



# DEFENDERS

winter 2020

harmful, says UN expert  
economic war

## UN's Role in the Fight against the Negative Impact of Unilateral Coercive Measures

- Sanctions against Iran: what the experts and scholars say
- Grave Human Rights Violations by the United States across the World
- Arms Sales and Violation of Human Rights

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# Editor's Note

2019 which came to an end, was a year where we witnessed continued inequalities, spread of hatred, threats to peace, spread of wars in the world and global warming. And early into 2020 the perspective for the future is one of serious alarm for insecurity and grave violations of human rights.

As human rights activists who always had concerns for people to live in peace and enjoy human rights, cannot be indifferent when world leaders unbelievably disregard all Mankind's achievements towards international peace and cooperation. We cannot be indifferent when arms dealers threaten the world with war and conflict for their own personal gains and profits. We cannot remain indifferent when global warming threatens our only living planet.

As human rights activists we always believe one of the ways for resolving issues is to raise awareness, and to this aim we dedicate parts of Defenders Newsletter to highlight some of these concerns and issues. And in this issue of Defenders we have reflected some of the most important human rights violations that have taken place in the world through articles and reports contributed by experts in various fields.

In this issue we have allocated pages to the violation of women and children's rights who always suffer the most in crises, in a special report on the review of women and children's rights in armed conflicts in 2019.

The effects of the arms trade on human rights in 2019 is one of the cases which needs to be highlighted with more transparency, and in this regard a part of this issue of Defenders is dedicated to this.

Benefiting from the views of experts' views of human rights violations has always been one of the ways we reflect views and opinions, and in this issue we have asked for experts' views of the impact of unilateral coercive measures on the enjoyment of human rights.

At the same time as countries' UPR in this issue we have reviewed US leaders' human rights violations in 3 domestic, countries and international levels.

Also there is a piece on United Nations performance regarding unilateral coercive measures.

There is also a report on positive human rights achievements in Iran in this issue of Defenders.

In the hope that with help, we can take steps towards justice, peace and human rights.

# UN's Role in the Fight against the Negative Impact of Unilateral Coercive Measures



By: Farzaneh Mostoffar  
phd candidate in political Science

One of the main goals of the United Nations from its founding to-date is the preservation of international peace and security. According to UN documents, unilateral coercive measures are deemed as economic wars which have a lot of negative impacts on human rights and are threats to international peace and security. Also the basis of one the most important bodies which must play a role in the fight against negative impacts of unilateral coercive measures is the UN.

In this narrative we try and get an answer to the question, what is the UN's role in the fight against the negative impacts of unilateral coercive measures? And to answer this question we have reviewed the performance of bodies which have the most role in this regard, such as the Security Council, General Assembly, Human Rights Council and Commission on Human Rights, and reached the conclusion that although the UN and its various bodies to-date have taken various steps such as issue resolutions, appoint special rapporteur, submitted regular reports, held sessions and conducted thematic studies on the subject of unilateral coercive measures, but it seems that there is a long way to go for reigning in the unilateral coercive measures of governments.

**Keywords:** United Nations, unilateral coercive measures, Human Rights Council, Commission on Human Rights, General Assembly, Security Council.

## 1 – Introduction

Unilateral coercive measures are deemed as one of the outcomes of the effects of application of unilateral policies by governments.

The phrase “unilateral coercive measures” typically refers to economic measures taken by one country to influence a policy change in another country. Examples of such measures include trade sanctions in the form of embargoes and the interruption of financial and investment flows between sender and target countries. More recently, so-called “smart” or “targeted” sanctions such as asset freezing and travel bans have been employed by individual States in order to influence persons who are perceived to have political influence in another State (Human Rights Council resolution 19/33)

## 2 – Negative Impacts of Unilateral Coercive Measures

Unilateral coercive measures which according to UN documents such as the recent reports of the Special Rapporteur on the Impact of Unilateral Coercive Measures on the Enjoyment of Human Rights, are deemed as economic wars. Unilateral coercive measures have a lot of negative impacts on various aspects of human rights such as right to life, health, food, education and other aspects. Also right to development and right to the MDG which the world is committed to reach are some of the main victims of unilateral coercive measures, and prevent humanitarian assistance from reaching affected regions during natural disasters.

Overall, unilateral coercive measures are on the opposite side of the scale of multilateralism. Therefore multilateral accomplishments such as human rights, international law, international and multilateral agreements are all affected by the negative impacts.

Also, unilateral sanctions take aim at a state and its policies, especially economic policies, and as such, pose a threat to peace. Threat and pressure from a state against another state can be used as a pretext to wage war.



**Also, unilateral sanctions take aim at a state and its policies, especially economic policies, and as such, pose a threat to peace. Threat and pressure from a state against another state can be used as a pretext to wage war.**

## 3 – Unilateral Coercive Measures History in the United Nations

Attention to the subject of pressures, threats and coercive and economic measures, were brought to the special attention of UN bodies from the beginning of the seventies, and in texts such as the “Declaration on Principles of International Law Friendly Relations and Cooperation among States in Accordance with the Charter of the United Nations” , “The New International Economic Order” , and also the “Charter of Economic Rights and Duties of States” , have all repeatedly reiterated that UN Member States do not have the right to carry out or encourage

to carry out any form of coercive measures and apply economic and political pressures which prevent the targeted country from applying its own governance (the Principle of Non-intervention).

In Resolution 152 of the UN Conference on Trade and Development (2 July 1983) this definition found a more meaningful definition as “economic coercive measures”<sup>1</sup> ; and gradually in time it covered the political arena as well as the economic one It was on this basis that in Resolution 197 of the 38th UN General Assembly (1983) this fact was clearly recognised that some developed countries were resorting to threats to or applying coercive and restrictive measures more than before with the aim of putting political pressures on developing countries.

The same Resolution states that coercive measures have negative impact on the economy of developing countries, and damage the establishment of peace and

friendly relations among nations. The text of the Resolution also calls on developed countries to refrain from taking any form of restricting measures such as blockade, embargo or sanctions against developing countries.

The Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights in 1993 called upon States to “refrain from any unilateral measure not in accordance with international law and the Charter of the United Nations that creates obstacles to trade relations among States and impede the full realization of the human rights set forth in the Universal Declaration of Human Rights and in international human rights instruments, in particular the rights of everyone to a standard of living adequate for their health and well-being, including food and medical care, housing and the necessary social services”.<sup>2</sup>

#### **4 – United Nations Performance with regards to Unilateral Coercive Measures**

Looking at the discourse produced by all the aforementioned resolutions indicates that unilateral coercive measures (sanctions) aside from their negative impacts, they also leave deep and often irreparable impacts on the health of citizens (right to health), healthy nourishment (right to food), enjoyment of medical treatment and medicines, enjoyment of education, entry of necessary technology for the protection of the environment and overall, right to life and development.

Furthermore, unilateral coercive measures also violate fundamental UN Charter principles, particularly the equal sovereignty of governments, territorial integrity, the non-intervention principle, and the cooperation principle. The international community has authorised the United Nations to adopt coercive economic measures in special circumstances where there is a threat against peace or violation of peace. States’ unilateral measures for application of unilateral economic measures against other states has no basis in international law.

Finally, it must be said that in general 12 resolutions in the Commission on Human Rights, 2 decisions and 9 resolutions in the Human Rights Council, and 31 resolutions in the General Assembly have been adopted on unilateral coercive measures. In this report we enumerate all resolutions on unilateral coercive measures that have been adopted by the Commission on Human Rights. In the next reports we will review resolutions adopted in the UN General Assembly and Human Rights Council and also the appointment of a special rapporteur on unilateral coercive measures and reports that he and the UN High Commissioner for Human Rights have submitted.



**Finally, it must be said that in general 12 resolutions in the Commission on Human Rights, 2 decisions and 9 resolutions in the Human Rights Council, and 31 resolutions in the General Assembly have been adopted on unilateral coercive measures**

#### *4-1 – General Assembly*

Several discussions, resolutions and reports presented to the General Assembly, the Human Rights Council, and the former Commission on Human Rights have addressed the issue of the impact of unilateral coercive measures on the full enjoyment of human rights.<sup>3</sup>

UN General Assembly Resolution 210 of 1991 also called on all states to suspend unilateral economic pressures which are with the aim of intervening in decisions. Until 1995 this Resolution submitted in the General Assembly as “Economic Measures as Means of Political and Economic Coercion against Developing Countries”, and thereafter with further attention to the negative impacts of these types of measures on the human rights of the citizens of the targeted country it became known as “human rights and unilateral coercive measures” in the General Assembly. What is significant is that at the same time as the change in the approach, in 1994 a Resolution entitled “Human Rights and Unilateral Coercive Measures” was proposed in the UN Commission on Human Rights which was approved with 23 votes in favour, and 18 against. Article 5 of this Resolution clearly “reaffirms that essential goods, in particular food and medicines, should not be used as a tool for political pressure”. Also reaffirms that essential goods, in particular food and medicines, should not be used as a tool for political pressure. In fact it is from this date onwards that alongside attention to negative impacts of unilateral sanctions on the economy of the target country, the damaging and negative human rights impacts of sanction on ordinary citizens was also specially noted.

In 1996 the “Elimination of Coercive Economic Measures as a Means of Political and Economic Compulsion” Resolution which was adopted by the UN General Assembly, while deeming unilateral sanctions with extraterritorial characteristics as unlawful, it deems these laws as in conflict with the right of states in their own economic self-determination.<sup>4</sup>

Although the General Assembly sets the standards or norms regulating when sanctions are permissible.<sup>5</sup>

The General Assembly tends to make a vigorous distinction between sanctions established unilaterally by one country against another, and sanctions approved by the United Nations as a whole. Unilaterally or autonomous sanctions, because they treat countries differently, based purely on national policy, tend to violate international law or international principles. Collective sanctions by the entire international community, on the other hand, are international law, with unquestionable legitimacy.<sup>6</sup>

The logic of these resolutions leaves the UN unwilling to support more than diplomatic or targeted sanctions, except in response to the most extreme violations of international law.

