

Response of the Islamic Republic of Iran
to Draft Report of Special Rapporteur for Submission to the 69th
Session of the UN General Assembly

A. Introduction

Islamic Republic of Iran has consistently demonstrated its firm resolves to cooperate with international human rights mechanisms. In fact, because of its commitments to constitutional and ordinary laws, international treaties, its religious obligations and ideological convictions, Iran has taken numerous steps to promote and improve situation of human rights at national and international levels, and considers itself fully committed in practice to protect and observe these rights.

No country can claim to be perfect in observing human rights, but to avoid biased and unfair judgment, one needs to consider special characteristics and attributes of each country and the level of external pressures and threats that can have deleterious impact on social, economic and political development indices.

The overall performance of the Islamic Republic of Iran in the face of all unlawful sanctions and pressures has been progressive and positive. Regrettably, the report of the Special Rapporteur overlooks these facts and while maintaining consistent negative attitude, some of the positive measures by the government of Iran are incorrectly interpreted, numerous untrue and unsubstantiated claims are raised and some ordinary administrative inadequacies and failings are blown up.

The Concerns expressed in the introduction part of the report are untrue and without reliable basis and reflect predisposition and political tendencies of the writer of the report. This tendency on the part of the writer of the report has been criticized numerous times, been regarded to be against Code of Conduct of mandate-holders (Resolution 5/2) and the principle of impartiality.

In this response, we will explain briefly due to shortage of time some of the most important areas of extensive cooperation of the Islamic Republic of Iran extended to international human rights mechanisms and efforts to advance and protect human rights.

- National report of the Islamic Republic of Iran on Universal Periodic Review mechanism, active participation in this process, and taking steps to implement recommendations of the first session of the UPR
- Preparation and submission of report for the second cycle of the UPR for presentation at 20th session of the UPR in October 2014.
- Responding to the communications received from human rights thematic Special Rapporteurs and the Special Rapporteur.
- Responding to reports of the UN Secretary-General on situation of human rights in the Islamic Republic of Iran submitted to UN General Assembly and Human Rights Council.
- Presentation of the second report of the Islamic Republic of Iran on International Covenant on Civil and Political Rights to Human Rights Committee and providing written replies to questions by UN Human Rights Committee concerning national report of Iran and active participation in the meeting for the purpose of defending this report in 2011.
- Submission of the second report of the Islamic Republic of Iran on International Covenant on Economic, Social and Cultural Rights and presenting written replies to questions raised by the Committee on Economic, Social and Cultural Rights of the United Nations concerning our report and active participation in the meeting for defense of our report in 2012.
- Presentation of third periodic report on Rights of the Child to the CRC Committee (2013)
- Active participation in human rights international meetings and forums.
- Visits by six thematic Rapporteurs to the Islamic republic of Iran and having on our agenda two other visits by thematic Rapporteurs.

- Technical cooperation with the Office of UNHCHR.
- Invitation extended to the United Nations High Commissioner for Human Rights and making arrangements for the actual visit of preparatory delegation from the OHCHR that did not take place due to termination of the term of office of Madam High Commissioner.
- Membership and accession to a number of international human rights treaties, including UN Convention Against Corruption(2008), and UN Convention on the Rights of Persons with Disabilities (2008)
- Promotion of human rights activities of the NAM during the chairmanship of the Islamic Republic of Iran, including sponsoring three human rights resolutions (right to development, enhancement of international cooperation in the field of human rights, unilateral coercive measures and their impact on human rights) hosting a number of meetings by the NAM Center for Human Rights and Cultural Diversity , holding several academic meetings in 2011 and 2012 with attendance from 30 counties, in cooperation with ICRC, Red Crescent Society of Islamic Republic of Iran, Irish Center for Human Rights, Chair of UNESCO at Rioja University of Spain, College Henry Dunant of Switzerland, UNESCO'S Chair at Bergamo University of Italy, School of International Relations of Iran, Center for human Rights Education- Curtin University and Swinburne university of Australia, Islamic Human Rights Commission, national Commission of UNESCO- Iran and a number of reputable Iranian universities.
- Making efforts to advance human rights activities within the OIC, promoting the idea of establishing "Independent and Permanent Human Commission" in the OIC and supporting all constructive cooperative efforts with this commission alongside hosting a number of human rights meetings of the OIC.
- Hosting the third meeting of OIC Ministers on women (December 2012), International conference on Eminent Ladies of Divine Religions (October 2011), International conference on revival of

human right and drafting of Covenant of Rights of Women in Islam (2012)

