

# DEFENDERS



Summer 2010

War on Terror





## **Editorial**

The promotion and protection of the fundamental rights of people is within an institutionalised and codified, rights oriented and natural of mankind that has resulted in the establishment of national, regional and international support mechanisms for these rights. This perspective is a path for mankind so that through consecutive years will lead to the rightful rights and fundamental freedoms of individuals.

Without a doubt there are problems and violence in this path such as various forms of discrimination, religious intolerance, different forms of inhuman punishments and torture, terrorism and etc., the dealing of all of which necessitates the raising of public awareness and information towards these abuses.

For this reason as a nongovernmental, non-political and non-profit organization in special consultative status to ECOSOC endeavours to take fundamental steps towards the realisation of peace and further access to justice through scientific, cultural, and educational guidelines. One of the methods to reach this objective is the publication of Defenders quarterly, where each issue is dedicated to one of the several important human rights concerns and debates.

Concentrating on the subject of “terrorism” in this issue, we are attempting to review of the biggest examples of human rights violations, the history of which dates back to the Creation of Mankind; and sadly with the advancement of mankind it has become more complex and destructive which has taken the lives of millions throughout history, and continues to threaten countless number of others. This is while some of the terror groups and their operations are not only not seen as terror groups but are even openly financially and materially backed by some countries, and in a way they escalate and expand terrorism.

For this reason, the raising of the terrorism issue and methods to combat it and raising public awareness towards all its different forms and how it’s carried out in today’s world can be effective in restricting terrorism’s extent. Defenders in its part is attempting to send this same message across.

We hope that this edition will be useful for those that are interested in human rights and fundamental freedoms and advocate them, and to put them in the right direction to reach their high objectives.

In the hope of a world in the not too distant future that is free of violence.

# Human Rights guarantees in the war on terror

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## Introduction

The necessity for a global war on terror is a proven undeniable fact and terrorism is deemed as a human rights violating action and a threat to international peace and security by the international community. While no comprehensive definitions of terrorism have not been presented, UN General Assembly resolution 49/60 (Elimination of International Terrorism 1994) states: "Terrorism is associated to crimes that are committed with the intention of causing fear among the general public, or a group or particular individuals for specific political reasons." And in resolution 1566 (2004) the Security Council deems the constituents of terrorism are the creation of fear among the population, forcing a state or an international organization. In any event the violent nature and the creation of fear and political motive are all common characteristics of terrorism which are in violation of most human rights and fundamental freedoms. The war on terror and at the same time protection of human rights is a challenge between security and freedom.

While states are obliged to fight against acts of terror, by basing international human rights principles that are based on the inherent dignity of humans, it restricts national governance and states cannot violate human rights and fundamental freedoms in their war on terror, and they are committed to observe standards stated in international human rights treaties and their fight are only deemed acceptable through observation of the contents of these instruments, and the well intentions of states are restricted in taking legislative, executive and judicial measures, and each state is obligated not only to avoid violations of human rights and fundamental freedoms but also commit to guarantee their human

rights and fundamental freedoms. As article 1(2) of the International Covenant on Civil and Political Rights (ICCPR) and other human rights documents explain the commitment to safeguard human rights. Therefore the war on terror has roots in the government's duty to protect the life, freedom and security of all individuals in its territory. According to Article 9 of the ICCPR, every individual has the right to personal freedom and security. It is clear that the government is placed on the other side of such rights and is duty bound to provide a guarantee for such rights. The "generality principle" of international human rights and its equal application to all individuals of mankind is based on the necessity to observe human rights in the war on terror, and the committing of acts of terror do not result in the inherent hour of mankind being taken away from him and the government cannot take any measure that it deems proper on the pretext of the war on terror.

## Observation of human rights in the application of law in the war on terror

In the application of the law approach, human rights is the definer of legitimate and prohibited measures in the war on terror. The necessity to observe human rights in the war on terror have been stressed upon in several UN General Assembly and Security Council resolutions, and the American Commission on Human Rights has stressed that the guarantee of the observation of human rights have no conflict with the commitment of states towards the protection of their citizens against acts of terror. Therefore not only the observation of human rights is not in conflict with the war on terror, but in fact it is the guarantee for such

a war too. Nevertheless it must be stressed that the observation of human rights is not an absolute thing, the International Law mechanism does not distinguish between emergency and normal conditions and in emergency conditions when the survival of a nation is threatened it is possible to make an exception and suspend some of the principles that it has recognized. Therefore in normal conditions it is necessary to fully observe human rights while fighting against terrorism. And the UN General Assembly calls for states to respect the rule of law in the war on terror. The legality of the war on terror requires the restriction of the rule of the state in the legislation of anti-terror laws and the rejection of the unilateralism of states. Nonetheless emergency conditions have been approved by human rights mechanisms. The question that arises here is can the war on terror be cause the recognition of such condition and if so, which human rights principles are suspendable?

Two legal duties exist in the war on terror: on one hand the government's duty in the fight against acts of terror means the duty to protect, the lives, freedom and security of its citizens, which is in everyone's interest, on the other hand in the fight against terror process, the duty to observe special standards and respect human rights of individuals particularly the oppressed, those that are accused or charged of crimes of terror which is indicative of the private and personal interests of these individuals. The international human rights mechanism, approves the implementation of restrictions on human rights by states, and as well as these types of restrictions, it also recognizes the possibility of the suspension of some human rights principles in emergency conditions where the "survival of the nation" is threatened. Article 4 of the ICCPR states such mechanism. Article 4(1) states: "In time of public emergency which threatens the life of the nation and the existence of which is officially proclaimed, the States Parties to the present Covenant may take measures derogating from their obligations under the present Covenant to the extent strictly required by the exigencies of the situation, provided that such measures are not inconsistent with their other obligations under international law and do not involve discrimination solely on the ground of race, colour, sex, language, religion or social origin." Of course it must be said that in its general definition of

Article 4 the Human Rights Committee points out that any unrest catastrophe that threatens the survival of a nation cannot automatically be deemed as general emergency conditions.

### **War on terror mechanisms & violation of human rights principles**

In the war on terror some human rights principles are threatened by violation, because the most important mechanisms in the war on terror are the prevention of acts of terrorism and identification of the suspects and criminals of these acts. Such mechanisms require legal violation, because the invasion of privacy is exempt from entry and violation, the violation of the principle of elimination of discrimination and the right to fair trials and other judicial guarantees.

#### **Violation of the right to privacy:**

Article 17 of the ICCPR states: "No one shall be subjected to arbitrary or unlawful interference with his privacy...", nevertheless for the prevention of acts of terror mechanisms have been devised which necessitates the invasion of privacy, particularly when these forms of invasions take place with individuals' consent. The right to privacy includes three parts: the right to invade privacy without permission; the right of every individual to have access to information to his privacy; and the right to moral independence.

The right to privacy is one of the rights that cannot be suspended and in the event of emergency conditions and because it is not an absolute right even in normal conditions it can still be restricted under particular





circumstances. These circumstances include: the necessity for the legality of invasion of privacy, the necessity for proportion between the objective and invasion of privacy, and judicial supervision.

### **Innocent before proven guilty**

Innocent before proven guilty means guilt can never be assumed unless it's proven, and until proven and the criminality is not cleared, the accused is presumed innocent, therefore the burden of proof of guilt is on the shoulders of the prosecutor. Article 4 of the ICCPR does not deem it as one of those rights that cannot be suspended, but the general explanation number 29 of the Human Rights Committee deems it unsuspendable. The necessity to observe innocence before guilt is proven in the war on terror cannot with the aim of protection of all of society against terrorism and or protection of national security be violated or dismissed. Article 14(2) of the ICCPR reiterates the presumption of innocence for everyone until proven guilty.

### **The legality of crimes principle:**

While no comprehensive and accurate definitions of the term terrorism have been presented in credible international documents, this lack of international consensus has not prevented the ratification of a comprehensive and united convention in the fight against terrorism. The problem in presenting a common definition of terrorism is in that where an individual that is deemed terrorist by some, from others point

of view he's deemed a freedom fighter. According to resolution 49/60 (1994) the UN General Assembly provided a temporary definition and according to this terrorism is "Criminal acts intended or calculated to provoke a state of terror in the general public, a group of persons or particular persons for political purposes." In resolution 1566 (2004) the UN Security Council also presented a definition of terrorism. One of the common characteristics of terrorism is "criminal acts intended or calculated to provoke a state of terror in the general public or group of persons or particular persons for political purposes", all of which are contrary to fundamental human rights, the right to life in other words, and an obstacle in the way of the full enjoyment of human rights and fundamental freedoms. The legality of crimes principle is one of the fundamental principles of criminal law according to which crimes and criminal behaviour must have been accurately been defined within the law before they are committed so that arbitrary actions by justice officials are prevented from taking place. And due to the importance of this principle, it is one of the rights that cannot be suspended according to Article 4 of the ICCPR.

### **Failure to use ad hoc tribunals in the war on terror:**

Article 14(1) of the ICCPR stresses: "everyone shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law." These characteristics for courts on principle exist in general courts with competence to try individuals' disputes. These courts have been created in response to public and ordinary individuals, set against these are ad hoc tribunals that are established in specific situations and for the prosecution of specific groups or individuals and particular criminal proceedings are applied in their cases. While the ICCPR does not deem these types of tribunals as illegal, but in view of the particular conditions that are set for their formation, it indicates that the prosecution of civilians in these tribunals is completely exceptional. According to Human Rights Committee, the regulations of Article 14 of the ICCPR apply to all courts be they general or specific, and the trial of civilians which are carried out by ad hoc or military tribunals up to a point where the fair, independent and impartial justice is concerned,



due to the setting of exceptional trial regulations which often are not conforming to the usual justice principles, can create major problems in the application of justice. Nevertheless, In the event of the application of provisions set in Article 14 and by stressing on its exceptionality aspects, the ICCPR does not prohibit these types of tribunals, but the main concern of the Human Rights Committee is towards the application of competence of military tribunals towards civilians is the extension of personal, time and place competence of these tribunals and the establishment of exceptional trial regulations and also the lack of judicial supervision of the aforementioned tribunals. The Human Rights Committee has also expressed concern over the conflict of these tribunals particularly with Articles 14 and 26 of the ICCPR in the competence to conduct civil and criminal prosecution of civilian individuals.

The right to trial by competent, independent and impartial courts is dependent on the legal regulations that have been set up by this court, and be independent from other government bodies, and have practical judges who are knowledgeable of a particular issue.

