or undertake community development”.

NGOs are new frameworks for people participation in various activities, are seen as one of the strongest levers of democracy and can meet the needs of individuals; needs that governments might not be inclined to respond to, and or they do not have enough means to fulfil them.

NGOs in consultative status to the UN and cooperate with UN bodies

NGOs can cooperate with the UN in two ways:

1 – United Nations Department of Public Information (UNDPI): This is the main UN centre for dissemination of information whose

aim is to increase public awareness of UN goals and objectives. In line with awareness raising on UN activities and moving towards realisation of UN goals, UNDP is obliged to cooperate with civil societies. The NGOs Section of the UNDP cooperates with over 1400 NGOs. This cooperation is mainly in the form of supporting NGOs to disseminate information and broadcast UN’s activities, goals and objectives.

The cooperation of UNDP with NGOs covers diverse issues and the majority of these activities are focused on sustainable development and eradication of poverty. NGOs that cooperate with UNDP are obliged to increase public awareness on UN activities in local and rural communities. Climate change, renewable energy, empowerment of rural women, violence against women and HIV/AIDS are the major issues NGOs are active in.

If NGOs are not successful in planning and implementing their activities and programmes in a determined time period, their cooperation

with the UNFPI is cancelled. Of course, one year after the cutting of cooperation, NGOs can again request cooperation with this UN body.

2 – Economic and Social Council of the UN (ECOSOC): This is one of the six principal organs of the UN which is responsible for dealing with economic and social matters. Cooperation of NGOs with ECOSOC is more specialised and extensive than other bodies. In 2016, almost 4600 NGOs have consultative status with ECOSOC. Getting consultative status provides NGOs with the opportunity to work with other UN bodies that are active in human rights, as well as working with ECOSOC. There are three types of consultative status which NGOs can acquire: General, Special and Roster.

Article 71 of the UN Charter opened the way through which NGOs can acquire consultative status. This was followed by ECOSOC ratifying consultative status in resolution 1996/31, foresaw the conditions for acquiring consultative status, the duties of countries that get consultative status, and also the suspension and revoking of this status.

NGOs who are active in various national, regional and international levels, can apply for consultative status when 2 years have passed since their founding and in the event that their activities are in line with UN objectives and policies. Another important characteristic that NGOs must have is the provision of their financial resources through people participation and donations from their members.

Organizations that are created by governments or their financial resources are provided by governments are not recognised as NGOs.

The table below shows details of NGOs in consultative status:

Year	General	Special	Roster	Total
1948	13	26	1	40
1968	17	78	85	180
1992	18	297	409	724
1996	76	468	497	1041
2000	122	1048	880	2050
2007	139	1956	955	3052
2015	143	3544	978	4665



Article 71 of the UN Charter opened the way through which NGOs can acquire consultative status. This was followed by ECOSOC ratifying consultative status in resolution 1996/31, foresaw the conditions for acquiring consultative status, the duties of countries that get consultative status, and also the suspension and revoking of this status.

NGOs Challenges in the UN system:

To run their operations and fulfil their objectives, NGOs need financial resources. As we said earlier NGO funding must take place by NGO members and civil society individuals, and because of NGOs being non-profit, few people have inclinations to give them financial aid. Therefore the NGOs face the lack of financial resources. These shortages result in disruptions in the functions of NGOs and create other challenges. Another important NGO challenge is the interference of governments in the activities of NGOs and pushing them to take government sides in setting objectives and making policies.

In fact, at times, NGOs are forced to accept governments' influences and interferences for the provision of their financial resources and this results in NGOs to align their functions with predetermined policies set by governments which in some cases limits the NGO opportunities to report facts. Considering that one of the objectives of NGOs is to reflect the real demands of civil society, their financial dependency will result in their failure to fulfil their objectives.

Cooperation of NGOs with international organizations, the most important of which is the UN, will result in partial provision of their financial resources through financial aid provided by the UN. The financial provision, creates the expectation that NGOs work towards fulfilment of UN objectives. Considering that in some instances UN's human rights policies have double standards, the performance of NGOs at national and international levels become impractical, some governments view the NGOs with mistrust and set restrictions for their activities.