- In the context of bilateral relations, Islamic Republic of Iran has tried to strengthen and advance human rights by using its bilateral capacity with various countries. Iran has endeavored to sustain bilateral dialogues and technical human rights cooperative relations with Russia, Norway, Denmark, Austria, South Africa and Indonesia.

The cases mentioned above are only a part of positive steps that the Islamic Republic of Iran has taken in relation to UN human rights mechanisms, and those from our region and beyond that clearly demonstrate the practical commitment to continue and sustain positive interaction with these arrangements. We state our readiness to continue these cooperative relations.

Despite extensive cooperation of the Islamic Republic of Iran and its positive interactions with UN human rights mechanisms such as accepting 123 recommendations during the first cycle of the UPR and voluntary measures to put them to actual practice, Special Rapporteur has failed to notice these positive interactions and steps of the Islamic Republic of Iran, and presents a flawed interpretation of the progress and remedial legislative actions due to his lack of understanding. To cite an example, according to our laws, assembly of workers at workplace is totally legal and takes place frequently without the need to acquire a permit. According to our information employers have on numerous occasions complied with the demands of workers. Holding of open assemblies by various workers unions and other social segments take place regularly and are visible in different locations.

B. Methodological flaws of the report

Regrettably, Special Rapporteur has ignored previous substantiated comments and replies of the Islamic Republic of Iran and has been influenced and predisposed by insinuations and sources that are mostly unreliable, such as past reports, without verifications and observance of the Code of Conduct for mandate holders of the Special Procedures of Human Rights Council. These are primarily the reasons behind incorrect repetitive content of his report. This is clearly indicative of the departure of the Special Rapporteur from the clear rules stipulated in the criteria for the appointment of the mandate holders. It is also indicative of an unfair and biased approach toward the Islamic Republic of Iran.

This approach terminates the required validity of this report and diminishes public confidence.

Repeated criticism of Iran toward the methodology used in drafting this report arises from the fact that the reporter is not interested in including views and comments from official and independent sources. As he has himself mentioned, major part of his report is the result of his interviews with 118 persons, while for writing an independent and reliable report all claims received by the reporter need to be verified and unreliable claims should be disregarded.

Islamic Republic of Iran is determined to respond to claims and communications of human rights violations and has been very transparent in providing pertinent information. In 2013, we provided our response to 18 from 35 communications, mostly repetitive, and to 3 from 17 in 2014 and the rest are being studied.

Again, we expect from Special Rapporteur to be bound by 5/2 Code of Conduct for Special Procedures Mandate Holders and try to avoid subjects of very general nature and without any solid basis, and pay more attention to information provided by Iran concerning claimed allegations. In addition, if the Rapporteur intends to include new names in his report, at least allow adequate time for investigation and proper response. In the present report in addition to undependable information and numbers that the government needs spending some time to examine them, names of at least 57 persons and claims of personal nature are mentioned that is not possible to give any response within the timeframe set by the Secretariat. For this reason in the present response personal matters are not adequately dealt with. Nevertheless, Iran is prepared to respond to all claims raised in the report in the future.

We welcome the new approach of the Rapporteur to deal more seriously with important social issues like the sanctions, employment and environment. These are the kind of issues that are important to and needed to be addressed by most people. Unfortunately, the esteemed Rapporteur has also failed to seriously deal with these matters and has not heeded and denounced unlawful sanctions that have resulted in gross violations of human rights of citizens in the areas of health, employment and access to basic rights.

C. Civil and Political Rights

1. Death Penalty

Principled position of the Islamic Republic of Iran on death penalty has been repeatedly reflected in the official positions of the Islamic Republic of Iran and will be explained further in this response.