### **The right to open courts:**

Article 14 of the ICCPR deems the right to open trials as one of those rights that can be suspended and reinstated in specific circumstances, for the protection of national security and good morality necessities. The Human Rights Committee deems the openness of proceedings as an important provision, which is in the interests of the individual and society. Despite

this in view of paragraph (1) of Article 14 of

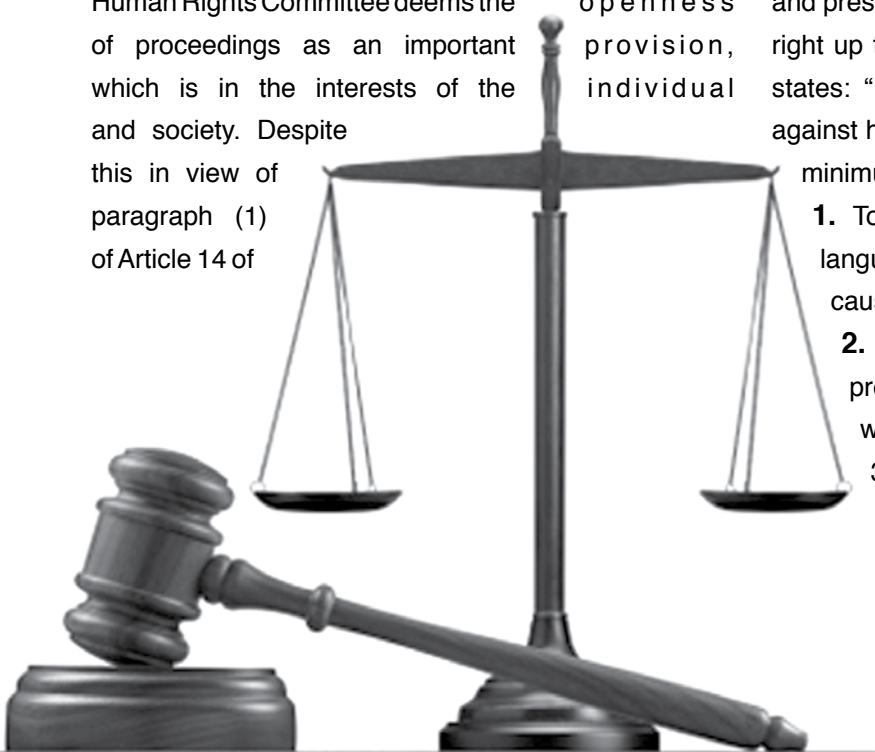
the ICCPR the courts have the competence to exclude all or part of the public from the trial proceedings, but what the Committee considers is the openness of the proceedings for the public and members of the press, and it must not be limited to a particular group of the public. But what is certain is that with the exception of exceptional cases the verdict must be announce to the general public.

As for terror trials, the proceedings of those charged with these forms of crimes cannot be done with the violation of the right to open trials, unless the court provides convincing reasons that suggest the holding of an open trial would threaten national interests and security. Nonetheless the decision to hold closed courts must be reviewed for each individual case and the establishment of general criminal proceedings must be avoided, and the court's verdict must be completely open with the exception of exceptional circumstances.

### **The right to legal assistance, defense, testimony, evidence and right to appeal:**

The right of access to legal assistance or counsel in terror crime proceedings is of particular importance, because the lack of an accurate definition of this crime and the possibility of giving it a vast definition, and its ability to be associated to other similar crimes and whether the perpetrators of these crimes are forced heavy punishments, necessitates the right of access and presence of a lawyer from the beginning of the trial right up to the sentencing. Article 14(3) of the ICCPR states: "In the determination of any criminal charge against him, everyone shall be entitled to the following minimum guarantees, in full equality:

1. To be informed promptly and in detail in a language which he understands of the nature and cause of the charge against him;
2. To have adequate time and facilities for the preparation of his defence and to communicate with counsel of his own choosing;
3. To be tried without undue delay;
4. To be tried in his presence, and to defend himself in person or through legal assistance of his own choosing; to be informed, if he does not have legal assistance, of this right; and to have legal assistance assigned to him, in any case where the interests of





justice so require, and without payment by him in any such case if he does not have sufficient means to pay for it;

5. To examine, or have examined, the witnesses against him and to obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him;

6. To have the free assistance of an interpreter if he cannot understand or speak the language used in court;

7. Not to be compelled to testify against himself or to confess guilt.

### **Violation of human rights in the war on terror**

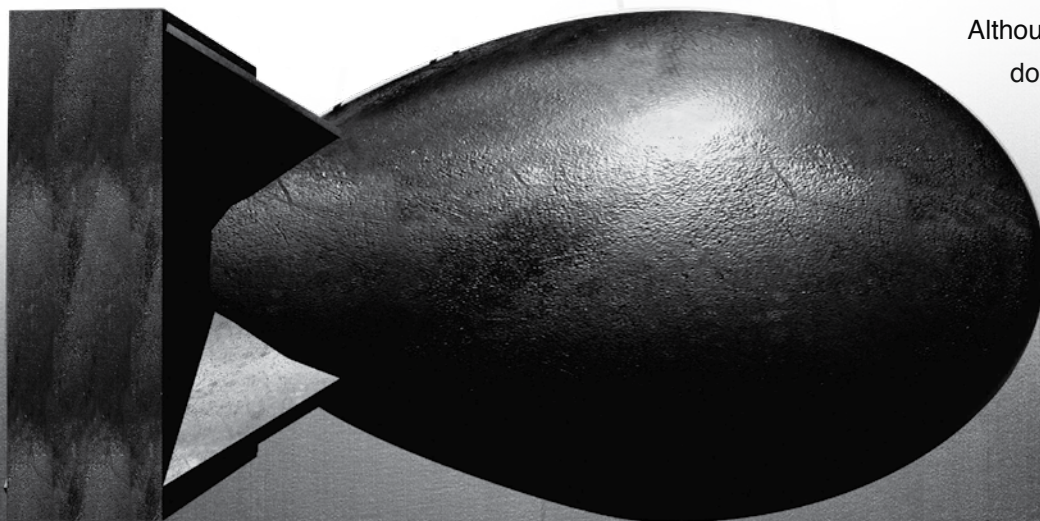
Aggressive actions in the war on terror from the legal aspects obligates the state to observe the inherent right to life and personal freedom of the individual which have been provided in Articles 6 and 7 of the ICCPR; but the measures of states with regards to the protection of their security and individuals rights are not unlimited and unconditional and the state cannot resort to anything in trying to reach its objective, and all of states' actions must be based on the respect of the inherent human dignity. The UN General

Assembly has also stressed upon this point and does not deem the resorting to acts of terror in the war on terror as justifiable. Aggressive measures in the war on terror includes when officers of the law decide to detain and apprehend the individual, and also when also when armed attacks take place.

### **Arrest and depravation of freedom**

Some human rights principles are ignored when arresting terror suspects. Article 9 of the ICCPR prohibits arbitrary arrest or detention and arbitrary exile. The individual's right to freedom and security in fact includes the prevention of arbitrary arrest or detention. This right is not deemed as one that can be suspended. Therefore in the even that terrorism threatens the lives of the nation, by observing the "urgency", "proportion", and "nondiscrimination" principles, states can suspend this right. Although some elements of this right are part of the unsuspendable rights such as the right to liberty unless the law states otherwise, and the right to trial without undue delay, but some other courts, deem the right to indefinite detention, right of access to a lawyer, family and medical assistance following arrest are parts of this right are deemed as unsuspendable.

Although the doctrine of terror crimes d e e m s



the existence of “strong suspicion” as necessary but the European Court of Human Rights believes “reasonable suspicion” in the apprehension of terror suspect as sufficient and that the suspect must be aware of the reasons of his arrest.

### **The right to judicial supervision on the legality of the arrest**

Another right and formative provisions with regards to the arrest of terror crimes suspects is the right to have the legality of his arrest reviewed, which can play a crucial role in the safeguarding of the respect of the life and physical health of the individuals and prevent enforced disappearances, torture and other cruel and inhuman treatments from taking place. Within the ICCPR framework, the Human Rights Committee deems freedom from arbitrary detention as a principle by which a state cannot refuse judicial review and or restrict it.

### **Legal principles in forcible measures against terrorism:**

States may not resort to unrestricted and unconditional measures in their forcible measures against terrorism, and they cannot resort to any method to reach their objectives. Any form of forcible measures against individuals particularly during peace, is very closely related with the Individuals right to life and this right is included in those rights that can not be suspended under any circumstances, and the Human Rights

Committee stresses on the illegality of the suspension of the right to life even during public emergency conditions. The necessities regarding the preservation of public order and safety in the war on terror can in no way allow this right to be suspended and only in the event when during forcible measures, the use of force will be allowed when the individual about to be arrested makes armed resistance in such way that for the preservation of order the use of armed force becomes unavoidable. If in the war on terror we deem crackdown – without consideration of armed conflict at any time and place against terrorism – as a part of the war on terror, then it can have dangerous repercussions which is the issuing of permits to kill terror suspects anywhere that they are found.

### **Conclusion:**

Protection of human rights and fundamental freedoms while fighting against terrorism has always been cause for concern for the international community. On one hand international human rights obligate states to fight against terrorism, and at the same time states are called to observe human rights in this fight. If in the war on terror fundamental human rights principles are ignored, this will not be less dangerous than terrorism itself, therefore no government can under any circumstances violate human rights provisions in the fight against terrorism.

The necessity to observe human rights standards while fighting terrorism originates from the generality of international law principles and their equal application towards all individuals. The individual accused of or the individual that commits acts of terror is also a human who has committed a crime against his fellow species, and this factor does not take him being a human; furthermore this discretion of the state is not unlimited or unconditional and the state cannot resort to any measure that it deems proper under the pretext of the war on terror. Just as the Security Council declared in resolution 1456 (2003) that states must ensure that whatever measure they adopt in the war on terror that they will be in accordance with their commitments to international law, and these measures must take place on the basis of human rights. Therefore states cannot adopt any measures they deem necessary to expand their jurisdiction on the pretext of their national





being under threat and declare a state of emergency in the war on terror. Human rights documents have established a form of balance between a state's national security and individuals' rights and freedoms. Article 4 of the ICCPR can be pointed out in this regard, which provides the right to suspend human rights commitments which safeguard national interests and security, but at the same time it puts conditions on it where the abuse of this right is reduced to a point. In spite of this, the right of suspension of human rights principles during states of emergency, is not a tool to stop the implementation of every international human rights commitment of the state. Some human rights principles have so much credibility that under no circumstances is it permitted for them to be violated; this includes the right to life, prohibition of torture, non-precedence of criminal laws, the right to freedom of thought, conscience and religion, and also some judicial supportive and provisions rights are also among those rights than in general states of emergency may not be suspended.

Therefore the response to terrorism must be in accordance with domestic and international values as stated in human rights documents and the rule of law and under the title of national and international security, human rights fundamental freedoms get violated. The response to terrorism cannot be free of its roots i.e. discriminations, inequalities and injustices. Terrorism at the same time is the cause and effect of human rights violation, and in a society where human rights principles, especially the respect of human dignity is not observed terrorism is expected despite its illegality reaction.



