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Human rights situations that require the Council's attention

Written statement* submitted by the Mouvement contre le racisme et pour l'amitié entre les peuples (MRAP), a non-governmental organization on the roster

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

[24 August 2011]

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

Human rights violations of the Baloch people in the Islamic Republic of Iran**

1. Introduction

Balochistan is located in south-eastern Iran, bordering Pakistan and Afghanistan. It occupies the northern part of the Persian Gulf and the Arabian Sea from the Strait of Hormuz to Gwater, a small village divided between Iran and Pakistan. Some estimates put the Baloch population in Iran at over four million.

The promise of universal respect for and protection of human rights remains unfulfilled for the people of Balochistan. In fact, the indigenous people of Balochistan are suffering gross violations of their fundamental human rights as the consequence of systemic discrimination, historic injustices and ongoing marginalization.

2. Representation of minorities in the public administration and the political sphere

Many ethnic groups boycotted the 2009 Presidential Elections once their preferred candidates were officially forced to withdraw their candidature. No Baloch has ever served as a minister of cabinet or as an ambassador. The number of the Baloch in the provincial administration of Balochistan is no more than five percent of the total civil servants. Arabs in Khuzestan make up around 70% of the population but hold fewer than 15% of the key and important governmental positions. After the election of President Ahmadinejad in 2005 many ethnic minority civil servants were reportedly forced from their jobs in a widespread purge.

3. Freedom of religion or belief

Article 12 of the Constitution states: “the official religion of Iran is Islam and the Twelve Ja’fari School of Thought and this principle shall remain eternally immutable”. This explicit endorsement of a school of Shia Islam alienates the Kurds, Turkmen, Baloch, and Ahwaz, who practice Sunni Islam. Tehran has a population of 1 million Sunni Muslims, but planning permission for a Sunni mosque has yet to be granted.

Article 115 of the Constitution excludes non-Shias from holding the office of the Presidency of the Republic.

The construction of a Sunni mosque in Tehran has been repeatedly blocked.

A widely used practice which discriminates against regional ethnic Sunnis is Gozinesh, meaning “selection”. Gozinesh is an ideological test requiring candidates for some government jobs to demonstrate allegiance to Shia Islam and the Islamic Republic of Iran including the concept of Vilayat-e Faghih (Governance of Religious Jurist), a concept not adhered to by Sunnis. The adherence to this practice effectively excludes Ahwaz, Baloch, Turkmen and Kurds from employment in the government and, in some cases, within the private sector. Some applicants to universities are also subjected to Gozinesh.

A number of Baloch and Sunni Activist are imprisoned in Iran:

In Khurasan Razavi Province:

- Mulavi Habib Hakimzadeh, from Kariz tubar Jam

** The Balochistan Human Right Organization (Sweden), an NGO without consultative status, also shares the views expressed in this statement.

- Mulavi sedigh Rashidi, from Turbat Jam
- Mulavi Abdulsatar Haidari, from Ghaderabad, Turbar Jam
- Mulavi Nour Ahmad Iaghai from, Nashitifan, Khaawf Distict
- Mulavi Abdulkarim Gul, from Mehrabad, Khaawf Distict

From Balochistan Province:

- Hamid Mulazadeh, Zahidan Prison
- Habib Mulazadeh, Zahidan prison
- Mulavi Said Kurdi
- Mualvi Abduljalil Mir Balochzahi
- Mulavi Jabir Yarmohamadzahi

From Kermanshah:

- Mulah Jumhe Tayshahie, from Sarpul Zihab

From Western Azerbaijan:

- Mulah Abdularahman Fatahi, from Mahabad
- Mulah Ahmad Sanandaji, from Mahabad
- Mulah Mohamad Brayie, from Bukan

From Khuzistan:

- Ali Ahmiri, from Ahwaz

4. Economic discrimination and expropriation of land

According to official figures, 76 percent of the Baloch people live under the poverty line, although the national figure is 11%¹. Similarly, in Arab Khuzestan, the unemployment rate in the province's Persian majority city of Dezful is 7%, whereas in the Arab majority cities of Abadan and Mohammerah the rate is 41% and 60% respectively.

Despite signing the International Convention on the Elimination of All Forms of Racial Discrimination there is strong evidence that the Iranian authorities encourage land confiscation, forced migration of ethnic groups and the resettlement of Persians in the ethnic regions². In 2005 Baloch houses in sought after areas of the port city Chabahar were dismantled by Iranian Security forces with no alternative housing provided for those evicted. The homes of 4,000 Arab residents of Sapidar were destroyed in 2003. In 2005 the UN Special Rapporteur on the Right to Adequate housing expressed concern regarding "the continued discrimination faced by ethnic and religious minorities and nomadic groups, as reflected in [...] the considerable number of alleged cases of land confiscation and forced evictions".