Excessive concentration on the claim concerning increase in the use of death penalty in Iran as stated in this report and relying on estimated numbers without paying attention to causes and threats arising from special circumstances, especially because of shocking increase in production of illicit drugs in countries on the eastern borders of Iran jeopardizes the very validity of this report. According to official statistics, in 2013 share of death sentences relating to illicit and narcotic drugs was 80 percent.

The geographical position of the Islamic republic of Iran on the periphery of the largest producers of traditional narcotic drugs in the world is the primary reason for attaching great importance to combating traffickers. Our country has been very serious in this fight and has made huge human and material sacrifices. More than 3000 of our military and law enforcement forces have given their lives and 12000 have been injured in this campaign. In addition, millions of dollars are spent every year (700 million for fortifications of eastern borders) for fighting network of traffickers, prevention, treatment and rehabilitation.

According to figures published by UNODC more than 80% of seizures of narcotic drugs in the world belong to the Islamic Republic of Iran. Iran has been recognized as the flag-bearer of the global fight against illicit drugs by numerous UNODC reports, admission of its Executive Director and Under-Secretary General of the United Nations.

Islamic Republic of Iran is in the forefront of the fight against trafficking of drugs and cooperates with the United Nations and other countries in preventing transit of illicit drugs. Iran has also made huge investment in preventing trafficking and uses its full capacity in this fight. The number and volume of seizures in Iran is more than total global seizures. This fight against narcotic traffickers has been very costly for Iran, especially in terms of human resources. In some cases we faced hostage taking of our law enforcement forces by terrorist groups mainly due to lack of cooperation by other countries. In our neighboring region the nexus between extremism and terrorism on one hand, and drug trafficking and organized crime on the other hand is undeniable. That is why it is essential to have the serious and responsible cooperation of all countries and relevant international organizations in this fight.

In the laws of the Islamic Republic of Iran death penalty is only for very serious crimes. Serious crimes are prosecuted in courts of law with the presence of the representative of the Prosecutor, the accused and his/her defense lawyer. Death sentence is issued after exhaustion of all legal remedies and completion of due process. Hearings of courts for these serious crimes are conducted in presence of defense attorney whose presence is required by law. Rulings by courts in these cases without the presence of lawyers are not legally valid and can be overruled by the higher courts. In Article 32 of the amendment of law concerning the fight against drugs (adopted in 1997), death sentences that are issued by courts can only be enforced after approval of the chief judge of the Supreme Court and Prosecutor General. Due care has been exercised in these rulings to such an extent that if one of these two (Supreme Court or Prosecutor) deems that the ruling contravenes provisions of Sharia or law; they can ask for retrial or abrogate the ruling. This is intended to fully observe the rights of the accused.

Cases for the use of death sentence are carefully and clearly stipulated in laws of Iran. Regarding death sentence for perpetrators of serious economic offenses, Article 286 of Islamic Penal Code regards extensive and serious disruption of nation's economic system is regarded as one of the examples of capital crimes and the punishment for the person found guilty of this serious crime is death. The person who was executed in 2014 was involved in money laundering, bribery, use of counterfeit documents and abetting in forgery. His actions caused disruptions and huge losses (close to billion dollars) for a number of banks. The trial was fair and took place in presence of his lawyer and the ruling was issued after numerous hearings. He appealed the ruling of the first trial, but lost his appeal in the higher appellate court. The legislator in Iran, like a number of other countries, has envisaged death penalty for perpetrators of economic crimes that have immense consequences for the nation.

Iranian society is a multiethnic society with ancient assortment of cultures and religions. For this reason there are ethnic groups in Iran and using the term "minority" for them does not correspond to country's history. I want to emphasize the high and effective position of ethnic groups in all national decision-makings, including in the parliament, leading national and religious institutions and Assembly of Experts. It is wrong to attribute and make a distinction in offenses committed by individuals by using the veil of ethnicity. Islamic Republic of Iran has frequently notified international bodies about

terrorist and criminal activities in the western regions (Kurdish areas neighboring Iraq and Turkey and eastern regions (Baluch areas neighboring Pakistan and Afghanistan). Iran wishes to repeat its insistence on severing connections between violent criminal and terrorist activities and those attributable to ethnic groups. It is regrettable that despite repeated notifications, we see again in the present draft description of Arab, Baluch and Kurdish activists for those terrorists who kill innocent people, are involved in bombing of public places, oil and gas pipelines, carrying weapons and explosives, abductions and other serious crimes. Just to cite examples I have provided information on 4 cases relating to citizens from Khuzestan who are mentioned in paragraph 14.