#### *4-2 – Security Council*

In imposing unilateral sanctions against other countries, the United States and EU claim some universal commitments have been violated, such as violation of human rights, refugee’s rights, proliferation of weapons of mass destruction

and international drugs trafficking, international terrorism and failure to observe Security Council resolutions by countries. If these violation claims are related to international peace and security, it is the authority of the Security Council to firstly give opinion on the nature of these commitments and claimed violations, and secondly recognize the authenticity of the violation, and thirdly make decisions on measures that must be taken in the event of violation of commitments.



**The logic of these resolutions leaves the UN unwilling to support more than diplomatic or targeted sanctions, except in response to the most extreme violations of international law.**

#### 4-3 – Commission on Human Rights

The condemnation process of the negative impacts of unilateral sanctions on the human rights of the citizens of the target country continued within the Commission on Human Rights until 2005, and following its replacement with the Human Rights Council, this was again followed-up by the Council and from 2007 to-date it has periodically been discussed in this body, and put to the vote and approved. This procedure also continues in the UN General Assembly and this Resolution is adopted every year.

#### *4-4 – Human Rights council*

The continuing practice of imposing various forms of unilateral coercive measures and the potential impact of such measures on human rights, has drawn the attention of a large number of Member States (e.g. resolution A/67/118 “Necessity of ending the economic, commercial and financial embargo imposed by the United States of America against Cuba,” adopted by a recorded vote of 188 to 3 with 2 abstentions.) Furthermore, United Nations human rights bodies and mechanisms including Special Procedures have considered this issue (e.g. see reports A/67/327 p. 41, 42, A/67/181, A/67/118, A/66/138 and the Sub-Commission study E/CN.4/Sub.2/2000/33.)

#### *4-4 – Adoption of Documents*

To-date the Human Rights Council has issued 9 resolutions on the negative impact of unilateral coercive measures on the enjoyment of human rights

#### 4-5 – Setting Special Rapporteur’s Mandate and Submission of Report

##### A) Composition and Working Methods

The Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights is one of the thematic special procedures overseen by the United Nations Human Rights Council.<sup>7</sup>

The Special Rapporteur works to minimize the negative effects of unilateral coercive measures on human rights by collecting and reviewing information regarding trends, developments, and challenges pertaining to such measures



and their impacts and by making recommendations. The Special Rapporteur also promotes accountability by reviewing independent mechanisms that assess unilateral coercive measures and works with United Nations bodies to prevent and redress the adverse impacts of unilateral coercive measures on human rights.<sup>8</sup>

The mandate of the Special Rapporteur lasts for a period of three years and is filled by one highly qualified individual. The UN Human Rights Council established the Special Rapporteur's mandate in 2014 with Resolution 27/21<sup>9</sup> (and its corrigendum). In fulfilling the mandate, the Special Rapporteur issues statements and reports annually to the UN General Assembly and Human Rights Council.<sup>10</sup>

#### **B) Statements**

The Special Rapporteur records his or her statements made before meetings of experts and international bodies relating to unilateral coercive measures and human rights. These statements are available on the Special Rapporteur's Statements and Letters webpage.

#### **C) Reports to the UN General Assembly and Human Rights Council**

The Special Rapporteur reports annually to the UN General Assembly and Human Rights Council on all activities related to its mandate. Reports submitted by the Special Rapporteur as well as other reports concerning unilateral coercive measures are available on the Special Rapporteur's webpage.<sup>11</sup>

#### *4-5) United Nations studies*

Numerous United Nations studies have also been carried out on unilateral coercive measures and human rights including the issue of legality of such measures. For instance, Working Paper "The Adverse consequences of economic sanctions on the enjoyment of human rights" (E/CN.4/Sub.2/2000/33); Human Rights Impacts of Sanctions on Iraq, Background Paper prepared by OHCHR for the meeting of the Executive Committee on Humanitarian Affairs of 5 September 2000 (A/HRC/19/33); OHCHR thematic study on the impact of unilateral coercive measures on the enjoyment of human rights, including recommendations on actions aimed at ending such measures, 11 January 2012; and Committee on Economic, Social and Cultural Rights, general comment No. 8 of 1997 on the relationship between economic sanctions and respect for economic, social and cultural rights (E/C.12/1997/8). All these studies have analysed the legitimacy of unilateral coercive measures from a human rights perspective and the complex and divergent views around this topic. They have also stressed the need to further examine the linkages between unilateral coercive measures and human rights.

### **5 – Conclusion**

Various UN bodies, especially those that are active on the subject of human rights, have worked and performed in various ways with regards to unilateral coercive measures and their negative impacts. One of the main results of these actions is the highlighting of the role of unilateral coercive measures on the violation of human rights. At the moment, the Islamic Republic of Iran, Cuba, Bolivarian Republic of Venezuela, the Russian Federation, Qatar, the State of Palestine, Syrian Arab

Republic and Yemen are among the countries affected by UCMs which indicates the spread of unilateral measures at the global level and this has made the Human Rights Council to approve and renew the mandate of the Special Rapporteur on the Negative Impact of Unilateral Coercive Measures on the Enjoyment of Human Rights and to submit report to the UN General Assembly and the Human Rights Council to fight the negative impact of UCMs.

Also unilateral coercive measures are condemned by the UN General Assembly on a yearly basis for being contrary to international law and for having negative effects on human rights and the economy of developing States. Although legal doctrine generally finds that the limitations of economic coercion are a grey area of international law, these resolutions could be indicative of an emerging prohibition. Review of the history of UN actions which this narrative covered in further detail showed that the UN has tried to legitimize multilateral coercive measures and opposed to that, to report international law and human rights violations by unilateral coercive measures, and to work towards reaching an international consensus. Overall the promotion of multilateralism with the cooperation of international organizations, nongovernmental actors and stress on the role of the UN in this regard are all ways to fight unilateralism.

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# Sanctions against Iran: what the experts and scholars say



By: Kourosh Ziabari  
Journalist and Reporter

Iran has been subject to stringent economic sanctions by the United States for nearly four decades. The punitive measures have been intensified in the recent years under President Barack Obama and his successor Donald Trump.

Iran has been virtually cut off from the international banking and financial sectors, and its people have lived through extreme difficulties as a result of the sanctions. The inability of the Iranian people to access foodstuff, life-saving medicine and the unavailability of high-quality medical services are some of the byproducts of the sanctions Iran has been targeted with. Iranian airlines have not been able to update their fleet over the past four decades, and hundreds of innocent civilians lost their lives throughout these difficult years in air accidents caused by the technical problems of aged aircraft operated by Iranian carriers. The sanctions have also precipitated the significant devaluation of Iranian currency, which in turn has triggered skyrocketing inflation, leaving Iran with one of the most troubled economies of the world. International Monetary Fund estimated that Iran's inflation rate in 2019 stood at 35 percent. Also, these measures have taken their toll on Iranians wishing to travel abroad for visits or studying by making it doubly difficult to obtain visas and buy foreign currency. Besides, the latest technology products such as mobile phones, laptops and other electronic gadgets as well as online services have been largely unavailable to Iranian millennials as a result of the sanctions.

In short, the sanctions have dramatically increased the cost of living in Iran, enormously impinging on the quality of education, transportation, communications, environmental protection and other sectors.

Iran's nuclear program, its human rights record and its sponsorship of militant groups across the Middle East are the grounds cited by the United States for the imposition of hard-hitting economic sanctions against the oil-rich country. Iran doesn't concur with the United States government's understanding of these sticking points.

Idriss Jazairy, the UN Special Rapporteur on the negative impact of the unilateral coercive measures has decried the broad-ranging economic sanctions against Iran, branding them a violation of the rights of the Iranian people due to their disproportionate nature.

Over the past few months, Organization for Defending Victims of Violence has arranged interviews with several distinguished scholars, diplomats and politicians about the impacts of the US unilateral sanctions, their legality and human cost. In this report, we briefly explore the important excerpts of some of these interviews.



**Idriss Jazairy, the UN Special Rapporteur on the negative impact of the unilateral coercive measures has decried the broad-ranging economic sanctions against Iran, branding them a violation of the rights of the Iranian people due to their disproportionate nature.**

**John F. Tierney, former member of the US House of Representative from Massachusetts (1997-2015)**

- The Trump “policy” has raised international sympathies for Iran while painting the United States as a country unwilling to stand by its commitments. The imposition of sanctions under the “maximum pressure” campaign is supposed to change Iran’s behavior, not target and punish a country as an end in itself. Further, there is little left for the United States to sanction unilaterally, so it seems President Trump’s policy will not compel Iran to capitulate to the 12 demands Secretary of State Mike Pompeo outlined when President Trump first withdrew from the nuclear deal. The result is likely the exact opposite of what Mr. Trump alleges to have been seeking.”
- Regardless of stated intention, the imposition of this administration’s sanctions on Iran have adversely impacted the humanitarian situation there. The Trump administration is going well beyond the pre-JCPOA sanctions regime and is targeting the oil sector to increase the pressure on the Iranian economy writ large. It is becoming clear that President Trump’s “maximum pressure” campaign has both failed to spur new negotiations and had the effect of diminishing positive views of the United States among Iranian citizens. If the Trump plan was to create hardship that would drive a wedge between the Iranian citizenry and the elite governing officials, that plan seems to be backfiring.

**Prof. Vijay Prashad, Director of Tricontinental: Institute for Social Research**

- Unilateral sanctions have a terrible impact on people’s lives. They do impact the human rights of people. There is no doubt about that. The impact of these sanctions needs to be studied and their impact needs to

be broadcast. It is important to bear in mind that the imperialist bloc does not care about this impact. You might recall that during the 1990s US-led sanctions against Iraq, the then US ambassador to the UN, Madelaine Albright, said that the death of half a million Iraqi children as a result of the sanctions was «a price worth paying». So, this needs to be part of the conversation, this disregard for the impact of sanctions.