Another important challenge that NGOs face is the domestic laws of states under whose jurisdiction NGOs are active. The laws of some countries have not been written in line with international human rights laws and principles and or, international human rights principles are not observed in practice. NGOs react towards these issues and report them, and as a result they face severe crackdowns by the governments.

Recommendations for further effectiveness of NGOs in the UN system

One of the effective solutions for the improvement of NGOs performance, is the opening of a social space through their activities. By teaching human rights principles to various sectors of society and making them aware of their rights, and also the empowerment of sectors of society whose rights are threatened with violation, NGOs can in an amicable way force governments to take steps towards implementing human rights principles. Furthermore NGOs that have consultative status, through participation in international conferences that are held by international



Another important challenge that NGOs face is the domestic laws of states under whose jurisdiction NGOs are active. The laws of some countries have not been written in line with international human rights laws and principles and or, international human rights principles are not observed in practice. NGOs react towards these issues and report them, and as a result they face severe crackdowns by the governments.

organizations, ECOSOC in particular, can express the problems caused by the double standards human rights policies and try to draw attention towards the repercussions of such policies. Attention to this point is necessary that the independence of NGOs from financial resources, will result in the improvement of their function and their objectives and can give them independence, without the restrictions that governments put in place for them. Measures that NGOs take towards financial independence can be in the form of holding exhibits of the products of their target group to the general public, and also holding festivals and conferences to draw investment by volunteer legal and private citizens.

Sources:

1. //documents.worldbank.org/curated/en/81458146873940860/multi-page.pdf
2. Challenges and Opportunities facing NGOs Thomas Kirongo International NGO Journal Vol ,(9)6 .pp ,197-202 .September 2011
3. UN Charter
4. UN website
5. Labour and Management in Development Journal, Volume 4, Number 2

ODVV

Activities

The Necessity for Iran to be Active in International Criminal Justice Arena Technical Sitting

On 18 August 2016, the Necessity for Iran to be Active in International Criminal Justice Arena Technical Sitting was held at the ODVV conference hall. Attending the sitting was Dr. Mohammad Hadi Zaker Hossein, PhD in international criminal law and the director of the International Criminal Law Centre of Iran. In this sitting which was held with the attendance of university lecturers, NGOs' representatives, ODVV honorary members and university students, while thanking the ODVV for its attention to the ICC, Dr. Zaker Hossein spoke of the importance and preference of a legal war over military war as a new front in international relations



and added: "Since the establishment of the ICC, each day we witness the importance and increasing role of this body. In a way that wherever there is conflict and crisis, all looks turn towards the Court, and in fact this body has not had a replacement to-date."

Introduction to Family Law Education Course



With the cooperation of the legal clinic of Shahid Beheshti University and on the occasion of the International Day for the Elimination of Violence against Women, on 22 November 2016, the ODVV held a workshop on "Introduction to Family Law Education". This course was held at the ODVV headquarters with the attendance of university lecturers, law experts, ODVV honorary members, GO and NGO representatives.

The attendees of the education course reviewed the various aspects of family law and legal methods for the prevention of violence against women, family rights and effective factors in the strengthening of this subject and effective solutions for the enforcement of the law. The meeting started with the welcoming speech of Dr. Siavash Rahpeik, director of ODVV who stressed on the importance of the role of women and the family. The next speaker was Dr. Mehrshad

Shababi, Shahid Beheshti University lecturer, who while speaking about the recognition process of women and family rights in the international mechanism spoke about the importance of rights for women throughout history. Next, was Dr. Hassan Fadaee, Shahid Beheshti University lecturer who said that violence in laws include social violence against woman and mental abuse against women, and while stressing on verses of the Koran and credible hadiths said that the preservation of values and attention to them are some of the strengthening foundations for survival of the family. The final speaker was Dr. Homa Garmaroudi, university lecturer, who while pointing out structural victims of crime, said the causes are due to: 1 – crimes, 2 – war, and 3 – structure. Pointing out that laws must be based on humanity and gender discrimination must not be considered, she pointed the value of the equality of rights.

Prevention of Domestic Violence and Life Skills Education Project



According to the tripartite agreement between the ODVV, UNHCR and BAFIA the Prevention of Domestic Violence and Life Skills Education Project began on 15 October, 20016.