Regarding Mr Hashim Shabani and Mr Hadi Rashedi, for your information, these two men were found guilty of Moharebeh as a result of their membership in the terrorist group " Al-Moqawama al-Shaabiya Al-Tahrir al-Ahwaz". They were arrested for their effective role in advancing their goals. They carried and stored military firearms such as Colts, Kalashnikov, automatic rifles, hand grenades, RPG and its ammunitions, and planning sabotage activities in public buildings, military installations, planning assassination of political figures, including the President. They inflicted heavy damage on military installations by firing rockets. They also fired at homes of individuals and wounded non-indigenous workers in the city of Ramshir in order to foment ethnic and separatist riots and instill fear among people. Their case was sent to court after thorough investigation and issuance of indictment. After exhaustion of all legal remedies, completion of due process and hearing of their court-appointed defense attorney and their own defenses, they were given death penalty in accordance with articles 183, 186, 189, 190, 191, 193 194, 105, 498 and 500 of the Islamic Penal Code. The ruling was appealed by the defendants and their lawyers, but the Supreme Court upheld the initial verdict.

Regarding Mr. Ali Chipshot and Mr. Seyyed Khalid Mousavi, for your information, they were found to be guilty of Moharebeh on charges of carrying out acts of terrorism by bombing gas pipeline. Their case was tried in a court in Ahwaz and in light of corroborative evidence and after hearing the defense arguments by their lawyers death sentence rulings were issued for Ali Chishot and Seyyed Khalid Mousavi and 25 year prison term for the third accused, Mr. Salman Chayani. This verdict was subsequently upheld by the Supreme Court.

It is really regrettable that Special Rapporteur regards those found to be guilty of terrorism as ethnic cultural activists.

Regarding the cases relating to death sentence for offenders under the age of 18 as mentioned in the introduction of the report, for your information Islamic Republic of Iran exercises high degree of flexibility with respect to offenders under 18 because of humanitarian and Islamic considerations. They are tried in special courts and in light of their age and other circumstances minimum sentences are issued for them. Only cases of intentional homicide relating to mature offenders under age of 18 are tried in provincial criminal courts in presence of five judges. According to our law and Sharia punishment for the offense of intentional homicide is Qisas. The function of the judiciary in cases relating to intentional homicide is just to prove prior intention. Execution of death penalty is the right of the heirs of victim to demand execution. According to existing practice even after finality of the ruling and approval of the higher court extensive efforts are made by Reconciliation Commission to seek forgiveness from the heirs of the victims and to convert death penalty to another punishment. Over the recent years many have been freed from punishment of Qisas.

Principled policy of the Islamic Republic of Iran in application of Qisas is to encourage aggrieved parties to forfeit the right of Qisas even by offering financial assistance for payment of blood money. This is the prevailing trend in dealing with this group of offenders. The Judiciary has established a new task force under the title of "Prevention of the punishment of deprivation of life". This task force is under the Executive Committee to support rights of children and adolescents in the Ministry of Justice. The objective of this task force is to encourage heirs of murder victims to forfeit the right to Qisas and to come to reconciliation. Members of this task force are from National Authority for Rights of the Child, psychiatrist, social worker, and manager of the Correctional Institute, an attorney with experience in issues relating to children and minors, Secretary of the Executive Committee for Protection of Rights of the Child in the Ministry of Justice and the person in charge of fund raising. Other members of this committee are from the artistic professions, community-based organizations, experts on children issues, and representatives of charities that participate on voluntary basis. This task force conducts following activities:

- Declaration or reporting of the entry of an adolescent to the judicial system with charges that deserve death sentence by the Prosecutor's

Office, court or Director of the Correctional Institute in Tehran or the Police.