**Prof. Nasrin Rahimieh, Howard Baskerville Professor of Humanities and Director of the Humanities Core Course at the University of California, Irvine**

- Reports from Iran appear to confirm the heavy cost of the sanctions on ordinary Iranian citizens. But the Iranian government also bears responsibility for not adequately addressing internal corruption and inaction. Any debate about the impact of the US sanctions will inevitably touch upon Iran's own problems in instituting more equitable distribution of wealth and resources.

**Prof. Nader Entessar, Professor Emeritus and former Chair of the Department of Political Science and Criminal Justice at the University of South Alabama**

- Economic sanctions, especially if they are comprehensive and sustained over a long period, are weapons of war. Irrespective of the stated goals of economic sanctions, the principal victims of comprehensive economic sanctions are and will always be ordinary citizens of the target country. Of course, appropriate international organizations do get involved in alleviating the impact of such sanctions on ordinary people, but such organizations neither have the resources nor the political muscle to confront enormous challenges that economic and war managers of the world present. After all, international organizations are only as powerful as their constituent member states allowed them to be. The international order is a hierarchical one, and those at the top have the means to dictate how these organizations ought to behave.

**Prof. Sasan Fayazmanesh, Professor Emeritus of Economics and Director of the Middle East Studies Program at California State University, Fresno**

- The US imposed sanctions on Iran are not just causing economic pain. They are affecting all aspects of human life in Iran, including health. There are, of course, many studies on the effect of these sanctions on the Iranian health situation.
- I have seen reports and complaints by Iranian government officials about the effect of sanctions on Iran's attempts to combat drug trafficking that originates in Afghanistan. Following the JCPOA, Iran and European countries agreed to fight jointly drug trafficking. But, according to Iranian government officials, the Europeans not only failed to carry out

their part of the bargain but allowed the US sanctions to make Iran's own work very difficult. In December 2018, Iran's President Rouhani issued a warning about the consequences of US sanctions and European inaction in fighting drug trafficking. In particular, he pointed out that the final destinations of these drugs are mostly Europe and America.

■ the previous US administrations pursued their policies of “maximum pressure” on Iran by passing, in addition to unilateral sanctions, multilateral sanctions, mainly through the United Nations. But, as I also suggested, the current administration does not feel the need to work with the European countries, or Russia and China, to pass new UN sanctions resolutions. Therefore, there is currently no set of multilateral sanctions against Iran and members of the United Nations are not obligated to abide by Trump's sanctions and cut their business ties with Iran. But going back to the concept of a gangster, it is not necessary for the US to have international backing to pursue mobster-like policies. All that is needed is force, threats, intimidation, bribery, etc. to get what it wants.

**Prof. Joan Wallach Scott, Professor Emerita in the School of Social Science at the Institute for Advanced Study in Princeton, New Jersey**

■ I think the goal of the sanctions is to create chaos in Iran, to turn the ordinary citizens against the regime – it's regime change by starvation. US officials don't care at all about ordinary citizens – look at the vast damage done to civilians by our drone strikes and other forms of non-military and military engagement. When they invoke “human rights” they are doing it hypocritically, in the service of some political strategy informed by other geo-political and geo-economic interests. In fact, they are using the plight of ordinary citizens as a weapon of subversion – hoping to, by provoking massive discontent, topple the existing regime. We're doing that, too, in Venezuela right now. One doesn't have to be a supporter of the Iranian government to object to these tactics both on diplomatic and humanitarian grounds.

**Robert Buzzanco, Historian and Professor of the University of Houston**

■ In general, sanctions and “maximum pressure” affect the people of the country against which they are directed, but have much less impact in getting those governments to bend to the US will or be removed. When Trump left the JCPOA he also imposed sanctions against Iran and threatened action against countries or individuals still doing business there. In the first set of sanctions, the US insisted that Iran comply with its demands or there would be limits and then a ban on the purchase of American dollars, trade in gold, and the aviation and car industries. These are the harshest sanctions imposed on Iran, and target the heart of its economy – energy, shipping, and finance.

■ International law and human rights are little discussed or applied

when powerful countries like the US want to hurt or overthrow a government. While the sanctions themselves did not cause the overthrow of governments in Cuba, Iraq or Venezuela, [yet], the pain they have inflicted cannot be denied. And even international agencies like the United Nations have been of little help, since they often approve of pressure against countries targeted by Americans or, like the IAEA, do not have the ability to prevent countries from simply ignoring UN pressure to respect human rights, as best demonstrated by Israel's continued violations of resolutions regarding its long-term aggression in Palestine.

**Dr. Edward Wastnidge, Lecturer in Politics and International Studies at the Open University**

■ The humanitarian consequences of such actions are the saddest outcome of the decision to reimpose punitive sanctions on Iran. This can be seen in the difficulties that ordinary Iranians face in accessing certain medicines for example. Also, the wider sanctions targeting Iran's oil exports also have a potentially destabilising effect on the economy, adversely affecting citizens through increased inflation, and complications in securing international finance. The U.S. leadership claims that it wants to support ordinary Iranians, but their actions only undermine this supposed good intent, and they end up playing politics with people's lives in an effort to appease their own support base and regional allies.

**Prof. Nancy Gallagher, Director of the Center for International and Security Studies at Maryland**

■ The humanitarian consequences of the reimposition of U.S. sanctions against Iran are particularly unfortunate and are already being widely condemned. European countries may want their first special purpose vehicle to focus on facilitating humanitarian trade since the United States claims that its sanctions are not intended to interfere with it.

■ Some countries share the Trump administration's view of Iran and are enthusiastic about the reimposition of sanctions. Other countries disagree with what the Trump administration is doing and are trying to minimize the sanctions' negative effects on trade with Iran, but will not make resistance their highest priority. Some countries may believe that the political benefits of showing independence from the U.S. outweigh whatever economic costs they incur, but it's not clear yet who is in that group.

# Grave Human Rights Violations by the United States across the World



By: Amir Hossein Akhbari  
Lecturer in International Relations  
at University, phd candidate

The thing that is always scrutinized regarding human rights violation is human rights violations within the borders of a country. In other words, when human rights violations take place by the authorities of a country against the people, as the only dimension of human rights violation, is deemed as internal human rights violation.

The thing that we are looking into in this narrative is that despite showing human rights violations within borders, there are also other dimensions of human rights violations which require attention. One of these dimensions is the violation of human rights by the authorities of one country against another country, such as interference etc.

Another dimension of human rights violation is the undermining of guarantee of implementation of international human rights commitments, such as pulling out of international agreements and treaties, which this approach shows the international aspect of human rights violations. Now, if a country simultaneously violates human rights at these three levels, we shall be faced with something more than just the systematic violation of human rights at the internal level, and human rights violations will take on a more extensive dimension.

According to existing statistics and figures, the United States of America, particularly after the election of Donald J. Trump as President, is now seen as a country whose officials extensively violate human rights at the three earlier mentioned levels.

In this narrative human rights violation cases committed by the United States at the three levels of internal, other countries and international will be reviewed.

**Keywords:** violation of human rights, interfering actions, international commitments, unilateralism.

## Introduction

Nongovernmental organizations and research institutes have continuously



highlighted and reviewed human rights violations in the United States. However, human rights violations at the three internal, other countries and international levels have been studied simultaneously to a lesser extent, and mostly human rights violations inside the United States have been highlighted. In this narrative all three levels are reviewed. Therefore, human rights violations inside the United States are reviewed briefly and other dimensions will be reviewed with more stress.

### **1 – Human rights violations at the internal level in the United States**

Harsh criminal justice, racial inequalities, and narcotics policies, children's conditions in the criminal justice system, the effects of poverty on criminal justice, hate crimes, non-citizen's rights, right to health, senior citizens' rights, women and children's rights, sexual orientation and gender identity, national security, protection of information, freedom of expression and foreign policy, are all important cases of human rights violations in the United States, each one of these cases can be studied extensively which cannot all fit in this brief article. Also a small glance at some of the figures further unveils grave human rights violations in the United States. <sup>1</sup>

- The existence of more than 2 million prisoners in State and Federal prisons and another 4.5 million on parole.
- Capital punishment in 30 States and execution of 21 prisoners by the end of November 2019.
- 40 percent of prisoners being African Americans (while they only make 13 percent of all the population).
- 876 deaths in police shootings since the beginning of October last year and 22 percent of the deaths are African Americans.
- Holding of approximately 32000 juveniles under 18 in adult prisons.
- Separation of more than 2500 migrant families at the border on the orders of President Trump due to criminalization of the parents for migrating with their children.

### **2 – United States human rights violations in other countries**

In December 1965, the United Nations General Assembly adopted a «Declaration on the Inadmissibility of Intervention in the Domestic Affairs of States and the Protection of their Independence and Sovereignty,» according to which «no state has the right to intervene, directly or indirectly, for any reason whatever, in the internal or external affairs of any other state . . .» and «no state shall organize, assist, foment, finance, incite or tolerate subversive, terrorist or armed activities directed toward the violent overthrow of another state, or interfere in civil strife in another state.» Yet again we are witnessing throughout the world activities violating all the rules laid down in this Declaration.<sup>2</sup>

- The mission of the post-9/11 wars, as originally defined, was to defend the United States against future terrorist threats from al Qaeda and affiliated organizations. Since 2001, the wars have expanded from the fighting in Afghanistan, to wars

and smaller operations elsewhere, in more than 80 countries —becoming a truly “global war on terror.”<sup>3</sup>

By the end of 2020, the post-9/11 wars will have cost over 801,000 lives and \$6.4 trillion.<sup>4</sup>

Unilateral Coercive Measures (UCM)s imposed by the United States on countries including the Islamic Republic of Iran, Iraq, Cuba and Venezuela have resulted in widespread violation of Human Rights in target countries. In Venezuela, the sanctions amounted to 40 Billion dollars loss and caused 40,000 deaths.<sup>5</sup> In Cuba, the sanctions resulted in billions of Dollars loss<sup>6</sup> and limits access to food and medicine threatening life and health of the population. In Iraq, half a million children died of sanctions and the United States viewpoint was that “the price was worth it.”<sup>7</sup>

The on-the-ground experiences of NGOs based in Iran proves that the United States Unilateral Coercive Measures (UCM)s violate the right to life and the right to health in the country as well as all other countries targeted by sanctions including Cuba, Venezuela and Syria. The violations are also documented by the most recent report of the United Nations’ Secretary General on Iran: *the UN “Human rights mandate holders have expressed concern that sanctions and banking restrictions may unduly affect the production, availability and distribution of medicines, pharmaceutical equipment and supplies. The significant rise in prices of medicines and the depletion of available stocks, combined with the increased risk of corruption and obstacles to the development of the pharmaceutical industry, will continue to affect the health sector, which may result in the increase of preventable mortality and morbidity and have a negative impact on the effective enjoyment of the right to health”*<sup>8</sup>

Sanctions on oil export are considered as violation of the common Article 1 of ICESCR and ICCPR; sanctions on medicine violate Article 12 of ICESCR and Article 25 of the Convention on the Rights of Persons with Disabilities; and limitation of access to education violates Article 26 of Universal Declaration of Human Rights.