# Satellite Transnational Broadcasting in respect to incitement to violence; codes and norms

In January 2010, French regulators asked the International Telecommunication Union (ITU), to intervene with the Iranian government to persuade Tehran to stop jamming satellite signals from the BBC World Service's Persian language broadcasts into Iran.

The director of France's National Frequencies Agency (ANF) has said in his January interview that:

"ITU is really a gentleman's club, it depends on the goodwill of its members. There is no mechanism for forcing an administration into compliance with the rules."

The said reality was manifested in recent years while ITU has regularly tried, without success, to get the US government to stop jamming legal radio and television broadcasts from Cuba, which is done with low-flying aircraft operating in international airspace.

In another case, Slovenian television broadcasters and the ITU have sought to stop Italian broadcasters from overstepping their frequency assignments with signal transmissions that interfere with Slovenian broadcasts. According to ITU documents, Slovenian regulators sent more than 200 reports to Italy citing interference and using frequencies that had not been coordinated with its neighbours.

According to the Spacenews, in both these cases, the alleged offending administration – the United States and Italy – have refused to acknowledge the ITU requests. Problems created by such activities, the mandate as well as powers of ITU, or legal responsibilities of the relevant international organizations are not dealt with in this article.

Here we are going to examine how the new-media programmes, their contents and genre have produced diplomatic tensions, considered by receiving state, as incitement to violence and demonstrations, encouraging terrorism as threatening the public order, national security, hostile propaganda and another form of war without conventional weapons?

**1–** Whether there are legally binding norms or codes for the content of satellite transnational broadcasting?

**2–** Does the contemporary international law permit the receiving state or its people to invoke to the responsibility of the international satellite organizations for alleged violations of such norms or codes? Or state responsibilities?

**3–** Whether by showing cruel execution of the hostages, beheading the captives, making interviews with the perpetrators, organizers, or TV panelists, in particular when the content of the programme is circled with religious grievances or political justifications, could be considered as indirect propaganda for terrorism? A matter of international civil or criminal responsibility?

**4–** Which state has jurisdiction to make decisions as far as any request or protest is concerned?

**5 –** Whether the request for forbidding or prescription or restriction of such transnational satellite programmes are violations of the freedom of speech and information?



## A - International Documents (1936)

From historical point of view the heightened tensions produced by radio propaganda or entertainment programmes broadcasted by Germany, the Soviet Union (USSR) AND Italy before the Second World War, ended to the adoption of the sole "International Convention Concerning the use of Broadcasting in the Cause of Peace (1936)

The 1936 Convention had the objective to prevent radio broadcasting to be used, in "a manner prejudicial to good international understanding" and to "utilize...the possibilities offered by this medium of intercommunication for promoting better mutual understanding between peoples"

This Convention has set out certain rules to be complied by the High Contracting Parties (HCP), in broadcasting, to be summarized as follows:

Article one of the Convention prohibits transmissions that are "of such a character as to incite the population of any territory to acts incompatible with the internal order of any territory of a High Concerning Party. Article 2 states that the HCPs must put measures into place to ensure that transmissions do not constitute incitement to war or acts likely to lead to war. Article 3 imposes recklessness and negligence standards on the HCPs, prohibiting transmissions "likely to harm

good international understanding by statements the correctness of which is or ought to have been known to the persons responsible for the broadcast and requiring the HCPs to rectify the broadcast of prohibited transmissions at the "earliest possible moment." Article 4 states that the HCPs are required to ensure that broadcasters verify and check the accuracy of any transmissions concerning international relations. Under Article 6, the HCPs are required to enact and enforce domestic legislation to impose the 1936 Treaty's restrictions and governmental or independent broadcasters within the HCP's state. In Article 7 the 1936 Treaty prescribes the methods and procedures for resolving disputes among HCPs. The parties are required to battle out any disputes among HCPs. The parties are required to battle out any disputes in an arbitral or judicial forum. Also, before having recourse to procedures...the High Concerning Parties may, by common consent, appeal to the good offices of the international Committee of intellectual Co-operation, which would be in a position to constitute a special committee for this purpose.

The 1936 Treaty was opened for signature on September 23, 1936, and it was signed by twenty-eight states, including the United Kingdom (UK) and the USSR. The Convention went into effect on April 2, 1938, after it was ratified by Australia, Brazil, Denmark, France, India, Luxembourg, New Zealand and the UK. Severa



States made reservations, e.g. Belgium and Spain reserved the right to jam transmissions. The Soviet Union reserved the right to apply reciprocal measure to a country carrying out improper transmissions against it pending the conclusion of the procedure contemplated in article 7.

On 17 December 1954, the Third Committee of the General Assembly of the United Nations, tried to revitalize and reconfirm the 1936 Convention and inviting the members of the UN to accede to it.

The adopted resolution set out another criteria, namely not to interfere with the reception, within its territory, of foreign radio broadcasts:

Here we are comforting with the two obstacles.

**1** – The narrow scope of the Convention, namely radio broadcasting. Could it be possible to extend its scope of application to TV or internet transmission?

**2** – On July 24, 1985, apparently concerned Britain about not to interfere in the private broadcasting, not to be seen entangled with censoring news, following its foreign policy through the BBD, denounced the Convention followed by the Netherlands and Australia.

Further the United States welcomed this decision, by indicating that the Convention has proved to be ineffective in achieving its goal, in contrast certain Communist States claimed a right to unilateral retaliation by the deplorable practice of jamming broadcasts.

On 10th December 1983, the General Assembly of the United Nations adopted in its 100th plenary meeting, the Resolution A/RES/37/92 entitled: Principles Governing the use by States of Artificial Earth Satellites for International Direct Television Broadcasting with very important annex.

The said resolution has referred to the diverse implications of the satellite broadcasting and its role, to contribute to the strengthening of international cooperation has set forth, although nonbinding, the following comprehensive principles:



A/RES/37/92  
100th plenary meeting  
10 December 1982

37/92. Principles Governing the Use by States of Artificial Earth Satellites for International Direct Television Broadcasting

The General Assembly,

Taking into consideration that the operation of international direct broadcasting satellites will have significant international political, economic, social and cultural implications,

Believing that the establishment of principles for international direct television broadcasting will contribute to the strengthening of international cooperation in this field and further the purposes and principles of the Charter of the United Nations,

**Annex. Principles Governing the Use by States of Artificial Earth Satellites for International Direct Television Broadcasting**

**A. Purposes and objectives**

**1.** Activities in the field of international direct television



broadcasting by satellite should be carried out in a manner compatible with the sovereign rights of States, including the principle of non-intervention, as well as with the right of everyone to seek, receive and impart information and ideas as enshrined in the relevant United Nations instruments.

**2.** Such activities should promote the free dissemination and mutual exchange of information and knowledge in cultural and scientific fields, assist in educational, social and economic development, particularly in the developing countries, enhance the qualities of life of all peoples and provide recreation with due respect to the political and cultural integrity of States.

**3.** These activities should accordingly be carried out in a manner compatible with the development of mutual understanding and the strengthening of friendly relations and cooperation among all States and peoples in the interest of maintaining international peace and security.

#### **B. Applicability of international law**

**4.** Activities in the field of international direct television broadcasting by satellite should be conducted in accordance with international law, including the Charter of the United Nations, the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies,<sup>1</sup> of 27 January 1967, the relevant provisions of the International Telecommunication Convention and its Radio Regulations and of international instruments relating to friendly relations and cooperation among States and to human rights.

#### **C. Rights and benefits**

**5.** Every State has an equal right to conduct activities in the field of international direct television broadcasting by satellite and to authorize such activities by persons and entities under its jurisdiction. All States and peoples are entitled to and should enjoy the benefits from such activities. Access to the technology in this field should be available to all States without discrimination on terms mutually agreed by all concerned.

#### **D. International cooperation**

**6.** Activities in the field of international

direct television broadcasting by satellite should be based upon and encourage international cooperation. Such cooperation should be the subject of appropriate arrangements. Special consideration should be given to the needs of the developing countries in the use of international direct television broadcasting by satellite for the purpose of accelerating their national development.

#### **E. Peaceful settlement of disputes**

**7.** Any international dispute that may arise from activities covered by these principles should be settled through established procedures for the peaceful settlement of disputes agreed upon by the parties to the dispute in accordance with the provisions of the Charter of the United Nations.

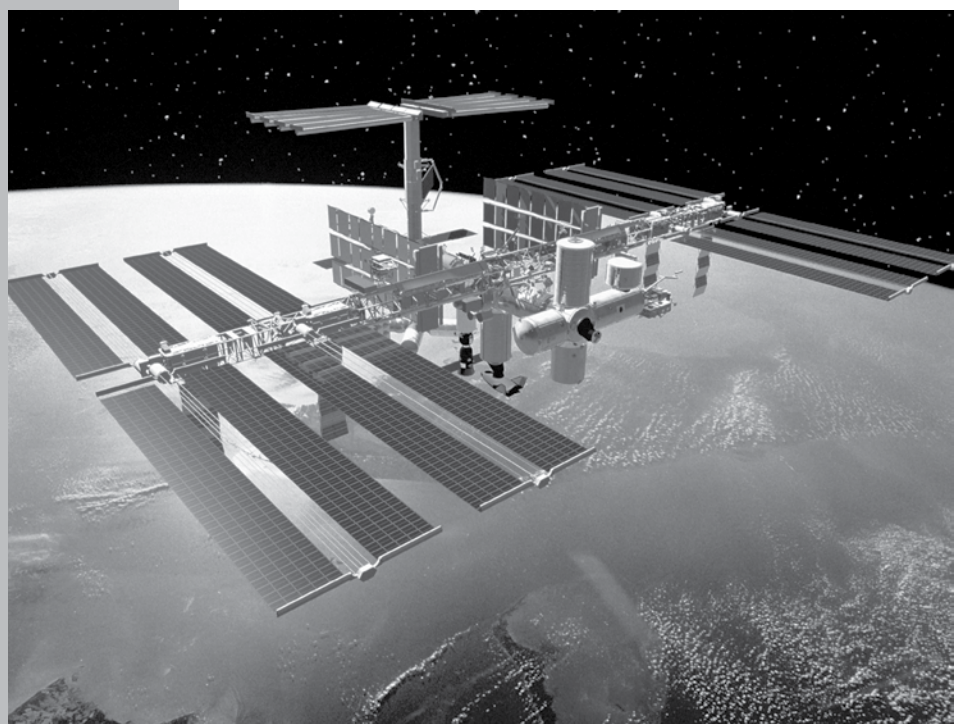
#### **F. State responsibility**

**8.** States should bear international responsibility for activities in the field of international direct television broadcasting by satellite carried out by them or under their jurisdiction and for the conformity of any such activities with the principles set forth in this document.

**9.** When international direct television broadcasting by satellite is carried out by an international intergovernmental organization, the responsibility referred to in paragraph 8 above should be borne both by that organization and by the States participating in it.