- Reviewing personal situation of the accused by social worker
- Meeting between the lawyer, the accused and the heirs of the murder victim.
- Meeting between the investigating judge and attorney of the accused.
- Delivering of the report by the task force at the meeting of the Committee
- Making decisions on subsequent steps and actions in the meeting of the Committee.
- If necessary. Inviting persons of social influence to seek forgiveness from the heirs of the victim.
- Inviting heirs of the murder victim and meeting with members of the task force and the judge.

According to article 89 of the Islamic Penal Code punishments for persons between ages of 15 to 18 are of lighter nature, less than death sentence. They are sent to Correctional Institute or sentenced to pay pecuniary penalties. According to article 91 of the Penal Code, in offenses eligible for hodood and qisas, "if a mature person under the age of 18 does not understand the nature and consequences of the crime, punishments envisaged in this chapter will be applied." These are new developments in the judicial system of Iran for the purpose of exercising maximum leniency and justice for offenders under the age of 18. These new legislative reforms are intended to take into account the best interests of the country, existing requirements and traditions and mores of various ethnicities.

2. Independence of Judges and fair trials

According to article 156 of the Constitution, the Judiciary is an independent branch of government and articles 164 and 166 protect the independence of judges and stipulate that judges are required to issue verdicts that are based on

solid reasoning and evidence. In addition ordinary laws, including "Criminal Procedure Code" and Civil Procedure Code and disciplinary rules protect independence of judges in all phases of legal proceedings from courts of first instance to appellate phases. An independent judiciary that is beyond the influence of other powers is protected by the Constitution (chapter 11).

The Judiciary Power endeavors to enhance its efficacy and guarantee its independence by supervising over performance of judicial authorities and affiliated institutions. Judiciary has taken the following steps to achieve these goals:

- Strengthening legal and judicial directorates.
- Establishment of strategic directorate for greater
- Coordination and monitoring of delivery of services to public.
- Establishment of the directorate on crime prevention
- Establishment of cultural directorate for promotion of legal awareness among the public
- Establishment of information technology and communication directorate for better and faster online access of citizens to judicial offices and authorities.
- Holding greater number of on the job training courses.
- Establishment of free telephone counseling service for the purpose of answering questions by citizens via 129 Call Center.

Fair and just legal and judicial review and trial are envisaged and included in the Constitution, Criminal Procedure Code and other laws of the Islamic Republic of Iran. Fairness and due process are applied in all phases of legal proceedings, from detection of an offense to investigation and issuance of court ruling. This is done regardless of race, religion, gender and ethnic background. In addition, the observance of presumption of innocence and legality of offenses and punishments are protected by article 37 of the Constitution and articles 2 and 12 of Islamic Penal Code. According to these

laws no one is to be held guilty of a charge unless his or her guilt has been established by a competent court.

3- Prohibition of torture and other violence

The laws of the Islamic Republic of Iran repudiate all forms of torture. To guarantee prevention of torture, the following laws and regulations describe how infractions are dealt with:

- Articles 32, 38 and 39 of the Constitution;
- Article 169 of the Islamic Penal Code;
- Paragraphs 1, 6, 7, 9 and 10 of the single article law on “Protection of Legal Freedoms and Citizens’ Rights”;
- Article 169 of the administrative statute of state prisons and security and corrective measures organization.

With the establishment of the central supervisory board for the protection of citizens’ rights in the capital and similar boards in the provinces, practical steps have been taken to deal with possible infractions. Additionally, inspection teams are sent out to various offices to scrutinize reports and deal with possible offenders. The conduct of state officials and agents suspected of mistreatment and torture, are investigated and the result of such investigations are scrutinized by competent boards. An example would be the Kahrizak Dossier in which those who had misbehaved were given punishments ranging from imprisonment, payment of reparation and dismissal from government service. Additionally arrangements were made for damages to be paid to the victims.