The United Nations’ attempts and resolutions to prevent the humanitarian effects of Unilateral Sanctions on target countries have not been effective enough to protect the people’s rights in target countries. On Cuba, the UN General Assembly has, since 1992, passed a resolution every year condemning the ongoing impact



**Unilateral Coercive Measures (UCM)s imposed by the United States on countries including the Islamic Republic of Iran, Iraq, Cuba and Venezuela have resulted in widespread violation of Human Rights in target countries**

of the embargo and declaring it in violation of the Charter of the United Nations and of international law, all resolutions are overlooked by the United States. On Venezuela, the UN rapporteur to visit the country, Alfred de Zayas, criticized the US for engaging in “economic warfare” against Venezuela saying that the US sanctions are illegal and could amount to “crimes against humanity” under international law,<sup>9</sup> while the United States are continuing its unilateral measures.

Also, Idriss Jazairy, the UN Special Rapporteur on the Effect on Unilateral Coercive Measures, has repeatedly condemned the violation of human rights through sanctions for furthering political objectives.<sup>10</sup> He believes that the recent imposition of unilateral coercive measures on Cuba, Venezuela and Iran by the United States, for political purposes, violates human rights and the norms of international behavior”, adding that “...*political differences between governments must never be resolved by precipitating economic and humanitarian disasters, making ordinary people pawns and hostages thereof.*”<sup>11</sup> However, the United States has failed to pay attention to the comments and criticisms of the UN experts.

One of the most inhuman effects of sanctions were witnessed during the Iran flood in early spring 2019, when Unilateral Economic Measures prevented Iran from access to financial humanitarian aid. The UN the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, Mr. Idriss Jazairy, in his most recent report to the UN Human Rights Council, “*notes with concern the statement made by the Iranian Red Crescent Society that United States sanctions have already prevented it from obtaining any foreign financial aid to assist victims of the recent flooding that has killed at least 70 people and inundated some 1,900 communities in the Islamic Republic of Iran. This points to the ineffectiveness of humanitarian exemptions to sanctions, a situation that cannot be justified in terms of humanitarian law.*”<sup>12</sup>

### **3 – Human rights violations in the international community**

#### **a) Banks and international mechanisms’ refusal to cooperate**

One of the main mechanisms for the promotion and protection of human rights is the expansion of international organizations and treaties.

Jamil Dakwar, director of the American Civil Liberties Union’s human rights program, said the shift gave the impression the US was no longer serious about honoring its own human rights obligations. The ripple effect around the world would be dire.

“They are sending a very dangerous message to other countries: that if you don’t cooperate with UN experts they will just go away. That’s a serious setback to the system created after World War II to ensure that domestic human rights violations could no longer be seen as an internal matter,” Dakwar said.<sup>13</sup>

the United States is one of the few countries that has not ratified the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), the

Convention on the Rights of the Child, the International Covenant on Economic, Social, and Cultural Rights (CESCR) and its Optional Protocol, the Convention on the Rights of Persons with Disabilities, United Nations Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and the International Convention for the Protection of All Persons from Enforced Disappearances.

#### b) Unilateral Withdrawal from International Treaties and Agreements

Multilateralism is necessary for the preservation of international peace and security and unilateral United States withdrawal from international treaties and conventions can seriously damage international relations norms and the credibility of international organizations, threaten peace, security, respect to human dignity and facilitate the growth and spread of violence and terrorism.

The US unsigned the Rome Statute of the International Criminal Court (ICC) in 2002, and since then, it has systematically undermined the ICC by signing bilateral agreements with states to exempt US military and government personnel from the court's jurisdiction.<sup>14</sup>

In November 2016 the United States announced its departure from the Trans-Pacific Partnership. This treaty was the result of 7 years of talks between the United States and 11 other countries of the Pacific region which covers a population of over 800 million, and its coverage directly affected 40 percent of global trade.

In June 2017 the United States announced that it was leaving the Paris Climate Accord. The Paris Accord was signed in 2015 following years of talks and negotiations between 195 countries of the world to reach a universal agreement for the fight against climate change.

In January 2019, the US officially left the UNESCO.

In May 2018, the US withdrew from the Joint Comprehensive Plan of Action (JCPOA), known as the Iran nuclear deal, that the five permanent members of the UN Security Council alongside Germany negotiated for two years. Although the IAEA certified, over ten times, that Iran had met the nuclear agreement's requirements, the United States re-imposed sanctions and moved to wipe out Iran's oil exports. On the same date, the United States violated the Security Council Resolution 2231 related to JCPOA and continued to encourage other countries to do so.

On 3<sup>rd</sup> Oct. 2018 the United States ignored the ruling of the International Court of Justice orders US to ease Iran sanctions and continued to increase the unilateral economic measures. On the date, the ICJ unanimously decided that the United States *“must remove, by means of its choosing, any impediments arising from the measures announced on 8 May 2018 to the free exportation to the territory of*

*the Islamic Republic of Iran of (i) medicines and medical devices; (ii) foodstuffs and agricultural commodities; and (iii) spare parts, equipment and associated services (including warranty, maintenance, repair services and inspections) necessary for the safety of civil aviation.*"<sup>45</sup>

## **Conclusion**

In today's intertwined world, even the human rights violations committed within the borders of a country spread to other parts of the world. When, through the use of various tools such as military and economic power and threat, a country implements its unilateral policies at the global level, human rights violations committed by that country take on more extensive dimensions and move across its borders more clearly and affect the whole world.

What we are seeing is the United States pursuing the abovementioned patterns. Aside from the United States committing human rights violations within its borders, which have been highlighted in this narrative with facts and figures, but the application of America's unilateral policies at the international level which clearly clashes with Mankind's achievements – which is international peace and cooperation for the protection of human rights – gives it a more extensive dimension of human rights violations at the international level by this country. Also America's interfering actions in other countries such as unilateral coercive measures against countries, and forcing other countries to observe its own domestic laws in this regard, which according to international documents causes pain and suffering of the people under sanction, is another instance which adds to America's record of human rights violations alongside warmongering interferences of the country in other countries, particularly the Middle East. It is apt that the review of America's human rights violations at three levels mentioned in this narrative to be reviewed more deeply in other articles.

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# Arms Sales and Violation of Human Rights



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From the Westphalia agreements to-date the western world discovered that it can even learn a lesson from war and bloodshed and opened a bridge towards peace and humanity, although decades and centuries have passed but sadly in all corners of the world, lesser developed countries and kept backwards, still have not understood the kindness of this Mankind's tranquility, but they are even denied this taste of tranquility. The main reason of this failure which results in many and endless wars on one hand, and brutal and inhumane massacres on the other hand, the greed of the western government and weapons factories in the west and cultural poverty and blood sucking of some power seekers and totalitarian regimes in lesser developed countries.

Through research on the effects of the sale and further production of inhuman war weapons, in this article we attempt to review the effects of these actions on the policies of countries, both in the west and east, with a neutral view. Also the effects of this increase on the international atmosphere will be analysed. The effects of weapons policies on the behavior of western governments and the influence of the weapons manufacturers' lobby will be revealed in this article.

**Keywords:** military weapons, human rights, sale, peace, right to peace.

## Introduction

The arms trade today, has turned into one of the most profitable and influential trades in today's world. The influence of this trade is important because not only it has direct impact on the trade and economy of countries but it is also intertwined with the policies of weapons producing countries, and the impact of its protecting lobbies on foreign policy and national security and even domestic elections is clearly visible in many countries. For the transparency of these subjects, we attempt to find out through thematic and historic reasons, what are the impacts of weapons lobbies on policies and international conflicts?

## **The Impact of Weapons Sales on International Policy**

The thing that is recognized as customary in international relations and policy is that the sale of arms is an unwritten message but is clearly sent to all regional and international players is based on the fact that the purchasing country (which usually is one of the seller's satellite countries) has full support and approval of the seller in its international and even domestic policies.

This causes the tying of violation of human rights and arms trade with each other, which of course is just one of the main pillars of this link; because in history there have been many totalitarian and dictatorship countries which through astronomical purchases and receiving perceived assurance of support from world powers, have committed massacres in wars and or even acted against their own citizens. Furthermore, often times big military agreements have been made following massacres and crimes against humanity for the purpose of drawing the support of UN Security Member States.