This project was designed for 80 Afghan refugees (40 men and 40 women) of 12 to 59 years of age and with the aim of reducing social and mental abuse, increasing self-belief, and prevention of domestic violence among Afghans residing in the Varamin district.

Also in view of: 1 – the need for this community to learn domestic violence prevention and reduction methods, 2 – extensive positive response of refugees from previous conducted projects, and 3 – the need to further expand these trainings to more vulnerable regions (such as Varamin; this project was designed. Based on

the field visits and interviews that took place with the refugees and key Afghan community figures in Varamin, where the social and mental abuse levels – particularly domestic violence – are very high, which brings about irreversible consequences that include rise in addiction, suicides and various social damages. This same issue made the ODVV to pursue the holding of necessary training consecutively for the second year, for the refugee community in the Varamin and suburbs districts. Also 80 direct beneficiaries of the project who were trained as P2P in life skills and violence prevention methods, will each transfer what they have learned to 5 of their peers, which ultimately will see 400 Afghan refugees that are trained in the prevention and reduction of domestic violence.

Participation in the 9th Minorities Forum

The 9th Minorities Forum was held on 24-25 November 2016 at the UN headquarters in Geneva. In this forum, the particular needs and the huge effects of human crisis such as war, natural disasters and diseases on minorities were reviewed. The “Minorities Issues” meeting, has been held for the purpose of the creation of a centre for dialogue and cooperation on issues related to national, ethnic, religious and linguistic minorities, and the presentation of thematic reports and technical consultation with the Special Rapporteur on Minorities Issues. ODVV’s office in Geneva has conducted a number of activities in the Human Rights Council and through active participation in meetings, has prepared reports,

written and edited and read oral statements, and has managed to further participate with this UN body. The 9th Minorities Forum was dedicated to the particular needs of minorities and the negative effects of human crises on minorities. Thus, human crises such as war, natural disasters and diseases was the focal point of the Forum. In view of the subjects of debate, the ODVV presented four oral statements (2 in English and 2 in French) in this Forum on the following subjects:

1 – Human rights situation in Myanmar, 2 – Investigation of violence and discrimination against minorities, 3 – The situation of minorities in the world, and 4 – The situation of minorities in Yemen and Saudi Arabia.

Participation in the Elimination of Violence against Women; Challenges and Solutions National Conference

The ODVV participated in the holding of the Elimination of Violence against Women; Challenges and Solutions National Conference that was held on 3 June 2016 in Shahid Beheshti University, hosted by the National Union of Bar Associations of the Justice Department. Concept understanding and pathology and examples and extent of violence against women, violence from the criminal law and criminology aspects, violence from human rights and international documents aspects, violence from sociological and psychological aspects, violence from cultural and economic attitudes, methods for confronting violence against women, religious and legal concepts of elimination of violence against women and comparative study of violence against women and distribution and severity of forms of violence in the world were some of the subjects of debate and review by the experts and speakers of this conference.



The ODVV Presences in the IRCT 10th International Scientific Symposium and General Assembly

The International Rehabilitation Council for Torture Victims (IRCT) Scientific Symposium which was the first global event to look in detail accords disciplines at how to deliver on the promise of the right to rehabilitation for torture victims as set out in the UN Convention against Torture was held from 5-7 December 2016 in Mexico City.

Bringing together the global rehabilitation movement for the first time in 10 years, the event was a unique opportunity for service providers, clinicians, human rights defenders, researchers, lawyers, funders and policy-makers to come together to exchange experiences and research on developments in the rehabilitation of survivors of torture. During the three-day event, presentations were covered more than 100 topics connected to delivering on the promise of the right to rehabilitation. These include many different topics and issues such as the refugee transit camps of southern Europe and elsewhere, the plight of Central American migrants, and a trio of talks on the US detention center opened in 2006 at Guantanamo Bay in Cuba.



As scheduled after the symposium the IRCT General Assembly which is a fundamental platform that further solidifies the democratic nature of the IRCT, was held in the same place on 8-9 December 2016. At that time, there was also a meeting of the newly elected Council, as well as the election of the new Executive Committee took place and new EXCOM members elected by the Council members. All IRCT member centers across the globe including the ODVV have been invited for both events. The IRCT embraces 152 rehabilitation centers from 74 countries, representing an international movement against torture and for victims of torture.