According to articles 578 and 587 of the Islamic Penal Code, judiciary and non-judiciary officials and agents who resort to physical and corporal abuse to obtain a confession, aside from Qesas (retribution) or payment of Dieh (blood money), will be given a prison sentence of 6 months to a maximum of 5 years and dismissed from government service. As supervisory instruments and steps have increased in recent years, we have witnessed a considerable drop in the number of complaints lodged at inspection boards.

From its inception, the Islamic Republic of Iran has tirelessly worked to advance women’s issues and develop their rights and status. Extensive measures have been taken to improve women’s health and education, fight poverty, create

jobs, provide security and fight violence against them and help increase the presence of women in the society by being in decision making positions, working as NGOs, developing their engagement in cultural activities and etc., all have translated to policies and programs to develop women's rights. The referred claim in footnote 13, cited from a website on August 30 of 2009, is fabricated and over the recent years has not been replicated in any other credible reports.

The issues set forth on the domestic violence are irrelevant. Under law, any damage or injury to others including through domestic violence deserves criminal punishment. However, given to the government's commitment to the women affairs, a bill on the security of women is also developed, in which all forms of violence against women, including domestic violence and its all instances are legally defined. The bill is in the legislative process.

4-Freedom of expression, access to information

As inferred from various principles of the Constitution of Islamic Republic of Iran, the scope of freedoms are determined by three criteria namely opposition or nonconformity with Islamic standards, public interest and rights as well as the rights of others. Observance of the Islamic standards have always been noted and emphasized.

The Constitution of the Islamic Republic of Iran which has been ratified on the basis of the majority vote has stipulated the free press and publication in its principle 24. At the same time the Constitution honors and respects the fundamental principles of Islam and the public rights. Aimed at observance of the public rights and fundamental principles of Islam, the representatives of the Islamic Consultative Assembly who are elected by people, and in their capacity as legislators of ordinary law, have approved a number of standards reflected in the Press Law and the Computer Crime Law, both of which are enforceable subsequent to the confirmation of the Guardian Council. The claim set forth by the Special Rapporteur on systematic violation of freedom of expression and access to information is not acceptable, taking into account the democratic process of legislation.

Careful consideration of the Press Law of 1986, further amendments and annexes thereto included, makes it evident and certain that the attention of the legislator fully denotes securing freedom of expression and access to information with full respect to the public rights. It only considers liable to prosecution those who, in their engagement in the contempt, abusing the press, disrepute or dishonoring of persons or their denigration or the disclosure of

private secrets, and slandering, commit culpable or criminal acts. This is to assist the community to benefit to the utmost from freedom of expression atmosphere provide by the legislator.

Membership of a sect or engagement in attorney-ship does not culminate in any penalty if it does not involve culpable or criminal acts.

Careful Consideration of the letter of the Law on Computer Crime of 2009 makes it evident and certain that the attention of the Islamic Republic of Iran's legislator to the following titles of: "Illegal access, crimes against confidential data and telecommunication systems, illegal wire-tapping, computer spying, offences against the authenticity and integrity of the data and computer systems, and given computerised falsification/forgery, disruption and destruction of data or computer and telecommunication systems, computer related theft, robbery or fraud, crimes or offences against public morality and chastity, defamation or disrepute, dissemination of lies, along with identifying the penal responsibility of individuals, determining rules of procedure as well as consideration of jurisdiction or competence, collection of electronic evidence and then stipulation of offences and penalties", is indeed intended towards protecting freedom of expression and the proper use of the Internet and its wares. Subsequently and in line with securing the rights of every individual of the society in benefiting the freedom of expression and appropriate use of Internet possibilities, it pursues and punishes solely the law opponents and those who disrupt or interrupt the use of freedom of expression by the public.

Respecting the law ratified by representatives of the nation is incumbent upon all natural and legal persons including those in charge of sites and coffee nets.

The Iranian government (like many countries) blocks all immoral websites in the arts or social groups (such as claims reporting indicators) and will announce their names. If a site is blocked by mistake, it will be able to continue working simply by providing the needed proofs. It is noteworthy that a supervisory committee with representatives from governmental and non-governmental organizations makes decision on the blockage of the immoral websites on the basis of transparent and legal criteria.