Another aspect of this is the security perspective of security and military forces of the purchasing of weapons, in a way that the security policy-setters of some country wrongly believe that with buying more weapons they can provide national and international security, and protect the country, whereas real and lasting security is dependent on scientific and cultural development and also regional and international cooperation. They, with this false and immature logic through spending heavily on military purchases, in practice and literally neglect their nation's scientific and cultural development and facilitate the backwardness of these nations from the scientific and cultural perspectives. Furthermore with stockpiling of weapons which can only be used in wars, and billions have been spent in their purchase, in practice they bring the basis and encourage the outbreak of internal and international conflicts. Without saying it is clear that scientific and cultural poverty is the best encouragement and facilitator for the appearance and growth of extremist terror groups, and in the long term will cause lasting insecurity in the international atmosphere.<sup>1</sup>

But if with reliance to statistics and figures we take a neutral look at the buyers and sellers of weapons we will easily discover that the majority of the buyers in this market are Middle Eastern countries, Saudi Arabia in particular and the main sellers are Russia and western countries, particularly the United States. The Middle East is a region that is made up of countries with huge oil and gas reserves, and also nations that are mostly fundamental and sensitive. Aside from the geostrategic map of the region, this part of the world can be seen as having a lot of potential both from the natural resources aspect and human resources aspect, for endless conflicts, the Arab-Israeli conflict, Syria's civil war, Iraq's unrests and terror groups like ISIS, the Yemen crisis, are all living crises which still continue as this narrative is being written, and every day news from the troubled region reaches all across the world.<sup>2</sup>

Now we take a microscopic and statistical look at these crises and the connection of nations involved with the arms trade. Let us hope that this analysis with the

aid of official figures can give a glimmer of hope for the politicians to take the path of commitment and humanitarianism. In the SIPRI report it has been declared that 52 percent of US weapons exports in 2014 to 2018 has been to West Asia. In this period the United States has provided 68 percent to Saudi Arabia, 64 percent to the UAE, and 65 percent to Qatar, which has turned the country into the biggest weapons supplier in the Persian Gulf region. Pentagon's Defensive Security Cooperation Agency's report indicates that United States' arms exports in 2018 was in excess of 55.660 billion dollars.<sup>3</sup>



**Now we take a microscopic and statistical look at these crises and the connection of nations involved with the arms trade**

### **Thematic Study of Saudi Arabia in Weapons Purchases:**

The conflict that with its self-created coalition with some of its allies (such as the UAE and Bahrain), Saudi Arabia has launched against Yemen resulted in these three countries in the recent years to turn into a source of income for the United States and some of its allies weapons industry. Of course Riyadh's tension building through cutting all relations with Doha and getting some of the region's Arab countries to choose its side, has increased the extent of the weapons market in the Persian Gulf region. These factors have resulted in Saudi Arabia to turn into the biggest arms importer in the world between the years 2014 and 2018. Of course, the United States, especially with Trump coming into Office with a business background, it has rejuvenated its weapons industry, and has managed to get itself 68 percent of Saudi weapons imports for the earlier said timeline. Riyadh's weapons purchase extent is massive and various countries such as China, Canada, the United Kingdom, Spain, Sweden, Ukraine and etc. are some of these countries. According to the SIPRI report, Saudi Arabia is the second largest weapons importers in the world, the first one being the United States. In the five years ending 2018, Riyadh took an 18 percent share of the total amount of weapons sold by America (approximately 9 billion dollars). Also in the years 2014 to 2018 the volume of Saudi arms imports compared to five years ending 2013 has had a 192 percent increase.<sup>4</sup>

According to announced figures, in 2018, Britain sold 3.8 billion Euro's worth of weapons to Saudi Arabia, France 1.5 billion, and Germany 722 million in Euros. According to this report, one out of every seven dollars that in 2016 has been spent on purchasing weapons in the world has been spent by Saudi Arabia. In total, Riyadh takes up 12 percent of global weapons imports.<sup>5</sup>

Also the total spending on weapons in Saudi Arabia for 2019 alone reached 71 billion dollars and thus this country is the number one country among Arab countries, followed by the UAE in second place with 14.3 billion dollars. The total amount spent on weapons by Arab countries is 135.5 billion dollars, and



Saudi Arabia alone takes up 51 percent of that amount. Also the total global military expenditure for 2019 broke the 1.7 trillion dollar barrier with the United States having 716 billion dollars share of that or 42 percent in other words, putting it at number one in the world. China with 224 billion dollars in second place and Saudi Arabia in third place. It must be said that according to assessments in 2018 with a spending of 67.6 billion dollars, Saudi Arabia was in third place in the list of military expenditures.

Saudi weapons imports between 2014 and 2018 had an unprecedented increase, equal to 192 percent increase, which turned Saudi Arabia into the world's biggest weapons importer for that te period.

In the aforementioned time period, Saudi Arabia allocated 68 percent of its imported weapons to the United States, 16 percent to the United Kingdom and 4.3 percent to France. The comparison of Saudi military expenditure in 2018 compared to the expenditure in 2017 notably increased and considering that the military expenditure for the current year had an increase of 70 billion dollars, this means that the average weapons expenditure is steadily on the increase.<sup>6</sup> And this imposes hefty costs to the country's treasury. Goes without saying that it is clear that the major part of this huge increase in military budget is due to the Yemeni conflict, where the United Nations on countless occasions has criticized the role of the Saudi-led Coalition.

### **The Weapons Lobby and its Role in the Increase in Arms Sales**

The most important reasons for welcoming weapons lobbies from the outbreak and lengthening of wars can be determined in three focal points: big weapons manufacturers profits from selling weapons to the government, weapons purchased by countries bordering the country in crisis, and the chance to equip and train their armed forces. With regards to the Syrian crisis and ISIS, as well as the regional countries huge weapons purchases from America, simultaneously American companies sold a lot of weapons to the region's Arab countries, and will continue to do so in the future, and this as well as rejuvenating America's economy, will bring huge profits to these companies and will be a clear reason for their support for prolonging the war against ISIS; because with the continuation of conflict, weapons exports to the region will continue. But these companies also pursue long-term interests. Weapons manufacturers hope that on the pretext of fighting ISIS to once again set foot in Iran and on the excuse of restructuring the armed forces of the country with modern equipment, and thus think about profit. Overall it can be said that this conflict for companies that cooperate with the US military, has created a golden opportunity. For example the stock value of Lockheed Martin, as one of the weapons manufacturing countries in the last three months has risen by 9.3 percent. The stock value of Riton and Northrop Grumman Corporation rose by 3.8 percent, and General Dynamic by 4.3 percent. These profits figures show their stress on prolonging the war against ISIS.

### **Violation of Peace:**

Although many believe that the fate of countries and nations are decided in wars and all countries are always busy doing weapons calculations, but the crucial and realistic point is that with violation of peace and tranquility in wars, whose main victims are civilians, the fate of countries is in practice ruined. Right to peace is one of the main rights of Mankind without which there is displacement, no security and ultimately living and spiritual destruction of countries is brought about. This itself is the unjustified and inhuman strategic of wars.



**It goes without saying that right to life is the most important right of Mankind which is focused in all international and domestic laws and it can be seen as the main pivot of all domestic and international laws**

### **Violation of Right to Life:**

It goes without saying that right to life is the most important right of Mankind which is focused in all international and domestic laws and it can be seen as the main pivot of all domestic and international laws. In Yemen alone since the outbreak of war, the death figures are at 91,600<sup>7</sup> and in the Syrian conflict too the figures for those killed is estimated at over 400,000.<sup>8</sup>

Nevertheless, the most important investment of Mankind which is human population itself is threatened which includes the population destruction at a high rate in mass killings which takes place in ideological wars and high rates of war dead which includes military personnel and civilians. In this situation, not only human's right to life is threatened, but the basis for the outbreak of contractual diseases and repetition of other human catastrophes in wider scales are brought about.

### **Violation of Women and Children's Rights**

Sadly, the majority of victims in all wars are women and children. This catastrophe showed the severity its horror in the war against ISIS to such an extent that they called it war against women.<sup>9</sup> For the rest of their lives, most of the victims of these aggressions will never be able to come to terms with the psychological impact of these transgressions, and some who because of rape have born children in unwanted pregnancies, and even after their release in practice due to tribal beliefs return to their ethnic and tribal places. The extent of the tragedy is that the voices of these innocent women and children are silenced so much that there are no accurate figures available for the victims of these types of abuses and rapes.

### **Conclusion**

With the increase in the purchase of weapons and also the subsequent increase in military budgets, not only peace is not brought in strategic regions of the world, but on the contrary the basis for more severe reactions and proxy wars and even

direct wars between competing countries is brought about. Also with the reduction of cultural and infrastructure budgets, the environment for the appearance and influence of terror groups is created and national and international security is threatened. With the increase in arms exports, democracies and democratic groups in the created environments are frustrated and democracy supporting countries (if such claims are genuine) will become desperate in the advancement of democratic and multilateral projects, and will have no allies. Weapons exports are only for the benefit and profit of the weapons lobbies which in fact with the increase in the death and destruction trade a world more dangerous and backwards and ultimately more inhuman will be imposed on Mankind.

In fact with the increase in weapons sales which is the result of the pressures of weapons lobbies, we shall be witness to more severe with higher human casualties wars and conflicts. These wars will result in graver violations of human rights in different areas such as grave violation of right to life, women's rights and violation of peace and higher number of refugees at the international level, which ultimately all of Mankind will share the heavy cost.

It seems that the only real solution in international crises is through talks and finding multilateral security and regional solutions to accomplish peace and welfare of nations. Let us remember that in the new era no country has managed to determine the fate and destiny of its people through pressure and military might, but the opposite of this is talks which says the final and game changing word. No longer political crises have military solutions today, and only through talks and dialogue and cooperation they can be resolved.

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# Violation of Women and Children's Rights in Armed Conflicts

## Yemen, Myanmar, Syria and Palestine Thematic Report



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Throughout history women and children have continuously suffered the most in various ways in wars. They make up the majority of refugee and displaced population and in spite of the efforts of international organizations to support them, not only there is not enough guarantees to protect these groups of society in armed conflicts, but women and children's daily increasing fears due to wars, particularly in the Middle East region in countries such as Palestine, Yemen and Syria is increasing and more women and children lose their lives, properties and their dignity in various ways.

Murder, sex crimes, rape, slavery and exploitation, forced pregnancies, forced sterilisation, torture, and trafficking are all war crimes which are committed against women and children. Also directly or indirectly effects of wars makes thousands of women and children victims of starvation, shortage of water, food and medicines.

**Keywords:** conflict, violence, victim, women, children, human rights

### Introduction

Even though women and children are not usually deemed as enemy combatants in armed conflicts, sadly they are groups who suffer the most damages in war, and are the main and extensive victims of armed conflicts.