#### **G. Duty and right to consult**

**10.** Any broadcasting or receiving State within an international direct television broadcasting satellite service established between them requested to do so by any other broadcasting or receiving State within the same service should promptly enter into consultations



with the requesting State regarding its activities in the field of international direct television broadcasting by satellite, without prejudice to other consultations which these States may undertake with any other State on that subject.

## **H. Copyright and neighbouring rights**

**11.** Without prejudice to the relevant provisions of international law, States should cooperate on a bilateral and multilateral basis for protection of copyright and neighbouring rights by means of appropriate agreements between the interested States or the competent legal entities acting under their jurisdiction. In such cooperation they should give special consideration to the interests of developing countries in the use of direct television broadcasting for the purpose of accelerating their national development.

### **I. Notification to the United Nations**

**12.** In order to promote international cooperation in the peaceful exploration and use of outer space, States conducting or authorizing activities in the field of international direct television broadcasting by satellite should inform the Secretary-General of the United Nations, to the greatest extent possible, of the nature of such activities. On receiving this information, the Secretary-General should disseminate it immediately and effectively to the relevant specialized agencies, as well as to the public and the international scientific community.

### **J. Consultations and agreements between States**

**13.** A State which intends to establish or authorize the establishment of an international direct television broadcasting satellite service shall without delay notify the proposed receiving State or States of such intention and shall promptly enter into consultation with any of those States which so requests.

**14.** An international direct television broadcasting satellite service shall only be established after the conditions set forth in paragraph 13 above have been met and on the basis of agreements and/or arrangements in conformity with the relevant instruments of the International Telecommunication Union and in accordance with these principles.

**15.** With respect to the unavoidable overspill of the radiation of the satellite signal, the relevant instruments of the International Telecommunication Union shall be exclusively applicable.

## **B – Regional Directives**

### **Jurisdiction**

#### **The Treaty**

The Treaty lays down the basic principles of the European Union. It is founded on common principles and establishes the fundamental freedoms; Article 43 and 49 of the Treaty ensure the freedom of establishment and freedom to provide services.

#### **The Jurisdiction**

Which State has the jurisdiction, such as location of the head office of the provider of the service, the place where decisions on programming policy are usually taken, the place where the programme to be broadcast to the public is finally mixed and processed and the place where a significant proportion of the workforce required for the pursuit of the television broadcasting activity is located (Article 2 of the TVWF Directive).

#### **The Television without Frontiers Directive**

The Television without Frontiers Directive as a secondary law has to apply these fundamental principles. Article 2a of the TVWF-Directive guarantees the freedom of reception and no restriction of retransmission. With respect to the question “:who has to control a specific service” the country of origin applies; Services are supervised at the source of the activity, in order to ensure legal certainty for service providers and an effective protection of public interest objectives. It is essential to state clearly this responsibility on the part of the Member State where the services originate.





Such services are regulated only in one Member State and are subject to the law of the Member State in which the service provider is established.

## **General Provisions (chapter II)**

### Principles of jurisdiction (Article 2)

Since a broadcaster cannot comply with the laws in two or more different countries at a time, there is a need to define which national the broadcaster has to follow. Therefore, the Directive clarifies under which Member State's jurisdiction television broadcasters fall. This is determined mainly by where their central administration is located and where management decisions concerning programming are taken.

### **Restrictions of the freedom of movement**

Member States may still take measures that restrict the freedom of movement of television broadcasting, but only under certain conditions listed in Article 2a of this Directive and following the procedure laid down in this Directive. However, the European Court of Justice has consistently held that any restriction of the freedom to provide services, such as any derogation from a fundamental principle of the Treaty, must be interpreted restrictively.

### **Television without Frontiers/Audiovisual Media Services Directive**

The single European market – one of the biggest achievements of European integration – applies to television broadcasts as much as anything else.

#### **1989 – TVWF passed**

The technological revolution in the early 1980s – and the rapidly growing deficit with the US in audiovisual trade of 6 to 7 billion Euros every year. The overall goal is to strengthen the competitiveness of the European audiovisual industry in TV and radio.

Since broadcast signals don't stop at national borders, and the laws governing the audiovisual sector differed from one country to another, the EU came up with some minimum standards applicable in all member countries.

To function optimally, this single European TV market needs a minimum set of common rules covering aspects like television advertising, production of programmes and protection of minors.

Since 1989 this has been provided by the Television without Frontiers Directive (TVWF).

TVWF aims to create the conditions necessary for the free movement of television broadcasts within the EU (including most forms of transmission to the public of television programmes).

It achieves this by preventing member States from restricting reception and redistribution of broadcasts from other EU countries.

#### **1997 – TVWF updated**

The directive was updated in 1997 to take account of further developments in the audiovisual sector.

It now governs the EU-wide coordination of national legislation in the following areas:

General provisions:

Jurisdiction:

Protection of minors:

Right of reply;

References:

Applicable Norms and Rules

Protection of minors, Right of reply (Chapter V and VI)

Protection of minors and public order

(Chapter V, Articles 22, 22a and 22b)

Programmes which might “seriously impair” the development of minors are prohibited (i.e. pornography or gratuitous violence). Those which might simply be “harmful to minors must – where they are not encrypted – be preceded by an acoustic warning.

## **- EUROPEAN CONVENTION ON TRANSFRONTIER TELEVISION**

Strasbourg, 5.v.1989

(Text amended according to the provisions of the Protocol (ETS No. 171) which entered into force on 1 March 2002.)

## **- DIRECTIVE 89/552/EEC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 3 October 1989**

### **- European Convention on Transfrontier Television (ETC No. 132)**

Explanatory Report

As amended by the provisions of the Protocol (ETS No. 171) which entered into force, on 1 March 2002

## CHAPTER II – PROGRAMMING MATTERS

Article 7 – Responsibilities of the broadcaster

## CHAPTER II – PROGRAMMING MATTERS

Article 7 – Responsibilities of the broadcaster

Article 8 – Right of reply

## CHAPTER VIII – ALLEGED VIOLATIONS OF THIS CONVENTION

Article 24 – Alleged violations of this Convention

## CHAPTER IX – SETTLEMENT OF DISPUTES

Article 25 – Conciliation

Article 26 – Arbitration

## **- Protocol amending the European Convention on Transfrontier Television (Strasbourg 1998)**

Article 30

## **- Arab Satellite Broadcasting Charter (Draft)**

Principles for Regulating Satellite Broadcasting Transmission in the Arab World

Unofficial Translation

February, 2008





# Comparative review of the final UPR report of the HRC and other countries: a practical perspective

By: Mahmoudreza Goshanpazhooh  
Director of the Expediency Council's,  
Centre for Strategic Studies, Human  
Rights Group

Three questions from the reports of the media, research institutes and independent experts with regards to the UPR on Iran, and attempt to reply these questions through a quality and quantity research.

**1** – Is the high number of recommendations indicative of international community's concern over human rights violations in Iran?

**2** – Is there a proportion between the number and contents of the rejected recommendations with other countries?

**3** – Is the presumption proposed by the critics of the Islamic Republic regime, based on accepted recommendations, were not important recommendations, and whether Iran has accepted the recommendations from friendly countries, and mostly rejected recommendations proposed by the West, true or false?

In the quality and quantity review of the UPR of all countries and comparing theme with Iran's UPR the following **facts become clear in answering the above stated questions:**

**1** – In the Human Rights Council February session which was dedicated to the Iran UPR altogether 188 recommendations were given to Iran, 123 were accepted, 45 rejected and postponed 20 recommendations to the June session. Consequently in the June session out of the remaining 20 postponed recommendations, Iran accepted parts of 3 and rejected one and declared the remaining 16 would be considered.

**2** – In quantity terms, Iran has been given the highest number of recommendations. This is while in the list of high numbers of recommendation in order are: Iraq 176, Kyrgyzstan 168, North Korea 167, Angola 166, Egypt 165, Congo 163, Kuwait 159, Turkey 153 and Kenya 150.

**3** – Nevertheless, careful breakdown of the recommendations show that in previous UPRs, generally there were lesser recommendations proposed, perhaps due to further awareness of states in existing opportunities in this regard, more recommendations have been proposed. In this regard it can be said that for example the comparison of the recommendations given to the United Kingdom (30) with recommendations given to Sweden (149) is not necessarily due to UK's human rights situation being better than Sweden, but it is most likely due to the UK being in the first UPR and Sweden in the eighth. Therefore the high number of recommendations cannot be seen as a proper basis to show the international community's concern levels over the human rights situation of a particular country.



**4** – The comparison of the number of accepted recommendations from Iran with the number that was rejected can be a testimony to the volume of acceptability of Iran (123 out of 188) in comparison with countries such as Israel (3 out of 54), North Korea (50 rejected, and considering 117), and or the UK (10 rejected out of a total of 30).

**5** – A comparative look at the contents of the different rejected recommendations by states indicates that the rejection based on the assumption based on the abolition of execution, reservations on a number of international treaties by Iran shows a totally customary procedure at the Council. In this regard, and in reviewing country reports it is observed that hypothetically Japan, Pakistan, the United Arab Emirates (UAE), Malaysia and Qatar reject the request to abolish the death penalty, Saudi Arabia, Qatar, Jordan, UAE, Switzerland have rejected the suspension of the reservation on the Convention on the Elimination of all forms of Discrimination against Women, and western countries such as the Netherlands, Czech Republic, France, Romania, Ukraine, Canada, Germany, Russia, New Zealand and Norway also have rejected recommendations to ratify the Convention on the Rights of Migrant Workers.

**6** – The acceptance of recommendation s such as positive reply to the request of special rapporteurs and the UN High Commissioner for Human Rights, restrictions on the death penalty particularly youths, protection of detainees rights, following the 2009 elections, the review of the possibility of joining the Convention against Torture, and reviewing the possibility of the suspension of stoning, and reduction of types of crimes that have the death sentence, from the recommendations of western countries indicates Iran's attempts to have a positive interaction with human rights procedures of the Council, therefore the proposal of any accusations saying Iran's being indifferent and ignoring human rights recommendations of these countries and rejection of these recommendations due to them being expressed by criticizing countries, is unfounded and baseless.





# International reaction towards Zahedan terror attacks

By: Elham Shoushtarizadeh

On the evening of 15 July, the Jame' (Principal) Mosque saw two bomb explosions which according to the emergency assistance national chief, Gholamreza Maasoomi left at least 27 people dead and 306 injured. Immediately following the twin blast the Jondollah terror group claimed responsibility for the attacks.