Due to the limited time to respond to this report, it was not possible to consider the status of all persons set forth in paragraphs 24 to 29. Nevertheless, as an example the case of Messrs. Masoud and Khosro Kordpour is mentioned.

In this case, regardless of the criminal acts of the mentioned people, the special rapporteur referred to them as journalists without paying attention to their cooperation with the terrorist groups such as PEZHAK.

Regarding paragraphs 31 to 34, as stated earlier, according to Article 24 of the Iranian Constitution, the press is free to express any contents unless it is in conflict with Islamic principles or with public rights. Also, the Press Law (enacted on 22.12.1364 Iranian calendar corresponding to 13th March 1986) and its subsequent amendments, Chapter 4 Articles 6 and 7, have specified the limits of such a freedom, while press crimes have been explicitly stated through Articles 23–35 in Chapter 6. Therefore, if a crime occurs, according to the Press Law, a competent court with the presence of the jury as stated in Chapter 7 of the said Law shall hear the case in an open court session. Therefore, freedom of press and observing the rights of natural or legal persons are mutual obligations, hence no discrimination among journalists in this regard. While a few journalists are being tried on charges of violation of law, thousands of other journalists and media are freely performing their professional tasks. Furthermore, since paragraph 29 of the report has presented undocumented statistics about the number of detained journalists, providing no exact arrest date, period of detention or number of journalists pleaded not guilty and released, it deserves criticism. In addition, journalists' important crimes — such as persistence on publishing false information, disturbing public opinions, spreading ethnic hatred, and encouraging extremism and violence — have not been mentioned in this paragraph, which must be reconsidered.

Regarding Paragraphs 33 and 34: In the Islamic Republic of Iran, all media, print or digital, are treated based on law. Due to the intensity of the threats and sending viruses like Stuxnet to the nation's internal networks and also cyber-attacks on country's official institutions, and mortar espionage acts through well-known internet servers, the Government has decided to simultaneously establish the Internal Internet Network and the Center for Anti-Cybercrimes in order to protect its data and networks. As a result, according to the article 22 of the Computer-Crimes Code, the Judiciary is obliged to form the Committee to Determine the Criteria for Criminal Contents. This Committee was formed by the presence of the representatives of the related bodies under the presidency of the Attorney General. The Committee acts, based on laws and regulations, to determine the criteria for the internet sites, etc. That aim to jeopardize the society's public peace and

security, promulgate offences against the public honor and morality, false subjects, support terrorist groups, etc. Related judiciary centers, based on the existing laws, investigate the offences committed by the caretakers of these internet sites and systems. This approach not only does not violate the freedom of expression and public privacy, but also paves the ground for further ensuring of the citizens' rights and privacy in the internet. This action is also in line with the public firm demand from the government and system to defend the public prestige, rights, and privacy against those who broadcast others personal and private information impudently and without permission.

It is worthy to note that the Ministry of Communications and Information Technology, in line with enforcing the article 46 of the Fifth Development Plan, concerning the establishment and development of National Information Network for the access of all the citizens to a secure and high-speed internet, have acted upon planning and implementing the required infrastructures, which unfortunately has developed slowly due to the illegitimate sanctions imposed against the country. Nevertheless, as mentioned in paragraph 33, the said ministry, utilizing its full power and internal facilities, is working to achieve the abovementioned goals. According to the received information, the claims of blocking the Whatsapp and Instagram internet sites are baseless, and Iranian internet users have enough access to these sites. As stated, any Internet Café that commits a criminal act similar to the above-mentioned legal articles will be subject to prosecution.

The other measures during the 10 months period of the new government's tenure are as follows:

- Quick issuance of permits for media including publications, news agencies and news websites;
- Follow-up and implementation of the Law on Free Access to Information;
- Tax exemptions;
- Recognition of journalism among difficult jobs(with special privileges);
- Issuance of Identification Card under supervision of a Press Guild Committee;

- Developing a comprehensive system of corporate media and media activities for the institutionalization of legal protection and preservation of the mass media.