Protection of civilians and the necessity for distinction between military forces and civilians are fundamental principles of humanitarian law and international law. Treaties and conventions which have been set in relation with war such as the Paris Declaration Respecting Maritime Law, the Geneva Conventions, St. Petersburg Declaration relating to Explosive Projectiles, Brussels Declaration on Distinction of Armed Forces and Civilians, the Hague Conventions relating to land and sea wars, although have all been almost comprehensive in regulations but the existence of numerous norms in various spheres, without having real and serious enforceable guarantees, do not bring much value for the international community.



**Some three million women and girls in Yemen are at risk of gender-based violence. There is, however, no legislation that specifically protects them. More than 4.7 million children have trouble accessing education**

In this report we take a look at the violation of women and children's rights in armed conflicts in 2019 in Yemen, Myanmar, Palestine and Syria.

### **Yemen**

The civil war since 2015 has killed tens of thousands of civilians and left the country mired in a devastating humanitarian crisis, with women and children often bearing the brunt of the daily struggle to survive. After almost half a decade of war, some 24 million Yemenis, close to 80% of the population, have been left in need of aid and protection. With men, often the bread winners, injured, killed or fighting on the front line, women and girls are facing new

challenges and adversities. Many women have unexpectedly found themselves responsible for their families — a responsibility they weren't prepared for. On the other hand, many men who are unable to provide for their families as a result of the war feel under pressure. This pressure often reveals itself in cases of domestic violence, which have increased during the war.<sup>1</sup>

Some three million women and girls in Yemen are at risk of gender-based violence. There is, however, no legislation that specifically protects them. More than 4.7 million children have trouble accessing education. Schools have been destroyed. Teachers who do not receive their salaries regularly have left to seek other opportunities. And children have been forced by their families' worsening economic situation to drop out and find work. More than 36 percent of girls are missing out on school. The conflict exacerbated discrimination against women and girls, and left them with less protection from sexual and other violence.<sup>2</sup> Forced and early marriage of girls, common before the conflict, has tripled since beginning of the war. UNICEF estimates that 72 percent of Yemeni girls are married off before the age of 18.<sup>3</sup>

Before the war, Yemen was already one of the world's poorest countries, with acute levels of hunger. The war has shattered everything that kept Yemen just above starvation. Now it is teetering on the edge of famine.<sup>4</sup> 1.1 million pregnant women and new mothers are acutely malnourished.<sup>5</sup> According to UNICEF, the country's 1.8 million malnourished children are particularly vulnerable to diseases like diphtheria and cholera.<sup>6</sup> Even if the five-year war in Yemen were to end today, it would take two decades for the impoverished country's children to reach the lesser level of malnutrition they suffered before the conflict.<sup>7</sup>

### **Myanmar**

Women and children in Myanmar suffered patterns of grave violations following

the crisis. The findings confirm thousands of grave violations against women and children, including killing, maiming, rape and other forms of sexual violence for which the armed forces of Myanmar (Tatmadaw) have already been listed in the 2017 Secretary-General Annual Report on Children and Armed Conflict.<sup>8</sup> At the end of 2018, more than 730,000 civilians from Myanmar had fled to Bangladesh; over 90 percent of them are Rohingyas and more than 60 percent are women and children. They also reported sexual violence and abductions of women and girls in villages and at checkpoints along the route to Bangladesh.<sup>9</sup> According to a report by the Independent International

Fact-Finding Mission on Myanmar, rape and other sexual violence have been a particularly egregious and recurrent feature of the targeting of the civilian population in Rakhine, Kachin and Shan States. These violations, for most part perpetrated against ethnic women and girls, were used with the intent to intimidate, terrorise and punish the civilian population and as a tactic of war.<sup>10</sup>

The situation in Rakhine State is increasingly complex. In 2019, fighting between the Myanmar Army and the Arakan Army led to the displacement of 30,000 people, in addition to the 128,000 people internally displaced since 2012 and the 470,000 stateless people in need of humanitarian support. In Kachin, 100,000 people remain internally displaced and are living in camps.

In these environments, children, particularly girls, are vulnerable to exploitation, sexual and gender-based violence, neglect, family separation, risky migration and abuse. Cramped camp conditions heighten these vulnerabilities, and limited access to basic services increases risks of communicable disease transmission. Children face additional risks from the increasing use of improvised explosive devices and landmines.<sup>11</sup> Myanmar also remains on the UN's list of parties that use and recruit child soldiers.<sup>12</sup>

According to some report 60 percent of refugees are single mothers and the most urgent needs are for shelter, food, water, sanitation and hygiene.<sup>13</sup> Women and especially mothers have very specific needs, and this is never more evident than during a humanitarian disaster.

## **Palestine**

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In the armed conflict, many fatalities have been reported among Palestinian children, innocent victims often killed by mistake but sometimes callously shot by Israeli soldiers for no reason. The attacks often target public places that have turned into refuges for civilians, like schools, hospitals, etc. In addition to the lost lives, tens of thousands of children are injured and some are left disabled for life.

Additionally, the wall – or fence in some places – zigzags through the West Bank, greatly affecting accessibility to education, water, health care and economic development for the country. The Israel army has defined a stone as a dangerous projectile in the same category

as a real bullet. So even if a child throws a stone at an Israeli soldier, the latter can respond in force and the child can be sentenced to up to 20 years in prison.<sup>14</sup> Women and girls continue to be victims of discrimination. They are particularly affected by “honor killings.” Even though these crimes are punishable under law, men often only serve a short sentence and the victims’ cries for help fall on deaf ears.

Also, poverty make children to leave school at a very early age, usually to work and provide for the needs of their families. Early marriages of young girls and adolescent crime are both consequences of poverty. In conflict settings, girls are one and a half times more likely to be out of primary school, and more vulnerable to child marriage.<sup>15</sup> Even though the legal age of maturity is fixed at 18 years old, child marriages are still commonly practiced in Palestine since one in ten girls are married between 15 and 19 years of age.

While women have continued to participate in a range of roles in political life, they remain underrepresented in decision-making bodies.<sup>16</sup>

### **Syria**

The increasing number of grave violations verified by the United Nations in the Syrian Arab Republic is concerning. The precarious human rights, humanitarian and security situation faced by thousands of people, mainly composed of women and children, who are being held in inhumane conditions in overcrowded camps or other settings in northern Syria.

The Syrian civil war now constitutes the largest displacement crisis in the world, with more than 6 million people who have been internally displaced. Among this already-vulnerable population group, women and children face significant challenges associated with lack of adequate access to maternal and child health (MCH) services, threatening their lives along with their immediate and long-

term health outcomes.<sup>17</sup> Meanwhile, an estimated 2.6 million children remain displaced inside Syria, while some 2.5 million children are living as refugees, in neighbouring countries.<sup>18</sup>

The hostilities have damaged or caused the closure of critical basic services including schools, health and water facilities. Many of those displaced, especially children, are also in need of psychological support after witnessing shelling, fighting and explosions in their home communities.<sup>19</sup>

“Killing and maiming remains the most prevalent violation against children in Syria, with 657 children killed and 324 injured between January and the end of September. At least 250 boys, some as young as nine years old, are held in detention, though the actual numbers are likely to be much higher.<sup>20</sup>

Women tend to be the ones who sustain the resilience of families and communities, trying to keep their families healthy, fed and together. In many cases, they have become the sole breadwinners overnight, after losing husbands and fathers to the conflict.<sup>21</sup> Studies show that at least one-third of Syrian refugee households in Jordan and Lebanon are headed by women. The hardships of displacement have shaken traditional patriarchal conceptions of women’s roles and responsibility; the need for women to work and provide for their families emerged as a primary concern and challenge for female refugees across all countries. And 60 percent of Syrian women in Jordan, Lebanon and Turkey said that they feared violence or harassment.<sup>22</sup>

The conflict in Syria has led to an increase in child marriages.<sup>23</sup> The harsh living conditions, the insecurity, and the fear of rape, have led families to force their daughters into early marriages.

## Conclusion

In the recent years the international community’s attention towards the situation and protection of women and children during armed conflict has notably increased. But just as in other areas of humanitarian law and international law many problems exist in the realisation of these supports and protections. International laws do not have enough enforcements and they fall short in protection of weak and vulnerable groups.

Throughout the world people suffer in armed conflicts and violent disputes, terrorism, enslavement and occupation, and more than anything countless women and children are destroyed in the flames of evil and greed of politicians. The human dignity and fundamental rights of women now are under attack in



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occupation disputes, ethnic and religious disputes and terror tactics. One of the dire international issues for women is systematic rape of women in armed conflicts which takes place brutally with the aim of ethnic cleansing.

It seems that many priorities must be given to ending violence against women - a group that raise the future generation - and children - as the future generation - by international human rights organizations, governments and officials. Also empowering and training them as the changing factor of the future's societies must be considered. Victims of terror and violence must be rehabilitated and be given support for their rehabilitation and return to society, and governments must do all they can to prevent them from being marginalised so that violence is not reproduced.

Big powers and countries who for their greater economic interests sell weapons to particularly regions in conflict, are all the main culprits in the destruction of the lives and properties of civilians. The international community must find a way to stop the trading of people's rights and dignity with money.

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# A Review of Human Rights Development in the Islamic Republic of Iran in 2019



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The Constitution of the Islamic Republic of Iran as a legal document of the political system of Iran in various articles such as in its third chapter (articles 19 to 42), and in some other articles, has given a special status to various forms of human rights such as civil, political, economic, social and cultural rights for the people. On this basis, in the 2nd article of the Constitution stresses on human dignity and freedom alongside responsibility before God as one of the pillars of the system and also in article 9 freedom has been introduced as one of the main and indispensable axes of the country's political system. In this research efforts have been made to objectively assess various aspects of the human rights situation in Iran including the situation of prisoners, women, children persons with disabilities, religious minorities, vulnerable groups, civil and political freedoms, and refugees. The results of this research indicates that despite the challenges and problems in 2109, the human rights situation in most of the human rights areas mentioned above has significant growth and improvement.