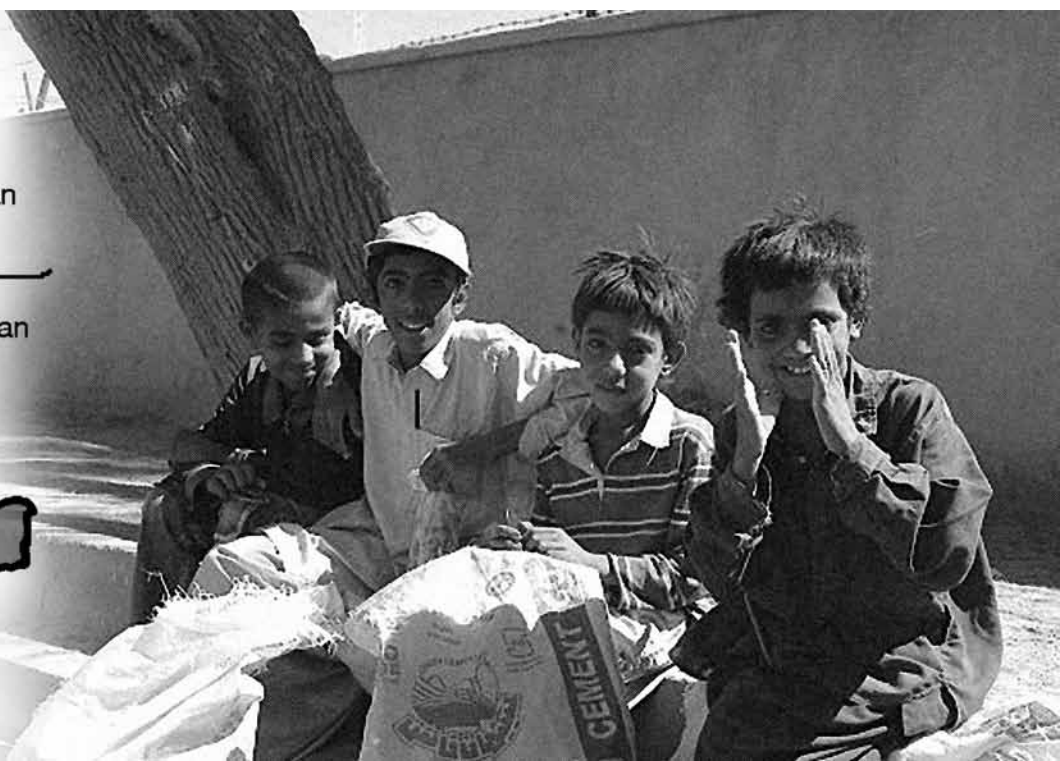
The Zahedan mosque terror attacks brought along wide scale reactions from international officials and organizations. The EU strongly condemned the attacks and called it "acts of cowardice". The spokesperson for the head of EU's Foreign Policy, Catherine Shtone stressed that "no justification is acceptable regarding this attack." US Foreign Secretary Hillary Clinton condemned the Zahren bomb attacks and once again stressed the necessity for international cooperation for the fight against terrorism. White House national security and the war on terror advisor John Brennan said that while condemning this terror attack President Barak Obama called this attack an act of terror. Canadian Foreign Minister Lawrence Cannon also condemned the bombings and expressed condolences to the families of the victims. United Arab Emirates Foreign Minister, Sheikh Abdullah bin Zaid Aal Nahian strongly condemned this attack against the Shia mosque in Zahedan.

In a statement issued on 16 July the UN Security Council strongly condemned the "terror attack". Nigeria's Ambassador to the UN Joy Uguo and current president of the Security Council through reading a statement said, all 15 members of the Council "condemn in the strongest terms these terror attacks". The statement stressed that all forms of terrorism "without consideration of motive, time and place, and the individual that commits these crimes is a criminal and the acts unjustifiable."

Earlier UN Secretary General Ban Ki-Moon condemned the attack and called it "unwise and a terror attack".

In a statement issued on 16 July Amnesty International strongly condemned the attacks and called for a stop to these blind attacks. AI stressed on fundamental human rights principles and international law which totally prohibit attacks against civilians and saw no justification in such attacks.

AI called upon Islamic Republic of Iran officials to investigate and punish those responsible for these attacks within the international human rights guidelines.



# ODVV Statements



## **ODVV Statement on the Sistan & Baluchistan Terror Attacks**

Sadly once again we witnessed a tragedy unfold in Sistan and Baluchistan province through the inhuman acts of a terror group in which 27 people lost their lives and 312 others were injured.

Although the two explosions are the first terror acts of this year, but the province has so far witnessed six attacks in the past five years. The first attack took place in December 2005 through which a border patrol station came under attack and 9 border patrol guards were kidnapped by Jundollah, the terror group run by the infamous Abdulmalek Rigi, through which the group officially declared its existence.

The latest terror attack follows the same objectives of the group which is to through a split between Shia and Sunni brothers in this sensitive region of the Islamic Republic of Iran; the perpetrators of which have not stopped in being a security threat for the region, created splits and hurt the unity between Shia and Sunnis not only in Iran but all across the Muslim world.

The Organization for Defending Victims of Violence which endeavours for the realisation of peace and justice based on pure Islamic teachings and values, believes that the fight against terrorism, acts which over the years has deprived the lives of thousands of human beings of their fundamental and natural right, the right to life, is one of the most important measures for the purpose of reaching a world free of any form of violence and aggression.

While stressing on the international human rights principles that are based on the respect of the right to life and also strongly condemning any act of terrorism anywhere, the ODVV calls upon other people of the province – Shia and Sunni – to while preserving unity, to show their resolution and determination, and make

the perpetrators of these inhuman acts to lose any hope of reaching their objects, the ODVV also calls upon the province's authorities, security forces and the police to provide the public safety of the people with serious vigilance, and bring the perpetrators of these heinous crimes to justice.

While expressing its deepest condolences and sympathy with the families of the victims of the double attacks, the ODVV calls upon the international community to based on its commitments within international law and the Security Council Resolutions to work towards the bringing of the perpetrators of terror attacks to justice and to place the prevention of terror groups establishment of bases in countries in their agendas.

## **ODVV statement on the Israeli attack on the humanitarian aid flotilla that was bound for Gaza**

The Israeli IDF attack on the flotilla of ships carrying humanitarian aid bound for Gaza sixty-five kilometres from the coastline, while the Turkish military had





inspected the cargos before the ships' departure, is seen as a calculated action to prevent similar actions from taking place, rather than a security action. It seems that the attack on the flotilla and the detention of the humanitarian crew had been pre-planned by Israeli leaders.

This is a blatant violation of international law and maritime law and human rights by Israel. Once again the true violent nature of Israel was clearly exposed with this unnecessary vicious military attack on a flotilla carrying humanitarian aid cargo. The disproportionate use of force by the IDF in preventing international aid from reaching the defenceless and innocent people of Gaza shows that Israel is not committed to any international law.

Over the last few decades Israel has in the most brutal form put pressure on the innocent population of the occupied Palestinian territories who do not have access to minimum basic needs. This human tragedy clearly proved that the international communities of the recent years to bring the crisis to a hopeful point have all but failed.

Therefore it seems that the Israeli actions that are always justified by Israel as self defence, have always been ignored by its allies. This military aggression in international waters is a blatant violation of international maritime law, international law and most of all the fundamental rights of Palestinians. This action is a humanitarian tragedy which must be seriously questioned by the international community and big powers.

While expressing its deep concern over this human tragedy that led to the killing of over then people, the Organization for Defending Victims of Violence calls upon the UN Security Council to carefully and impartially investigate this violent act, and to ensure the release of the ships crews and cargos, to strongly condemn Israel's actions and to take appropriate measures to force Israel to end its blockade of Gaza. The UN and the Security Council must through the use of their legal privileges show necessary reaction towards Israel's brutal and violent actions.



# Report

## Women's Rights in the Judicial Justice Process International Conference 20-21 December 2009



### Introduction

In cooperation with the High Council of Human Rights of the Judiciary, the Tehran General and Revolutionary Court Prosecutor's Office, the General Justice Department of Tehran, Charitable Institute for the Protection of Social Victims and UNA-Iran, the Organization for Defending Victims of Violence held the Women's Rights in the Judicial Justice Process 2-day international conference.

Jurists, lawyers, judges and prosecutors from Pakistan, Bahrain, Iraq, Sudan, Australia, Italy, and Switzerland attended the conference and took part in the panels that were held, presenting their presentations on specific women's legal and social issues and also activities and achievements from their countries.

Among the over 300 participants of the conference were dignitaries from foreign missions, and representatives from UN Agencies in Iran. These included, dignitaries from the Australian, Austrian, British, French, Danish, Russian, Brazilian, Switzerland, Italian, Belgian, Libyan, Egyptian, and Mexican Embassies, and UNODC, UNIC, UNHCR and UNFPA.

The objectives of this conference included: the promotion of women's capacities; judicial protection and support for women; and the presentation of practical solutions for furthering access to justice; and also the exchange and transfer of international accomplishments and achievements in the judicial justice process for the realisation of women's rights.

The two-day event was received very positively, especially with its extensive coverage by Iranian news agencies and media.

### Conference: Day One

The first day of the Conference included 5 roundtables

on technical women's rights subjects which were chaired by Dr. Mohammad Reza Zandi, Education Deputy of the Judiciary. The first roundtable was on the subject of women's rights in the judicial justice process and the first speaker was Alireza Taheri, the conference executive secretary and director of the ODVV, and in his speech while welcoming the guests he outlined the conference objectives. Following Mr. Taheri's speech, the director general of the Tehran Province Justice Department, Mr. Alireza Avaee spoke about women's rights in the judicial justice process. The final speaker was UNFPA representative in Iran, Dr. Memet Hulki Uz who spoke about the UNFPA and women's rights.

The second roundtable was on the subject of women's role in the judicial justice mechanism, and the first speaker was Tehran Prosecutor Dr. Abbas Jaafari Dolatabadi who spoke about women judging in the judicial system. The next speaker was Ms. Simona Di Monte, magistrate at the Public Prosecutor's Office in Naples, Italy, who spoke about the role of women in the experience of Italian criminal law. And the final speaker was Ms. Leila Sadat Asadi, the deputy of Tehran Prosecutor spoke about capacity building for the effective presence of women judges in courts.

The third roundtable was on the subject of the review of legal capacities in relation to women's rights and the first speaker was Dr. Hossein Mehrpoor, university professor who spoke on the legal measures for women's access to judicial justice in the Iranian legal system. The second speaker was Dr. Mohammad Reza Zandi who spoke about women's status in the Constitution of Iran. The third speaker was Ms. Deborah Ann Nicholson, NGO representative from Victoria, Australia who spoke about women's rights in the judicial justice process.

Following the lunch and prayers intermission, the fourth roundtable was held on the subject of interaction



of executive and judicial institutions in women's access to judicial justice. The first speaker was Tehran Police Commander, Brigadier Rajahzadeh who spoke about the role of the police in women's social safety. The next speaker was Dr. Gholamali Mohammadi Judicial Deputy of the Prisons Organization who spoke about women's conditions in Iranian prisons – human rights perspective. The next speaker was Dr. Seyed Hassan Mousavi Chalak, the director general of the Welfare Organization who spoke about the role of the Welfare Organization in interaction of executive and judicial institutions in women's access to justice. The last speaker of the roundtable was Ms. Elmira Naghizadeh, the Replaced head of the District 19 Public Prosecutor specialising in medical and medicinal crimes who spoke about women victims of crime in criminal prosecution and jurisdiction of Iran.

