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Human rights situations that require the Council's attention

Joint written statement* submitted by Organization for Defending Victims of Violence, Association of Iranian Short Statured Adults, Ertegha Keyfiat Zendegi Iranian Charitable Institute, Hazrat-e Fatemeh Zahra Charity Institute, Humanitarian Ambassadors NGO, Imam Ali Charity Institution, Iran Autism Association, Iranian Thalassemia Society, Jameh Ehyagaran Teb Sonnatî Va Salamat Iranian, Maryam Ghasemi Educational Charity Institute, Medical Support Association for Underprivileged Iranian Patients, Network of Women's Non-governmental Organizations in the Islamic Republic of Iran, Pars Non Trading Development Activists Co., Rahbord Peimayesh Research & Educational Services Cooperative, Society of Iranian Women Advocating Sustainable Development of Environment, The Society for Recovery Support, non-governmental organizations in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[4 February 2024]

* Issued as received, in the language of submission only.

An overview of the six-year performance of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran

The Special Rapporteur on the situation of human rights in the Islamic Republic of Iran has been serving his mandate for the past six years. As NGOs based in Iran, active in the field of human rights for decades, we would like to emphasize that his performance has not met the expectations of the Iranian people and we draw the attention of the Human Rights Council to the following issues regarding the functioning of the mandate:

Lack of Independence and Impartiality

The Special Rapporteur has maintained and strengthened close relationships with Iran oppositions and some terrorist groups, undermining his independence and impartiality that the mandate holder must adhere to, according to his code of conduct. We call on the human rights council to urge the country mandate holders to pay more attention to the credibility and reliability of the reports.

We recommend the mandate of the Special Rapporteur on Iran to adhere to the principles of independence and impartiality in communications, relationships, speeches and reports, in line with the Human Rights Council Resolution A/HRC/RES/37/30, adopted in 2018, which requires the Special Rapporteur on Iran to discharge their duties in accordance with their Code of Conduct.

Relationship with the Country

Mr. Javaid Rehman has not been successful in maintaining a constructive dialogue with the country and building mutual trust in order to facilitate Iran's negotiations with his mandate.

Relationship with Iran-based NGOs

The mandate holder did not establish communications and dialogue with the members of the civil society active inside Iran and in some cases has not accepted their request for meetings with the Special Rapporteur or left their request for cooperation unanswered. Also, the mandate did not reflect the viewpoints and comments of Iran based NGOs in the annual reports.

Reliance on Unofficial Sources

According to the Article 6 (a) of the Code of Conduct (1), "...the mandate holders shall:

(a) Always seek to establish the facts, based on objective, reliable information emanating from relevant credible sources, that they have duly cross-checked to the best extent possible...". Unfortunately, Mr. Rehman has resorted to invalid and unreliable sources of information, putting the validity and credibility of the reports under question.

Moving Beyond the Mandate

In some cases, for example on the Special Rapporteur's comments on religious issues and his criticisms of some Iranian domestic administrative frameworks such as "religious jurisprudence" and Islamic teachings, he has moved beyond the requirements and specifications of his mandate and discussed issues that fall beyond the scope of his mandate.

Undermining Serious Violations of Human Rights by Other States in Iran

As the Special Rapporteur on the Situation of human rights in the Islamic republic of Iran, Mr. Javaid Rehman has overlooked or paid limited attention to the wide range of human rights violations taking place in Iran as a result of the unilateral coercive measures

implemented by the United States which are imposed on countries beyond the authority of the United Nations and international rule of law. In addition, the situation of sanction victims has hardly ever been discussed by the Special Rapporteur.

We remind the mandate of the UN Special Rapporteur on "the situation of human rights" in Iran, of the need to pay due attention and report on the widespread and adverse human rights impacts of the unilateral coercive measures on the all human rights of Iranians including the rights to life, health, access to medicine and medical care, education, housing, work, adequate living standard, health environment, all aspects of the right to development and attainment of all sustainable development goals.

Terrorist Attacks against Iran

We are also highly concerned about other forms of human rights violations and grave crimes being committed by some countries against Iranians inside Iran, including the heinous terrorist attacks in Kerman in early January 2024.

We remind the mandate that the Iran-based civil society finds the Special Rapporteur's position toward the massacre quite unacceptable and seriously expected the mandate holder to bravely condemn such crimes in formal statements.(2)

Finally, considering the overall six-year method of discharging the current mandate, as well as the previous country mandate holders of Iran, we call on the Human Rights Council to terminate this country mandate considering the lack of the contribution of the mandate to the situation of the human rights in Iran.

1- Human Rights Council resolution 5/2: Code of Conduct for Special Procedures Mandate-holders of the Human Rights Council

2- For example, in early January 2024, twin suicide bombings took the lives of 36 men and 53 women including 9 children. <https://en.irna.ir/news/85344641/Iran-Interior-Ministry-official-says-both-Kerman-blasts-were>