**Keywords:** human rights, civil and political rights, the Islamic Republic of Iran

## Introduction

Human rights as a set of collective and universal rights which have been accepted by most nations and world's political systems, have had an important status in the protection and promotion of human rights in the current age. In this regard, the United Nations, as the most important international organization that defends the application of human rights, has implemented numerous mechanism. In such a way that a wide range of nongovernmental organizations under the auspices of the UN advocating for human rights. Human rights conventions and declarations, adoptions and bodies based on the UN Charter are important UN mechanisms for the implementation and

expansion of human rights around the world.

In this light, by adhering to a number of international conventions and covenants on human rights and facilitation of the expansion and formation of governmental and nongovernmental bodies, with consideration of its laws and religious laws (Shari'a), the Islamic Republic of Iran has tried to align itself with international human rights standards. The text of these laws in the Constitutional Law and other laws which do not contradict Islamic laws are explained.

Furthermore, Iran's membership in a number of international human rights conventions shows that human rights has an important place in the country's decision makings. Conventions and treaties to which Iran has signed or acceded include: International Convention for the Suppression of the Traffic in Women and Children (1921 Convention- Paris and Geneva Agreement), Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery of 1956, International Convention on the Elimination of all Forms of Racial Discrimination of 1965, International Covenant on Economic, Social and Cultural Rights of 1951, Convention Relating to Status of Refugees of 1951 and its 1961 Protocol, International Convention against Apartheid in Sports of 1977, Convention on the Rights of the Child of 1989, and Convention on the Rights of Persons with Disabilities of 2006.

### **Civil and Political Rights**

Elections are deemed as the most important pillars of democracy in a country and by coming to the ballot boxes the people determine their own and their country's fate. From the outset of the revolution to-date there have been approximately 40 rounds of presidential, the Council of Experts, Islamic Parliament, City and Village Islamic Councils have been held.

In the upcoming 11th Parliament elections which will be held in February this year, approximately 14 thousand individuals have registered as candidates for the seats, which is a 15 percent increase from previous Parliaments. Twelve percent of the candidates are women and eighty-eight percent are men. Also, there are 19 candidates for the seats of the officially recognised by the Constitution, religious minorities for Tehran seats.

Alongside elections and right to free elections, political parties have also turned into necessities of life in modern era's human communities, in a way that they are some of the most influential bodies in the decision making and executive operations of a country, and they function as a link between the people and the political governance. The political deputy of the Interior Ministry gave news of the launching of 17 political parties houses in provinces in the years 2019 and 20, and explained that fortunately the procedures that are in place today for the formation of establishment of political parties' houses, are much easier procedures and laws than in the past. He also

added that currently 120 permits have been issued for political parties in the country, and 20 thousand NGOs are active in the country.

Another pillar of democracy and citizen's rights is assemblies and demonstrations. According to the laws of the Islamic Republic of Iran, political parties and groups can request the Interior Ministry for permits to hold assemblies three days prior to the assembly or demonstration. From March 2019 to-date, 331 permits have been issued for assemblies and demonstrations all over the country, which is an increase compared to the past (Interior Ministry website).

In addition to the above-mentioned developments, with regards to the human development index also international figures and statistics show that Iran's situation is improving. This index reviews three aspects of the lives of people in countries: "long and healthy life", "access to knowledge" and "dignified living standards". According to this index Iran was ranked in 65th place in 2019, above countries such as Brazil, China, Tunisia, Lebanon, Indonesia and Egypt. In the world ease of doing business index in 2019 Iran was in 127th place. Compared to the previous year Iran had an increase of 0.5 percent (Doing Business).

### **Children's Rights**

In relation with children's rights, Iran adopted "the Protection of the Rights of Children and Juveniles Act". This worthy Act is being studied by UNICEF. This Act has been written in its 51 articles and towards prevention of child abuse trafficking in children and also protection of children and juveniles. In this regard, offices have been set up in the Justice Department for the protection of children, which in view of this Act being in its infancy, gradually more offices will be opened up in the Departments. The Support for Children's Education Act is enforceable (Centre for Islamic Parliament Researches, 14 May 2018).

The drafting of "the Fight against Child Abuse National Document" is another effort for the protection of children's rights. Considering that 3 percent of the Iranian population are children, the importance of this document increases. To this aim and for further protection of children, over 400 pre-marriage education centres have been established nationwide, whereas three years ago there were only 50 such centres, and today the result of the expansion of



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these centres is a drop in divorces.

Towards protection of children of divorces, steps have also been taken. According to published reports, up to 160 centres for visiting children divorces are to be launched by 2022, and until April 2019, 132 centres went operational and more than 80 percent of the agreed target with regards of the launching of these centres have been fulfilled. In 2019 approximately 70 thousand visits took place in these centres, and 740 reconciliations took place among divorced parents.

With regards to organizing child labourers and street children steps have been taken with social services, municipality, NGOs related to State Welfare Organization alongside provincial governorship. In this programme, the thematic management approach is considered. Considering that most of these children are on the streets because of livelihood problem, the Imam Khomeini Charity Foundation in cooperation with the State Welfare Organization has allocated funds to help these children and their families (State Welfare Organization website).

According to latest figures, currently the State Welfare Organization has the custody of 26,000 children, 16,000 of which are in alternative families and 10,000 are taken care of in various centres of this Organization (State Welfare Organization Website, 27 August 2019).

To this light, there are 650 centres for unaccompanied children who have been reorganized for presentation of better services and further participation of the public, charitable individuals and NGOs. Nearly 56 percent of child labourers and street children in the country are non-Iranians while in Tehran more than 85 percent of these children are non-Iranians. These centres provide free of charge services without discrimination to all Iranian and non-Iranian children.

### **Women's Rights**

In the area of women, very good points have been adopted in article 2 of the Sixth Development Programme which stresses on the empowerment of women with priorities to women heads of household in article 101 of Gender Justice. In the areas of research, education, health as well as areas of political participation and in relation with strengthening of the family institution, the insuring of housewives and pre and during marriage counselling and the increasing of punishment for acid pouring crimes and reduction of working hours of working women who have special circumstances a significant achievements have been gained. Moreover, the 30 percent allocation of job openings for the employment of empowered and capable women who can take top managerial positions, are great developments and achievements which have been produced in the UPR report and been commended and noted by many countries.

“The Observation, Dignity and Provision of Security to Women against

Violence” draft bill which the Judiciary sent to the Government Legislations Commission this year, is one of the positive cases discussed is the substitution of imprisonment in the Judiciary and amendment and reduction of criminal punishment, which can produce good results for Iran (Tansim News Agency, 16 March 2019). Of course this imprisonment substitution does not cover the certain crimes such as economic embezzlement or individuals who cause disorder in the country’s security.

Overall in 2019 useful and valuable actions were taken with regards to women’s rights, all of which show the determination of the Islamic Republic of Iran to observe and defend women’s rights. Some of the most important actions taken in support of women can be summarized as below:

- Signing of the implementation of the Home Based Business National Programme across the nation in 2019.
- Allocation of 40 percent of rural fund for the employment of women
- Adoption of the Cabinet’s draft based on for the allocation of 30 percent of top managerial posts to women by the end of term of the 12th government (administration). Currently there are 61 women in the 12th government as deputy minister and or co-equal to deputy minister. Forty-one percent of civil servants in 2019 were women.
- Insurance for women homemakers between the ages of 18 to 50 by the Social Security Organization.
- Presence of more women in nongovernmental organizations, charities and civil societies than men
- Women attending sports venues. Finally following years of women demanding to be allowed to attend sports venues, for the first time with suitable provisions, women were allowed to attend in sports stadiums for the first time.
- Women who wish to take part in international scientific, cultural, sports and the like conferences and gatherings, can leave the country with the permission of the prosecutor’s office. Before this, intellectual women and national champions would have required their husbands’ permission to leave the country.
- According to assessments, in the first quarter of the year 2019, 24 safe houses have been set up for women who are threatened with violence or



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have run away from home, these houses provide support and protection to women and girls victims of domestic violence or have fled their homes.

- 36 social emergency centres in the country for the protection of women against violence are active now. If a town does not have one of these centres, Crisis Intervention Centres can take these women and women who are threatened with abuse and violence can approach to these centres. In these centres both vulnerable women and women who have been subjected to abuse are given services in proportion to their needs. In the event that these women have children, their children are also given services in proportion to their needs (Fars News Agency, 7 April 2019).

- Imprisoning of women has always had dangers and problems the most important of which are the negative impacts which are inflicted on the family institution. To solve this problem, the Prevention and Social Deputy of the Judiciary in cooperation with the Presidency's Women's Deputy started using electronic monitoring devices for women in 14 provinces so that women can return to their families.

- As part of the support for women to continue their education at higher levels, the Islamic Azad University adopted the concentrated plan for women students act. Towards the adoption of this act this year's Azad University programmes for students, was to provide facilities to transfer of girl students to where their families live. In this regard, a number of students, children of lecturers and a significant number of other students will be transferred to their parents' home towns.

- As part of the facilitation of further participation of empowered women in the decision making fields, in three areas Tehran Municipality has made a 30 percent increase in women's share of managerial posts and removal of derelict parts of the city and fair expansion of services and increase gender proportions.

- In 2019 and towards expansion of the basis for the presence of women pilots in the air travel of Iran, a second woman managed to become the captain of a passenger plane in Iran.

- Every year, during the winter time the shelters are set up with aim of protection of women and the vulnerable groups of society. Usually there are 12 shelters working in Tehran, but in 2019 another 5 were added to this number. The official capacity of these shelters is 2,800 individuals which in emergency conditions and when there is heavy rain or snow, this capacity is increased by 40 to 50 percent and reaches approximately 4,000 to 4,200 individuals (Fars News Agency, 25 October 2019).

### **Religious Minorities Rights**

In spite of a low population of religious minorities in Iran, they have 5 seats in the Islamic Parliament. The point to note is that even if the population of the minorities goes lower than 3 percent, they will still have their seats

in the Parliament. According to the Constitution, religious minorities in Iran have the right to form political parties and nongovernmental organizations.