The final roundtable of the day was on the subject of the role of courts in women's access to justice, and the first speaker was Ms. Nasira Iqbal, retired Pakistan Supreme Court Judge who spoke about the role of courts in providing women access to justice in Pakistan. The next speaker was Dr. Farahnaz Khosroshahi, the deputy director general of Tehran Province Justice Department, who spoke about women's practical problems in family courts in Iran. And the final speaker was Ms. Leila Al-Khafaji, member of Iraqi parliament who spoke about the proposal for Islamic Day for the fight against violence against women.

## Conference: Day Two

Day two of the conference which was chaired by Dr. Mohammad Reza Zandi, started with the first roundtable on women's role in the judicial justice process. Mr. Alireza Taheri, the ODVV director presented a brief report of day one's events. The next speaker was Mr. Reisee, the Judiciary's First Deputy and was followed by Ms. Mojtahedzadeh, the director of the Centre for Women and Family Affairs speech.

The second roundtable was on the subject of women's role from Islamic jurisprudence perspective. The first speaker was university lecturer, Dr. Mohagheghdamad who spoke about women from Shia jurisprudence. The next speaker was university professor Dr. Ezatolsadat Mirkhani who spoke about solution principles in the Islamic legal system and its role in solving women's issues. The next and final speaker was Rabeha Alzeera from Altajdid Bahrain Cultural Society Association who spoke the new understanding of Alqwan.

After the morning refreshments interval, Minister of Health, Dr. Marzieh Vahid Dastjerdi gave a speech on the rights of access to health in the judicial justice process. This was followed by the third roundtable which was on the subject of human rights – women's rights. The first speaker of the roundtable Dr. Mohammad Javad Larijani, the secretary general of the High Council for Human Rights of the Judiciary who spoke about the comparison of the practical concept of justice in the Islamic and secular basis. The next speaker was Dr. Hossein Mir Mohammad Sadeghi, university lecturer who spoke about the necessity to recognise self defence of women victims of violence in courts. The next speaker was Ms. Seroor Sayed Hameed Hamza Qarooni, the president of Bahrain Human Association for Human Development who spoke about judicial justice for women – between rights in laws and rights in minds.

Following the lunch interval, the fourth roundtable was on criminal justice protection for women's rights, and the first speaker was Ms. Davoodi Garmaroodi, university lecturer who spoke about criminal justice protection for women, legal, judicial. Dr. Amir Hashom, consultant in representation of the Supreme Council for Islamic Revolution in Iraq was the next speaker who spoke about women's rights and judicial justice in Iraq. And the final speaker was Ms. Catherine Lamble, magistrate judge in Victoria, Australia who spoke about human rights horizons in fair trial.

The fifth and final roundtable of the 2-day conference was on the subject of the role of the media and NGOs in improvement of judicial justice. The first speaker was university lecturer and representative of Communications Network of NGOs Ms Shokooh Navabinejad, who spoke about women NGOs history in Iran. The next speaker was Mr. Majid Yamand, representative of developments of social victims. The next speaker was Ms. Nada Haleem Saeed, a lawyer from Sudan who spoke about the connection between women judges and women's issues. The final speaker was Mr. Ghobadi, representative from the Culture and





During the closing ceremony the chairman of the 2-day event roundtables, Dr. Mohammad Reza Zandi, the education deputy of Tehran Province Justice Department read the conference final statement.

### Conference final statement

In view of the issues discussed and proposed solutions for the improvement of the women's rights in the judicial justice process the following recommendations are proposed:

- 1** – Review and reconsideration in Islamic law principles regarding the prohibition of women presiding in courts in view of the positive and practical function of women employed in judicial positions.
- 2** – Extension of the jurisdiction of the participation of women police officers in police stations with an attitude towards new developments in preventive and correctional interventions.
- 3** – Establishment of scientific links with women police units centres in other countries for the purpose of introduction to legal achievements and experiences.
- 4** – Revitalization of the potentials and capacities of the dynamic Islamic jurisprudence for the elimination of legal and religious obstacles in the way of women's participation.
- 5** – Reforms to the physical and dominant environment in police stations for preparing the basis for women's active presence in these stations and also the creation of a calm and safe environment for the criminals, victims and others who go to these places to feel safe.
- 6** – Make the women police officers training proportional for activating their capacities and potentials to carry out new police tasks and to place more practical and experienced units in the social level to increase their professional skills and abilities.
- 7** – Planning to increase recruitment of Islamic women workers and other women experts that are needed to implement rehabilitation and correction programmes for women criminals in the women's affairs management following their release from prisons and the elimination of problems that arise from released women not being accepted by their families.
- 8** – Provision of the means for women to monitor and manage the activities of correctional staff in correctional institutions and also treatment of women criminals for the purpose of providing answers for the scientific and professional needs.
- 9** – Stress on the creation of nongovernmental organizations and NGOs participation in public affairs and the utilisation of technical forces by these organizations so that the basis for making impacts at the international level, the UN or international or regional organizations active on women's affairs, such as in the field of the fight against organized crimes against women.
- 10** – Provision of necessary moral and material support for prisoners and their families and the drawing of these types of assistance from other social institutions that include the setting up of suitable child-care centres in prisons or near prisons.
- 11** – Establishment of a joint secretariat to publish information about its own activities in the field of women's justice in various domestic, regional and international levels on violence and other related issues.



# Human Rights News and Developments

## A review of important human rights events March-August 2010

### **Establishment of a new body for women's rights**

On Friday 2 July, the UN General Assembly voted for the establishment of a new UN body for women. The current four UN bodies on gender equality consolidated together to form UN Women. This body will be headed by one of the Secretary General's deputies.

Following the General Assembly's decision, Secretary General Ban Ki-Moon appointed Deputy Secretary-General Asha-Rose Miro to direct the consolidation process.

The four bodies which shall consolidate according to the General Assembly's decision are: the secretary-general's Office of the Special Adviser on Gender Issues and the Advancement of Women, the UN Development Fund for Women, the Division for the Advancement of Women and the UN International Research and Training Institute for the Advancement of Women.

### **Thailand elected to the presidency of the Human Rights Council**

In a meeting held on Monday 21 June, the members of the Human Rights Council elected Mr. Sihasak Phuangketkeow from Thailand to serve the next two years as the Council president.

Mr. Phuangketkeow who is the fifth to be Council president shall take over his position in June 2011. In his speech in Geneva he said, "My main objective in this one year is to use the various capacities of Council members and unite them to reach a common

view on key global human rights issues." Many see Mr. Phuangketkeow's presidency as an important period, because next year, following five years after the setting up of the Human Rights Council, and the members are due to review the last five years.

### **ECOSOC expresses concern over the Palestinian women's conditions**

In its 20 July meeting the Economic and Social Council of the UN expressed its concern over the difficult conditions of Palestinian women in the occupied territories, including East Jerusalem which is as a result of Israel's occupation since 1967.

The Council issued a resolution through 24 for, 3 against (Australia, Canada and the United States) and 15 abstains votes; the text of which stressed that occupation of these regions prevented advancement, self-sufficiency, and social integrity of Palestinian women. This resolution called for the Israeli government to facilitate the return of all Palestinian refugee women and children back to their lands.



## **UN experts warning on the warning on the extent of torture**

Experts from four UN bodies related to prevent of torture and support for victims on the eve of the International Day in Support of Victims of Torture (June 26) issued a statement and expressed concern over the continued acts of torture in various parts of the world and the impunity of its perpetrators.

UN Special Rapporteur on Torture and other Cruel, Inhuman or Degrading Behaviours and also members of the anti torture Committee, the torture prevention sub-committee, and the UN Voluntary Fund for Torture Victims in this statement reassured that many instances of torture and other inhuman treatments continued on, particularly in the war on terror campaign which began following 9/11.



This expert group, condemned the actions of some countries who took actions such as secret detentions, kidnapping of individuals and transferring them to other countries, where these individuals are tortured and illegally punished in violation of the Torture Convention, all on the pretext of emergency conditions. This statement also blamed the failure to ban torture as the main reason for the impunity of its perpetrators and called for serious measures to be taken against these crimes.

## **Publication of the Israel Investigation Committee with regards to the attack on the aid flotilla**

In a report published on 13 July, the investigation

committee set up to investigate the Israeli attack on the peace flotilla, declared that the investigation showed that the commandos were not well prepared and mistakes were made at higher Israeli IDF levels.

This report claims that the use of force was the only way to stop the flotilla but at the same time states that the commandos operation was based on incomplete information and planning. The report criticised the IDF for lack of proper coordination in the military and intelligence sectors and not enough planning for the assault on the ships.

## **Israel's response to the Goldstone Report**

On 22 July Israel gave its reply to Richard Goldstone's report to the UN Secretary General. Up to 1400 Palestinians were killed in this war, but Israel says that in its investigation of 47,000 files it found only one case where IDF soldiers attacked Palestinian civilians. In spite of this, Israel does not consider this soldier as a criminal, and it's not clear when his case will go to court. In its 37 page reply Israel claims that future wars will pay more attention to the humane aspects and will not freely use phosphorous bombs and will place special officers for humane matters in every combat unit. In his detailed report, Goldstone accused Israel of violating human rights and committing crimes against humanity and deemed the blockade of Gaza as contrary to all common international laws.

## **The 14th Session of the Human Rights Council**

The Human Rights Council held its 14th ordinary session between 31 May and 18 June in Geneva, Switzerland. In the opening speech, UN High Commissioner for Human Rights Navi Pelay, reviewed key human rights developments that had taken place since the 13th Session.





In this session most of the Council member states and the High Commissioner condemned Israel's military attack on the freedom flotilla which included ships carrying humanitarian aid for the people of Gaza in international waters, and called for immediate and trustable investigation of the incident and also an end to the Gaza blockade.

Other subjects included the UPR report of 16 countries that were reviewed, ultimately all of which were ratified by the Council.

In this session, the Council also nominated and elected candidates for membership in Human Rights Council Advisory Committee, Enforced or Involuntary Disappearances Committee and the Working Group on the Use of Mercenaries.

### **Publication of Amnesty International's Annual Report on World Human Rights Situations**

On 27 May Amnesty International released its annual report on country human rights situations. In this report AI called upon governments to join the ICC to ensure that the accountability of human rights violation cases throughout the world, based on international mechanisms. AI also reiterated that countries that claim to human rights, the G20 members in particular, had particular responsibilities in this regard.

