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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 in 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.

[11 February 2013]

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

National and religious minorities discriminated in the Islamic Republic of Iran

The rights that apply to persons recognized as belonging to minorities include those stated in Article 27 of the International Covenant on Civil and Political Rights, which the Islamic Republic of Iran is signatory since 1975, so there is a legal obligation to ensure the enjoyment of these rights by persons belonging to such minorities. The Iranian Constitution formally provides for the fair treatment of its minorities: Article 15 permits the use of ‘local and ethnic languages ‘and the teaching of ‘ethnic literature’ in schools, while establishing Persian as the official language. Article 19 states: ‘All people of Iran, whatever the ethnic group or tribe to which they belong, enjoy equal rights, and colour, race, language, and the like do not bestow any privilege’ and The Article (14) provides for equality of all before the law.

In reality, national and religious minorities have to face widespread and severe discriminations in the exercise of their fundamental economic, social, cultural, civil and political rights.

Changing demographic composition of the Kurdish local population

There is strong evidence that the Iranian authorities encourage land confiscation, forced migration of ethnic groups and the resettlement of Persians in the ethnic regions. According to Kurdish demographer and researcher, Kajal Rahmani (2011) the Government of the Islamic Republic of Iran uses deliberate methods to modify the ethnic composition of the population in the Kurdish area - one of such technique is to buy lands in Senah, and other Kurdish cities that are 90 % Kurds and it is obviously the case in other area inhabited by the national minorities, especially in Ahwaz area which is rich for its natural resources.

Cultural discrimination

The Kurds, Azeris, Ahwazi and Baloch still face difficulties in exercising their rights to use their own languages, in private and in public. All state-run education in these regions is conducted exclusively in Persian. They don’t receive proper educational facilities and are not equipped with knowledge to enter Iranian Universities. A concern also expressed by the Committee on the Elimination of Racial Discrimination (CERD) in its Concluding Observation¹ to the Report presented by the Islamic republic of Iran in 2010 when it underlined that “lack of sufficient measures to enable persons belonging to minorities to have adequate opportunities to learn their mother-tongue and to have it used as a medium of instruction”.

The UN experts expressed also concern about “the limited enjoyment of political, economic, social and cultural rights by, inter alia, Arab, Azeri, Baluchi, Kurdish communities and some communities of non-citizens, in particular with regard to housing, education, freedom of expression and religion, health and employment, despite the economic growth in Iran [the State party]”.

Economic discrimination

According to the Kurdish MP, Mr. Mohammad Ali Pertewi (2011) over 60% of Kurdish people in East of Kurdistan lives in poverty. Pertewi believed that poverty in Iranian Kurdistan is the direct result of the discriminatory policies of the Iranian authorities as well

¹ CERD/C/IRN/CO/18-19.

as the misconduct of the officials in the region. It is quite obvious that the situation is not any better in the area inhabited by the other national minorities, like Baluchistan and Ahwaz.

Because of the underdevelopment of the Kurdish region due to the elaborated policies by Iranian central government, many Kurds are resorting to trade that is not tolerated by the Iranian authorities and their security apparatus in the Kurdish region. According to Kurdpa (Kurdistan Press Agency), since the beginning of the Iranian calendar year 1390 (March 21, 2011), around 182 Kollbar (people carrying goods on their back) have been killed or injured by the government forces along the borders of Kurdish regions in Iran. These people often live in the border area between Iranian and Iraqi Kurdistan. These regions live below the poverty line and Kollbar trade is their main source to earn a living.

Religious discrimination

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

Death penalty

The scope of capital sentences in the Islamic Republic of Iran is broad. Lately a growing number of political activists are being executed. Dozens of Kurdish political and civil prisoners have been sentenced to death in connection with their alleged membership of and activities for Kurdish proscribed organisations, without proper legal representation and are on death row.

Recommendations

MRAP calls on the Islamic Republic of Iran:

- to abide by its international obligations and notably to respect the fundamental human rights of the minorities;
- to implement, without delay, the recommendations expressed by the treaty Bodies as well as those expressed by UN Member States in the framework of the Universal periodic review and accepted by the Government;
- to halt arbitrary detentions of ethnic and religious minority activists and cease torture and forced confessions and to investigate cases of torture and eradicate impunity for such acts;
- to allow all detainees access to legal advice;
- to end the ‘securitization’ and persecution of ethnic cultural organizations;
- to declare a moratorium on capital executions.