The existence of state schools for religious minorities in Iran is a clear example of the existence of education justice for them. The use of local and ethnic languages in the press and mass media and learning their own language and literature alongside the country's official language, Farsi, is free. Also, towards the realisation of education equality and freedom for all individuals of society, religious minorities can open private schools. Religious minorities have the right to attend university in various fields.

Having numerous churches, synagogues and fire temples, followers of Christian, Jewish and Zoroastrian can freely conduct their religious ceremonies individually or in congregation.

For the purpose of keeping their community informed and up-to-date, religious minorities have their own newspapers and special monthly journals. Through receiving permits for 12 magazines, religious minorities get moral and material support from the Islamic Republic of Iran.

Nationwide, the Jewish community has 32 associations and NGOs. They have approximately 10 active synagogues across the nation and freely conduct their religious customs and ceremonies.

Overall there are 58 religious minorities' organizations in Iran which include 29 for Zoroastrians, 16 for Armenians, 10 for Assyrians and 3 for Jews, which are active in religious and social matters.

In the process of review of the details of the Amendment of the Elections Act, this year's Members of Parliament, adopted article 1 of the draft, according to which, religious minorities officially recognised in the Constitution who reside in the countries cities, towns and villages can become candidates for the Islamic City and Village Councils of the places they live in. On this basis religious minorities officially recognised in the Constitution must believe in and practice their own religion rather than Islam.

### **Right of Access to Health and Medical Treatment**

71.5 percent of the population of Iran is covered by health services. Also, for those who are suffering from Special Diseases such as HIV/AIDS, special services are provided for them. To this aim, there are 120 harm reduction



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centres in the country, which provided 21 thousand individuals with services in 2019.

Furthermore, in the same time period, there were 170 mobile teams on active duty who provided 30 thousand individuals with various harm reduction services. As well as that centres provide psychological, marriage counselling, midwifery, social and livelihood and job finding services to individuals. All services in these centres are free of charge.

It must be said that on World AIDS Day, the human rights deputy of the Justice Ministry, gave news of the preparation of draft bill on the Preservation of Human Dignity and Protection of AIDS Sufferers, which is a step towards further support and protection of the human dignity of the patients.

### **Right to Education**

In the 2019-20 education year, there are approximately 14,600,000 schoolchildren in Iran, which compared to last year has increased by 500 thousand. Alongside this, by setting up 650 local learning centres, the Education and Training Ministry has taken important steps towards eradication of illiteracy in the country (National Literacy Movement Organization website). Also in the current year the “Eradication of Violence in Primary Schools” programme was launched. Eradication of violence is for all sides in this programme. School heads, teachers and parents are among the groups who will receive necessary trainings.

As well as the aforementioned measures, Iran is trying to launch the use of local dialects and languages in schools. To this aim, the director general of East Azerbaijan Education and Training Department announced that in the 2019-20 education year, local language (Turkish) was launched as a pilot project in some of the province’s schools (Fars News Agency, 28 August 2019).

### **Rights of Persons with Disabilities**

According to reports, there are 1,500,000 individuals with disabilities in Iran covered by the State Welfare Organization. Towards protection of the rights of this group of society, as one of the main authorities, the State Welfare Organization has expanded its activities. Currently there are 1300 day-care centres and 800 night-care centres and also 600 centres that pay home visits for homecare, for these individuals.

According to the Act which was passed towards the end of 2018 by the Islamic Parliament, ministries, governmental departments, organizations, general and revolutionary companies and institutions and other bodies which are funded by the national public budget, are mandated to allocate 3 percent of their recruitments to persons with disabilities. Furthermore, the same Act reiterates that departments which receive funds from the public budget, must allocate 30 percent of administrative, typing and phone operator positions

to persons with disabilities. The Act stresses that employers and NGOs who hire persons with disabilities will get special points such as exemption from paying tax.

Also, towards the fulfilment and follow up on the right of persons with disabilities, the Braille Education Movement and Sign Language learning have been launched in the country. Currently there are 15 thousand schoolchildren with hearing impairments studying in 5,500 special schools and 9,900 in inclusive and integrated schools across the nation, and benefit from various services. With the services provided, even 250 of these schoolchildren were accepted in the country's top universities and currently are studying in university.

### **Prisoners' Rights**

Prisoners' conditions and the prison population are some of the instances which have always been the subject of attention of human rights organizations. In view of the issuance of the Organization of Prisoners and Reduction of the Population of Prisons Executive Guidelines by the new head of the Judiciary, figures show that there has been a sharp drop in the number of prisoners this year (Islamic Parliament News Agency, 22 December 2019). In the first eight months of 2019 there were 189 thousand prisoners in the country. This is while in a similar time span in the previous year there were 251 thousand prisoners. Furthermore, the high rate of executions in Iran has always been the focus of human rights organizations. In 2017 around 524 were executed. This number dropped to 234 in 2019 (Amnesty International).

In 2019 the Supreme Leader (Ayatollah Khamenei) agreed with the recommendation of pardoning and commuting the sentences 3,552 individuals convicted in public and revolutionary courts, Armed Forces Judicial Organization, and Governmental Discriminatory Punishments. Among those who were pardoned there were 32 individuals who had been convicted of security crimes (a number of journalists and students) which is noteworthy. The pardoning of security crimes offenders is a first in the country. According to this agreement around 50 thousand more prisoners will be gradually released. According to this programme the 6 months to life sentences which have not been carried out to-date, providing that there is no private plaintiff, will be eligible for pardoning. Also the remainder of sentences of convicts will be commuted in proportion to the crime committed. For human rights reasons and towards humanitarian goals, this



**According to the director of the Iran Prisons' Organization currently 63 thousand families of prisoners are getting various supports such as education and trainings**

programme is inclusive to foreign nationals also. To this aim as well as the rest of the imprisonment sentences and or cash fines of foreign nationals convicted of illegal entry or residence in the country will be pardoned (National Judiciary website).

According to the director of the Iran Prisons' Organization currently 63 thousand families of prisoners are getting various supports such as education and trainings. Towards support for these individuals, more than 6,000 prisoners have become literate and with the help of charitable individuals vocational and technical trainings have been provided for all prisoners so that while increasing their livelihood and income levels to also promote their self-reliance and dignity.

### **Refugees Rights**

The Islamic Republic of Iran has been hosting millions of refugees for the past four decades, mainly from Afghanistan and Iraq, and it is considered as sixth largest protracted refugee hosting countries in the world. These refugees have continually been faced with problems such as education, employment and health. In 2019 and in order to address these problems and challenges, with the partnership of international organizations such as the UN Refugee Agency (UNHCR), as in previous years, the Islamic Republic of Iran has taken notable supportive actions for refugees.

With regards to refugees' education, in view of the Supreme Leader's decree in 2015 on the basis of no Afghan child in Iran – regardless of their residency status – must be denied of education, in the current education year around 500,000 foreign nationals registered in Iranian schools. According to Iranian officials, educating these individuals costs the country around 15,000 billion Rials. This is while international organizations contributed only 180 billion Rials of that sum (equal to 1.3 percent). It must be said that the average rate of the inclusion of foreign nationals in education system in the world is 60 percent, but in Iran it is as high as 85 percent.

With regards to health for refugees, the refugees' insurance plan is an unprecedented support-medical care plan which is towards helping this group which was launched in Iran five years ago. The health insurance is a tripartite agreement between Bureau for Aliens and Foreign Immigrants Affairs (BAFIA), the Iran Health Insurance Organization (IHIO) and the UN Refugee Agency (UNHCR) and its aim is to insure the vulnerable refugee group residing in Iran. In 2019, 92,000 vulnerable refugees were registered in the plan free of charge and can use medical care insurance services. Also like Iranian nationals, refugees have access to all medical services in any part of Iran.

In the refugees' employment and livelihood sector also in spite of problems caused by America's unilateral sanctions, the Iranian government has created the opportunity for vocational and skills trainings for refugees with

the help of international organizations and UNHCR in Iran. To this aim overall more than 4,000 Afghans have received vocational and skills training. With support of above-mentioned partners, a group of these refugees have established their own home-based business and some others have been employed in Iranian workshops.

Another positive action taken for refugees is the granting of Iranian citizenship to children born to Iranian women married to non-Iranian men. In this regard last summer, the Islamic Parliament granted permission to children born to Iranian women married to non-Iranian men, something

that could not be done before. According to this Act 800 thousand aliens who have Iranian mothers will be granted with ID papers (ISNA, 7 October 2019).

### **Conclusion**

As a member of human rights bodies, the Islamic Republic of Iran has always played an extended key role in the promotion and protection of human rights programmes that include education and promotion of human rights culture. By being member in a number of various international treaties and also participation in the drafting of a number of human rights documents Iran has shown that it wishes to have an active role in this regard. For example Iran's participation in the International Conference on Population in Cairo and Human Rights Conference in Vienna as well as its undeniable role in the preparation of the ICC Statute can be mentioned. At the national level too, despite problems that have been caused by America's unilateral sanctions, while working closely with the UN and its various bodies, Iran has taken positive steps in the protection and promotion of the rights of children, women, persons with disabilities and also refugees. Although the journey to reach the ideals is a long one. Furthermore some of the conflicts that exist in some laws and regulations, are resolvable. As seen in this study, positive steps have been taken in resolving this problems such as reduction of the number of capital punishments and long prison terms. But it seems that the root cause of international organizations' confrontations with Iran in human rights field is due to a conflict in globalism view and concepts in Islamic and western human rights principles which experts in the field must carefully review without political motives. Notwithstanding these



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interpretations, the human well-being of the whole human society is the ideal of the Constitution of the Islamic Republic of Iran. It also recognizes independence, liberty, the rule of law and justice for all the people of the world, and strives for its realization.

Overall, the information and data produced in this research shows that contrary to the perception, the human rights situation in Iran is improving. Governmental and nongovernmental organizations alongside UN agencies in Iran in 2019 took positive and effective actions for the protection of women, children and persons with disabilities rights. Furthermore the government has taken notable steps towards the political and civil participation process one of which is permit 331 for assembly and demonstration which is unprecedented in the recent years.

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