The report also expressed concern over the Human Rights Council's weak reaction towards human rights violation cases in Sri Lanka that included war crimes committed by both sides. It also stated the necessity to implement by Israel and Hamas of the recommendations made in the Goldstone report

Over a period of 12 months, the report documented cases of torture and bad treatment in 111 countries, unfair trials in 55, restrictions on freedom of expression in 96, and prisoners of conscience in 48 countries, which indicates the extent of human rights violations throughout the world.

In the Middle East and North Africa section the report accuse countries such as Saudi Arabia, Syria and Tunisia, of being unjust towards critics and the Islamic Republic of Iran with cracking down the protestors. Among Asian countries too, China's accused of putting pressure on the opposition and arrest of human rights defenders. Also economic and other issues have been causes for concern in North Korea and Myanmar.

In its report AI criticises the weakening of independent civil societies in parts of Europe, Central Asia, and freedom of expression restrictions in Russia, Turkey, Turkmenistan, Republic of Azerbaijan, Belorussia and Turkmenistan. Some Latin American and Caribbean countries such as Brazil, Jamaica, Colombia, and Mexico, have also been criticised by AI for extrajudicial killings by security forces. The report also criticises the impunity of US officials from prosecution for human rights violations in the war on terror.

Among African countries, places such as Guinea and Madagascar excessive force and extrajudicial were committed against protestors, and in Ethiopia and Uganda critics were cracked down.

The report also paid attention to civil wars in the Democratic Republic of Congo, Sri Lanka, Yemen, the Israeli blockade of Gaza and serious human rights violations in the Palestinian Occupied Territories, Taliban and groups associated to them violence in Afghanistan and Pakistan and internal conflicts in Iraq and Somalia.

The report also mentions other serious concerns such as rape and sexual abuse against women and girls in armed conflicts, forced eviction of individuals from their homes, domestic violence against women, human rights violations against migrants, the growth of racism, xenophobia, and terror attacks as the main human rights concerns of the last one year.



## The 8th Universal Periodic Review

In 3-14 May 2019, the 8th session of the UPR on the human rights situations of 15 countries (Kyrgyzstan, Kiribati, Guinea, Laos, Spain, Lesotho, Kenya, Armenia, Guinea-Bissau, Sweden, Grenada, Turkey, Guyana, Kuwait and Belorussia) was held in Geneva, Switzerland. According to pre-planned programmes Haiti was also due to be reviewed in this UPR but following the devastating earthquake, the government requested to Council to postpone the review to a later date.



## Election of 14 new members to the HRC

On 13 May, the UN General Assembly elected 14 new members to the Human Rights Council to serve for three years. Libya, the Maldives, Mauritania, Moldova, Spain, Thailand and Uganda were first time members of the Council but Angola, Qatar, Ecuador, Guatemala, Malaysia, Poland and Switzerland had on previous occasions been members of the Council.

## Richard Falk's warning against Israel IDF directives

On 19 April UN Special Rapporteur on the Human Rights Situations in the Palestinian Territories under Occupation since 1967 warned against two directives issued by Israel's IDF that were in violation of the Geneva Four Conventions and the International Covenant on Civil and Political Rights.

Falk reassured that Israeli government measures based on these directives could bring about a vast area of international human rights and humanitarian law violations with them. He further added that these directives allow Israel to detain and imprison any individual from the West Bank.

He warned that these directives could deport individuals without due judicial proceedings and have them imprisoned for up to seven years which violate the Fourth Geneva Convention and Israel's obligations as an occupying power. In a statement issued on 28 April Amnesty International expressed concern over these directives and deemed as violation of the rights of the people of Arab Occupied Territories.

## Regional human rights forum

On 3 May, 300 delegates from international and regional human rights organizations gathered together in Geneva to improve international cooperation for the promotion of human rights and its violations victims. In the opening speech of this forum that had been held with the efforts of the United Nations, UN High Commissioner for Human Rights, Ms. Navi Pella called upon further cooperation and improvement of regional and international human rights mechanisms for more effective support of the victims of human rights violations.

In this two-day forum representatives of participating organizations proposed recommendations for the strengthening of cooperation between the UN human rights body and regional human rights mechanisms. Representatives from regional organizations such as the African Court of Human Rights, American Court of Human Rights, EU Human Rights Mechanisms, EU Fundamental Rights Agency, the democratic and



human rights bureau of the EU Cooperation and Security Organization, Arab League newly founded human rights organization and ASEAN, Organization of Islamic Conference, and a number of other NGOs took part in this forum.

### **UN experts warning against the new immigration laws of the State of Arizona**

A group of UN experts that included Special Rapporteur on Migrants Human Rights, Jorge Bustamante, Special Rapporteur on Modern forms of Racism, Racial Prejudices, Xenophobia and Related Intolerances Githu Muigai, Special Rapporteur on the Human Rights and Fundamental Freedoms of the Indigenous People James Anaya, Independent Expert on Cultural Rights Farida Shaheed, Special Rapporteur on the Right to Education Vernor MUÑOZ VILLALOBOS, and Independent Expert on Minorities Gay McDougall, expressed their serious concern over the discriminatory new immigration, minorities and indigenous laws in the State of Arizona.



In a statement these experts said that the Immigration Act gives the police the rights to take action against individuals based on their racial backgrounds and discontinuation of ethnic and indigenous history and culture education programmes in schools, and can be a violation of minorities and migrants' rights.

The new law gives the officers of the law to deem the immigration status of every individual as "legitimately suspicious" with regards to their entry into the country (State) and if there is "probable cause" in their arrival being

illegal, for them to be arrested without an arrest warrant. The UN experts believe that the enactment of this law will result in the detention and interrogation of individuals because of their racial backgrounds. This Act was adopted around the same time as another Act which put an end to ethnic and indigenous history and culture education programmes in schools. This is while UN experts believe that such an Act and view are in conflict with government responsibilities towards observing individuals rights of access to historical and linguistic heritage as stated in international laws. Various international nongovernmental organizations such as Human Rights Watch have also expressed their concern over this immigration act.

### **US investigations into obtaining confessions through torture in Guantanamo**

A military tribunal in the United States began investigations into a report alleging torture was used in obtaining a confession from a Canadian national in detention in Guantanamo Bay detention centre. According to this report the young Canadian named Omar Khazar who in 2002 was imprisoned in Afghanistan on the charges of killing a US soldier, was subjected to torture following interrogation and confessed to his crime.

While Khazar's defense lawyer insists his client's confession were in fact illegal and obtained by being tortured by American interrogators. US officials announced that his interrogation was conducted in "completely friendly" conditions. FBI agent, Robert Fuller claimed that the interrogation sessions took place in completely friendly and relaxed atmosphere. This is while it is said that eight years earlier when





Khazar was being kept in the Bagram US Air Force base in Afghanistan was interrogated by Fuller seven times. According to Khazar's defense council Fuller interrogated Khazar at least 142 times while at Bagram base.

Some of the tortures that the Canadian national was subjected to include, beatings, waterboarding, chained in appalling conditions, being scared of dogs, sleep deprivation and threatened with sexual abuse. Twenty-three year old Khazar is among 183 detainees remaining in Guantanamo Bay detention facility without any charges, and he's one of the youngest inmates.



### **Red Cross criticizes the activities of secret US detention centre in Afghanistan**

The International Committee of the Red Cross (ICRC) announced that the US military was holding a number of detainees in a secret detention centre in Bagram Air Force Base in Afghanistan. This is while earlier, 9 former inmates of Bagram had said that they felt there was a separate building aside from the main detention centre at the base and they had been subjected to mistreatment. The US military has denied this and said that inmates were only kept in the main detention centre and later on they were transferred to Pervan detention centre run by Afghans. Nevertheless the US military has said that it will investigate the mistreatment claims of the inmates at Bagram.

ICRC says that in August 2009 US officials were aware of the existence of a separate detention centre. In spite of this, the head of US detention centres in Afghanistan, Adam Robert Harvard, in response to this claims,

has denied the existence of such detention centre in Afghanistan and mistreatment of inmates.

### **Special Rapporteur on Indigenous People report on the situation of Aborigines in Australia**

The UN Special Rapporteur on Indigenous People, James Anaya, while presenting a report on his visit to Australia in a speech stressed that the Australian Aborigines had a history of oppression and discrimination, that included the confiscation of property and social and cultural property, and in comparison to the non-indigenous people of Australia they suffered from noticeable inequalities.

He called upon the Australian government to pay attention to the economic and social welfare of Aborigines in its programmes, and to strengthen their cultural roots. He also believed the Aborigine women and children's conditions as alarming and called for more serious participation of the Aborigines in planning and managing their own communities.



### **Amnesty International's criticism of discrimination against the Roma in Europe**

In a statement released on 7 April, Amnesty International (AI) called upon EU member states to take serious measures towards breaking the discrimination, poverty and marginalisation cycle of the Roma across Europe. It urged for the EU to develop and implement a comprehensive measure to provide equality for the Roma and combat discrimination committed against them.

Interim AI secretary general, Claudio Cordone stressed that European leaders must adopt serious programmes to combat human rights violation cases against the Roma community.

Previously in its 11 March statement, AI had called upon the Italian authorities to reconsider housing projects which had forced hundreds of Roma to forcefully move from their dwellings. According to this project hundreds of Roma dwelling areas will be demolished and approximately six thousand Roma will be moved to 13 camps. It is estimated that the implementation of this project will make over a thousand Roma homeless.

### **Amnesty International warns against high statistics of mothers' mortality rates in the United States**

In a statement issued on 8 April, called upon US President Barack Obama to pay attention to the high mortality rates of mothers and problems and complications during pregnancy, particularly among minority groups.

According to AI each year 1.7 million women, a total of a third of pregnant women in the United States, suffer from complications during pregnancy. According to this report since 1998 the rates for serious pregnancy complications that can result to death have increased by 25 percent. Minorities, low income groups, American indigenous people and migrant women are deemed the most vulnerable groups.

The mortality possibility of mothers in the United States is the highest among industrial countries which according to the AI report these figures are shocking, and are not due to lack of scientific and medical facilities, but due to management weakness in proper distribution of medical services.



# ODVV Activities

## Participation in the 13th Session of the Human Rights Council

The 13th Session of the Human Rights Council was held in 1-30 March of 2010 in UN headquarters in Geneva Switzerland. In the form of 10 main items, while all stated human rights issues were proposed in the agenda of the Session, the UPR of 16 countries were assessed and ratified.

For the first time a valuable experience was gained with regards to the cooperation between Iranian NGOs and university institutions and a number of members of the Peace, Democracy and Human Rights Chair of Shahid Beheshti University alongside representatives of NGOs in special consultative status to ECOSOC participated

review in the Council website.

