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Human rights situations that require the Council's attention

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

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* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

Human rights and prisoners in the Islamic Republic of Iran

This report highlights the dire conditions prevailing in Iranian prisons which, as the families of inmates have reported, are marked by poor sanitation, inadequate food supply and repeated sexual assaults. Activists of all kinds, whether they are fighting for the rights of women or minorities, protesting against human rights violations or getting involved in other forms of political protest, are subject to harassment, discrimination, unlawful arrest and conviction. They are forced to endure horrendous prison conditions, such as extended periods in solitary confinement, absence of formal charges, denial of medication, little or no medical care, no notification to families or lawyers, no phone calls or visits, regular beatings and extortionate demands for bail.

Contrary to the country's executive articles governing prisons, rehabilitation and educational measures (enacted on 10 September 2005), suspects and condemned felons are not kept apart.

Prisons in Iran are not a money issue; it is an issue of human dignity. The prisons in Iran do not observe national legislation nor do they respect international human rights guidelines and treaties. Those immediately affected have the inalienable right to live a decent life just like all other human beings. They should be supported and help provided before it is too late.

The situation facing women or cross-genders in Iranian prisons is no better than the conditions facing men. Female and cross-gender prisoners are those most marginalized. Not only have they had to suffer manifold forms of pressure and prejudice in their everyday lives, but the situation worsens palpably when they find themselves in prison and alone.

The most common problems

In summary, the problems that prisoners suffer fall into the following main categories:

- (a) Overcrowded rooms;
- (b) Lack of health services;
- (c) Social isolation compounded by lack of visitors or adequate time in the open air;
- (d) No segregation of prisoners according to the nature of the crime committed; and
- (e) The absence of the rehabilitation and correction processes in prisons and correction facilities.

Conditions in specific prisons in Iran based on prisoners' accounts

Zia Nabavi's letter describing Karoon Prison

1. Karoon Prison is beyond repair. Wards are overcrowded to the power of three. One ward with 110 beds houses 300 inmates. While many of the inmates sleep on the floor, one third has no choice but to occupy the small courtyard day and night, regardless whether it be hot, cold or raining. During heavy rain, some inmates take shelter in the small kitchen area, showers or toilets, all of which are unutterably dirty and indescribably unhygienic.
2. Regardless of the nature of their crimes, prisoners are jammed into one and the same wards. The fate of those sentenced for theft or drug-dealing is worsened by problems of addiction, disease and hygiene.

3. The courtyard used by prisoners for exercise at designated hours is minuscule (8x15 m): three inmates per square metre! Moreover, the courtyard is enclosed by a system of overhead nets that impedes circulation in the hot Ahvaz climate.
4. The washroom is fitted with six faucets/taps providing cold water over one long, square sink.. The inmates avail themselves of this service for all manner of purposes: washing and scrubbing, shaving and cleaning dishes, as well as washing and preparing food - all at the same time.
5. The sewage system is not properly managed. Mice and cockroaches crawl in and out of the drains, which regularly (invariably weekly) spill out across the whole courtyard. Those wishing to go the lavatory have to be carted across the yard in wheelbarrows. In addition to the disgusting mess on the ground, breathing is impaired as gas seeps from the sewage system.
6. The food is prepared without any regard for hygiene. Every inmate is allowed to buy a kilo of fruit once every six weeks. The prison has no fridge; the kitchen is too small, a mere three square metres.
7. Inmates have no access to newspapers and magazines. Books are not allowed. Phone calls between inmates and their family are restricted to three minutes a week, but are often denied by the warders.
8. Zia Nabavi's observation is that the inhuman conditions in the jail are "life on the verge of human vs. beast".

Woman's report from Gharachak Prison

1. The prison has 7 wards (an old primitively built building, it was recently converted into a prison). Every ward contains 50 or 60 beds; over 200 women are kept in each ward. There is no ventilation; gas and odours from the drains give rise to serious respiratory problems.
2. Each ward has 2 washrooms and 2 lavatory stalls for all 200 women. Given the lack of amenities, many inmates defecate and urinate between the beds. The taps are also used for laundry and dishwashing purposes.
3. Food is served 3 times in the self-service area. The portions are too small (two pieces of flat bread, one potato or a small amount of macaroni) and inadequate for the number of inmates. The shortage of food leads to a number of inmates going without food and frequently gives rise to fights.
4. Juveniles, 14-year old girls, are detained in the same prison.
5. The prison has no shop of any kind that would allow the women to meet their basic nutritional and hygienic needs.
6. The outside exercise yard can hardly accommodate 60 persons, but more than 200 women use it at any given time.
7. Punishment is severe. For example, after a dispute over scarce hot water for tea, the pot of boiling water was flung over one inmate, while another inmate's nails were pulled out as punishment. Male warders with batons rule over the female inmates.

Mehdi Mahmoodian, an imprisoned journalist, writes about the Evin, Raja'ee Shahr and Kachoo'ee Prisons

1. Whereas large quantities of drugs are smuggled into the prisons to meet the needs of thousands, it can take up to six months before the warders allow in an item of clothing for a single prisoner.

2. In Evin prison, the self-same warders act as drug-dealers with the connivance of the prison governors.
3. Sodomy has become a customary and accepted practice. Warders apparently provide prisoners with protective measures (condoms). Any prisoner who is decently handsome is rented out to others for approximately US\$ 250 a night. Each victim of this practice has an 'owner' who abuses him sexually, in addition to renting him out to other inmates in return for money. Young men are known to have been raped up to 7 times a night. On complaining to the warders the next day, the victims are put into solitary confinement. The perpetrators are never questioned nor punished.

Recommendations

Change can only be effected by different institutions taking joint action: the international community, governments, the human rights organizations, educational institutions and society at large.

Some of our suggestions:

- (a) UN representatives should visit all Iranian prisons and correction facilities to document current violations of human rights and international treaties, where after notice should be issued to the Iranian authorities identifying specific items for action and setting timelines;
- (b) **Building new prisons and rehabilitating current facilities:** Iranian prisons do not meet legal standards. Despite the upgrades and the reconstruction work carried out in some prisons, the best solution still lies in shutting down certain institutions and building new prisons that are healthy, psychologically habitable and appropriate for use by prisoners. Accomplishing this humanitarian task requires an emergency plan on the part of the government.
- (c) Regularly (at least annually) reviewing all Iranian prisons and correction facilities until all violations have been corrected.
- (d) The Islamic Republic of Iran should be urged to ratify the CAT and its Optional Protocol. The state should commit itself to: complying with the minimal standards for the treatment of prisoners; and implementing all the international treaties that prohibit the torture of prisoners and provide for the maintenance of their dignity and humanity.
- (e) Segregating inmates into various categories: it is very important to segregate prisoners, separating those suffering from chronic and contagious diseases or smokers from the rest. The overcrowding of cells must be overcome by setting timely trial dates for prisoners.
- (f) Putting serious effort into creating and implementing a comprehensive correctional health plan that includes the physical, social and mental aspects.
- (g) Improving medical services under the supervision of the Ministry of Health: doctors, nurses and specialists must be to hand and their work subject to supervision. Many prisons lack medication (especially for those with chronic diseases) and basic medical instruments (such as Sphygmomanometers or Glucometers). Most do not even have pharmacies
- (h) Giving better care to the correctional facilities and concentrating on care for juveniles.
- (i) Devoting special care to the female prisoners and attending to their physical, mental and social needs, and creating special rehabilitation programmes that work inside the prison and after released

(j) Encouraging NGOs to enter the prisons and offers their services to the inmates and having them provide educational and awareness programmes.