¹ Baloch 'Appeal for international help to stop executions in Baluchistan' accessed: <http://www.unpo.org/content/view/7462/236/>

² See reference to the "ethnic restructuring" program outlined in 2005 in secret correspondence between vice-President Sayed Mohammad-Ali Abtahi and General Gholamali Rasheed. Ahwaz Human Rights dossier page 10 (<http://www.hic-mena.org/documents/dossier.pdf>)

5. Arbitrary arrests, torture, judicial procedures and executions

The death penalty continues to be applied in political cases, where individuals are commonly accused to be “Mohareb” meaning “enemy of God”. In August 2007, it was noted that a disproportionately large number of executions in Iran that year were of Baloch citizens (50 from 166). Heavy attacks in the Khuzestan and Sistan-Baluchistan provinces were followed by a wave of death penalty executions.

Extra-judicial killings have been a characteristic of Iranian state policy in ethnic minority regions, especially in Balochistan. This was clearly stated by the head of Mersad who said: "We have not been given orders to arrest and hand over those who carry weapons. On the basis of a directive we have received, we will execute any bandits, wherever we capture them (Ettela'at, 25 February 1998)".³

The first blogger who was executed for his journalistic activities using weblog was Mr Yaghub Mehrnihad. He was arrested in May 2007 with five other members of a Baloch cultural association; he was tried in secret and executed on 4th August 2008.

Mr Sakhi Rigi another Baloch, a blogger, was arrested by security forces on 18 June 2009. At that time he was a member of Mr Musavi's election campaign team in Zahidan. Later he was convicted because of his blogger activities; charges ranged from "acting against national security" and "propagating against the regime".

With no press freedom in Balochistan and a ban on press on Balochi language weblog and websites have been only medium available to Baloch journalist, cultural and social activists, to publish their articles and news about their local community and profession however for their activities they are constantly harassed, imprisoned, tortured and executed.

6. Linguistic and cultural discrimination in the media

Despite Article 15 of the Iranian constitution and Article 27 of the ICCPR, the Ahwaz, Baloch, Kurds and Southern Azerbaijanis face difficulties in exercising their rights to use their own languages. All state-schooling in these regions is conducted exclusively in Persian. As a result, drop-out rates are high (Ahwazi students drop out of schools at a rate of 70% at high school), and Ahwazi Arabs make up just 7% of the student population at the University of Shaheed Chamran in Ahwaz City.

Minority cultural activists have had journals and publications banned, often for reasons of state security, and even when publishers have adhered to conditions that Farsi must be the main language. Cultural organizations are closed down, and those involved subject to imprisonment and execution. Advocates for broader linguistic and cultural rights for minorities are detained arbitrarily.

7. Violations of the right to freedom of assembly

Azerbaijanis are banned from gathering at Babek Castle to celebrate their national hero and forbidden from celebrating Sattar Khan and Bagher Khan, Azerbaijani heroes of the constitutional revolution of 1905. In May 2006, demonstrations took place in the Azerbaijani provinces of Iran to protest at a cartoon published on 12 May 2006 by the state-owned daily newspaper «Iran», which was regarded as offensive to Iranian Azerbaijanis.

³ United Nations Commission on Human Rights, Sub-Commission on Prevention of Discrimination and Protection of Minorities, Fiftieth session, 24 August 1998, quote of a Mersad commander in its declaration on Iran in August 1998 (Ettela'at, 25 February 1998), link to United Nations Report: <http://www.unhcr.ch/Huridocda/Huridoca.nsf/TestFrame/e8fd3e68a3e4b563802566880051d10e?Op=document>

Hundreds, if not thousands were arrested as a result, some of whom were tortured in prisons. Dozens were believed massacred and scores injured.

Recommendations:

Considering the facts outlined above, MRAP urges the Government of the Islamic Republic of Iran:

- to end forced evictions and any policy of land expropriation or population transfer which is discriminatory or otherwise contrary to international human rights law and standards;
 - to prohibit discrimination in employment and the labor market, and take measures to reduce unemployment within minority communities;
 - to take steps to eliminate social and economic disparities between geographically peripheral regions and central Iran;
 - to halt arbitrary detentions of ethnic and religious minority activists and cease torture and forced confessions as guaranteed in the Universal Declaration of Human Rights;
 - to investigate cases of torture and human rights abuses based on ethnicity or religion and eradicate impunity for such acts;
 - to allow all detainees access to legal advice;
 - to release information on the reason of detention at the immediate point of arrest;
 - to introduce a moratorium on the death penalty with immediate effect in line with Resolutions 62/149 and 63/168 adopted by the UN General Assembly on 18 December 2007 and 18 December 2008
 - to honor Article 15 of the Constitution and recognize the right to use regional languages, especially in primary education facilities and to permit the use of regional languages in print, audio and online media
 - to end the ‘securitization’ and persecution of ethnic cultural organizations;
 - to release all prisoners of conscience who have been unlawfully arrested for advocating broader linguistic and cultural rights;
 - to ensure that legislation is in line with international human rights standards, in particular the freedom of association enshrined in the ICCPR.
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