In the second, third and fourth weeks of the Session a total of 18 oral statements were read by the ODVV, Institute in Protection of Social Victims, Institute for Women's Studies and Research, on: the right to development, children's rights, right to education, Islamophobia, violence against refugees, human rights violations in various parts of the world, and the human rights situations in Portugal, Norway, North Korea and Palestine. Each of these statements in view of the created atmosphere and also the sensitivity of the subject had particular effects especially with regards to the presence and activities of Iranian NGOs. The statements presented in this Session showed a satisfactory development in comparison to previous sessions from the quality and quantity aspects.

## Sidelines panels

While attending the main Session, the ODVV held five sidelines panels with the cooperation of the secretariat of the Human Rights Council and the Peace, Democracy and Human Rights Chair of Shahid Beheshti University which were successfully held with the participation of NGO and GO representatives from various countries. The five panels were as follows:

### - Women, Children and Human Rights

The first sidelines panel with the abovementioned title was held on 9 March in Room 27 of the Council with the speech of university and NGOs experts and lecturers. The subjects that were raised in this panel were the theoretic concepts of women's equalities by referring

in this Session. This resulted for a bright horizon from the improvement of the functions and potentials of Iran with regards to general diplomacy and track two diplomacy to become more evident and visible.

During the Session, the Iranian NGOs participated in debates, and presented written and oral statements.

The ODVV submitted 8 written statements (7 independently and 1 joint one with 95 international NGOs) on the subjects of: terrorism, right to development, women's rights, racism and Islamophobia, Palestine, and children's rights, all of which were documented in the archives of the Council and are readily available to





to a number of examples in the Iranian legal system, human rights developments in Iran in the shadows of legal challenges and the report of the family legal clinic of the the Peace, Democracy and Human Rights Chair of Shahid Beheshti University.

### **- International mechanisms and their deterrent levels in preventing human rights violations**

This second panel was held on Wednesday 10 March with the speeches of a number if university lecturers and thematic experts. The deterrent levels of human rights violations, the review of the function of the ICC from the human rights violations deterrent aspects and the supranational commitments of states towards the observation of human rights in theory and practice were discussed and reviewed by the experts.

### **- The relationship between economic and social rights and the MDG**

This third panel was held on Thursday 11 March by the participating Iranian NGOs with the speeches of university lecturers and NGOs experts. The relationship between economic and social rights and the MDG the relativity theory in citizen's rights and improvement of gender equality and the empowerment of women were subjects of discussion and debate in this panel.



### **- Human rights and the media**

This panel, fifth in the series was held on Tuesday 16 March with the speeches of a number of university



lecturers and NGO experts. The Iranian media and human rights subjects, access and diversity and the power of the media in influencing public opinion, the violation of fundamental human rights principles through media distortion, the right to information in the Islamic Republic of Iran and the media and human rights education were reviewed by the speakers.

### **- Religious and ethnic minorities**

The fifth and final panel was held on Wednesday 17 March with the speeches of university experts and lecturers. The subjects reviewed included a look at the conditions of ethnic minorities in Iran, Islam, citizens an historical challenges of ethnic and religious minorities, the review of ethnic minorities conditions in Iran and positive discrimination in Islam and the rights of religious minorities in the Islamic Republic of Iran.

Throughout the duration of the stay of Iranian NGO experts and lecturers from the Peace, Democracy and Human Rights Chair of Shahid Beheshti University, held several sidelines meetings were made for the purpose of their introduction to sidelines mechanisms

on human rights issues and their reciprocal introduction with relevant institutions with the human rights capacities of the Islamic Republic of Iran in the academic and nongovernmental areas, by the ODVV. A meeting was held with the officials from the ICRC in Geneva, the UNHCR (Middle East Section, Iran desk), representatives from CONGO were some of the meetings that were held where both sides introduced their capacities and existing capacities for future cooperation.

The participating team was made up of a total of 28 people who in turns and consideration of the subject at hand of the week of interest took parting the Council through a pre-arranged timetable by the ODVV. Sixteen were NGO representatives and 12 were university lecturers.

to the NGOs in consultative status committee, the NGOs Liaison Office, the concepts and how to get consultative status, the requirements for consultative status eligibility. This one day workshop ended with a



### **Guide to acquire consultative status from ECOSOC education workshop**

This education workshop was held on 12 July 2009 by the ODVV for NGOs. Twenty representatives of NGOs participated in this workshop which was held at the assembly hall of the ODVV.

The participants of this workshop were introduced

Q&A session at the end and the participants received certificates of attendance.

### **MDG education course for journalists & school headmasters/mistresses**

This education course was held by the ODVV and the cooperation of the United Nations Association of Iran and UNIC in June 2010 in two sessions for 65 journalists and school headmasters/mistresses.

This course was held with the aim of promoting the UN culture and introduction of the MDG. Experts from various UN bodies that included the FAO, UNDP, UNESCO, UNAIDS, WHO, UNFPA and UNIC each of which described the 8 MDG and how these objectives are being reached in Iran. At the end of the course following a Q&A session the participants received certificates of attendance.

# ODVV statements

## 14th Session of the Human Rights Council

The 14th Session of the Human Rights Council was held on 31 May-18 June in Geneva, Switzerland. The ODVV's activities in this Session which coincided with the UPR on Iran was a good indication of the fact that the ODVV was a worthy representative for Iranian NGOs' presence in the Council and presentation of reports and reading of oral statements.

Coinciding with this Session of the HRC the ODVV held the 11th empowerment and effective participation of NGOs in consultative status course. Representatives from the Women's Institute for Studies and Research, Charity Institute in Protection of Social Victims, Women's Islamic Institute, the Elite Research Institute took part in this course. Three submitted written statements and 13 oral statements were read. It must be said that two independent written statements on Palestine (Item 7) and elimination of racism (Item 9) and a joint statement with 170 international NGOs on education. Thirteen oral statements were read in the Session on the protection of all human rights including civil, political, economic and social rights and the right to development, human rights situations that require the attention of the Council: Iraqi children and human rights situation in the west, six statements on the UPR, and one on general debates, two on the UPR on Iran and three under item seven.

The participating NGOs also read joint oral statements with international organizations that included Al-Hakim Centre and Interfaith International, and also cooperation and lobbying with other organizations (OCAPROCE International), Nord Sud 21, American Minorities Council.

While the Council ended its 14th Session it had from some perspectives significance importance for Iran. The human rights situation under item six was discussed and debated in the open session. And a statement under item 8 was read against Iran. The Council accepted the Islamic Republic of Iran's final UPR report, which included Iran's replies to the recommendations in the seventh sitting of the UPR working group in February which had been presented by Mohammad Javad Larijani the secretary of the High Council of Human Rights of the Islamic Republic of Iran, where out of 188 recommendations 123 were accepted,

45 rejected and 20 remained to be replied (paragraph 91 of the working group). On this basis parts of three recommendations (recommendations six and seven)

on the amendment of some criminal justice and civil laws to guarantee gender equality, regarding conforming national laws with international commitments towards women's rights and the implementation of the recommendation of the special rapporteur on violence against women and also recommendation 19 (provision of foreseen rights for religious minorities in the laws so that it includes all religious minorities) were all accepted by Iran.





# ODVV New Publications

## Collective of articles on the psychological dimensions of domestic violence

This collective was published by the ODVV within the framework of the Reduction of Gender Based Violence Project towards the Strengthening of the Family Institution in 200 pages.

With respect to the very important and undeniable role of women in the preservation and survival of the family institution (where children also are raised in) the necessity to pay attention to their rights and protection is undeniable. Therefore the improvement of women

and developing countries, to recognize the factors that threaten the family institution which is considered by the management of the country to provide noticeable help. This book has been made available for those interested in the subject.

## Collective of articles on the cultural and protective measures for the reduction of GBV

This collective was published by the ODVV within the framework of the Reduction of Gender Based Violence Project towards the Strengthening of the Family Institution in 144 pages.

In each society various issues and phenomena appear which can have different economic, cultural, personal, and social repercussions. In the society subject, social problems can be pointed out which involves different individuals. Social problems in each society have particular diversity which can vary in different periods of time. Some of these problems that can be named are child abuse, spouse abuse, senior citizen abuse. This book deals with some social and cultural solutions to reduce these problems.

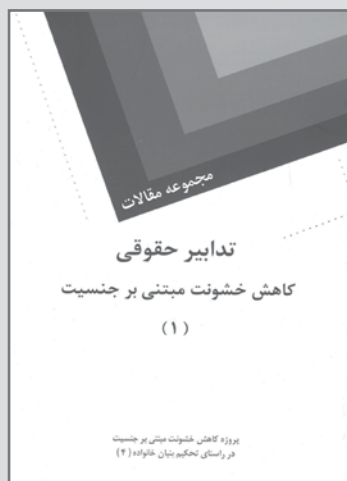


and children's conditions and solving their problems and issues if done through suitable methods and based on religious and ethnic patterns it is possible to accomplish great things for society. With this in mind as a member of the civil society, the ODVV began scientific and expertise researches on the subject of psychological dimensions of domestic violence (spouse abuse) all aspects of the violence against women phenomenon which are evident in developed



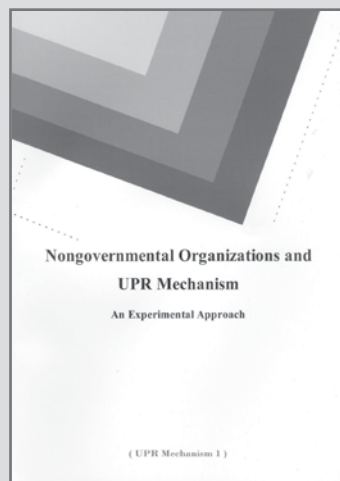
### Collective of articles on the legal measures for the reduction of GBV

This collective was published by the ODVV within the framework of the Reduction of Gender Based Violence Project towards the Strengthening of the Family Institution in two volumes: first volume 128 pages and the second volume 160 pages.



### NGOs and the UPR mechanism

This is a 64-page book in English that has been published by the ODVV. The book is in four chapters of introduction of the UPR mechanism, NGOs and their role in the UPR, points and methods of presentation of the UPR, points to optimize the effectiveness of NGOs in the UPR mechanism.



Due to particular physical and emotional conditions women and children are the most vulnerable groups of society and it is necessary that they get special care from society. Women and children's issues in the Islamic Republic of Iran have over various periods of time been noted by the legislator and have taken steps toward the protection of women and children in various laws. Legislation, amendment and or changing of the laws on women and children, recognition of their legal and social rights needs in various arenas, the determination and interpretation of Islam with regards to women and children's rights and research and provision of practical solutions to reach satisfactory conclusions are all important matters all of which will play a key role in the economic, social and cultural development. This book was published towards accessing this objective.

### Abstract articles of the International Conference on Women's Rights in the Judicial Justice Process

This is a 96 page book from the abstract articles presented at the International Conference on Women's Rights to the Judicial Justice Process published in English by the ODVV. The 25 articles presented in this two day conference by domestic and international participating experts are published in this book as abstracts.