Regarding the paragraph 30 it should be stipulated that according to articles 18 and 19 of the International Covenant on Civil and Political Rights, freedom of expression and opinion cannot be curtailed. However, exceptions to this rule are determined by the law to preserve security, order, public morals and the rights and good reputation of individuals. Bahar newspaper is also suspended due to material offensive to Islam which severely hurt the public sentiments, by the editor's decision and formal apology the activity of the newspaper was suspended voluntarily. Subsequently, the Press Court after obtaining the opinion of an advisory jury convicted the newspaper to only 6 months suspension of activities which this period is going to be terminated. Regarding the paragraph 29 on the health of four persons, it should stipulated the claims aren't correct and the mentioned people are in normal state of health.

5-Right to freedom of association and assembly

Consistent with articles 26 and 27 of the Constitution and in accordance with articles of the law on “Activity of Political Parties, Guilds and Religious Minorities” to date more than 230 political parties, 400 guilds and 60 religious minority associations have been issued with permits. Additionally, in Note to article 6 of the “Political Parties’ Code” and its administrative statute, legal requirements for the organization of gatherings and rallies have been stipulated. For example, in 2012 around 150 gatherings and rallies were held.

Article 131 of the “Labor Law”, consistent with article 26 of the Constitution, recognizes the right to establish associations and guilds. Similarly, paragraph E of article 73 of the 5th Development Plan highlights the legal right of workers’ and employers’ unions to engage in union protests. As a result, the Bylaw for the Management and Organization of Workers’ Union Protests has been formulated.

At the moment, thanks to permits issued and legal support for guilds, 126 specialized associations are working to promote the interests of different communities; these include: 16 teachers’ unions, 7 engineers’ unions, 5 personnel and staff associations, 48 university students’ associations, 4 legal

experts' associations, 3 farmers' unions, 6 labor unions, 17 women's associations, 3 journalists' associations, 1 athletes' association, 5 youth associations, 1 artists' guild, 10 physicians, nurses and dentists' unions and 3 human rights umbrella organizations. From 2009 to 2013, more than 115 permits were issued for the establishment of guilds with an additional 280 other permits renewed.

The allegations contained in paragraphs 34 and 35 lacked details and credible sources , hence ,they cannot be answered.

6-Prohibition of forced marriage

In the eyes of Iranian law, (article 1062 of the civil code) marriage takes place when the couple clearly expresses their wish by using words that convey their intention to marry. With this in mind, forced marriages are not sanctioned by law. If an individual claims that she was forced into marriage, she has the possibility to petition the family court and ask for justice by requesting an annulment.

According to article 1 of the law protecting children and adolescence adopted in 2002 all persons aged fewer than 18 will enjoy the protection provided in this law. In Article 2 of the said law it is stipulated "any kind of molesting children and adolescences which incur injuries against them physically or psychologically is prohibited. From article 3 to article 6 of these law punishments such as imprisonment or monetary punishment was put in place. It should be noted that at the moment the age of marriage for girls and boys in Iran is increased.

7-Freedom of Religion

According to Article 19 of the Constitution of the Islamic Republic of Iran all people of Iran, from whatever ethnicity, enjoy equal rights and that their color, race, language and the like do not bestow any privilege. Moreover, based on Article 20 of the Constitution, all citizens of the country, both men and women, equally enjoy the protection of the law and enjoy all human, political, economic, social, and cultural rights, in conformity with Islamic criteria.

According to Articles 12 and 13 of the Iranian Constitution, Islam is the official religion of Iran and Zoroastrian, Jewish and Christian Iranians are considered the only religious minorities which are free to practice their religion based on the law and act on their own religion in their personal status and

religious teachings and all their personal status are pursued by their selected associations.

Regarding the paragraphs 43 to 45 it should be stipulated that alongside religious minorities, the citizenship rights of the followers of sects such as Bahais are totally respected. Of course, respecting the citizenship rights of people are dependent on the performance of their legal duties and obligations in the society and this legal principle of “rights and responsibilities” are recognized in other legal regimes.

Given that in Islamic religious tenets, inquisition and search of beliefs are vehemently rejected, and Article 23 of the Constitution clearly expresses that “Inquisition of beliefs” is forbidden and no one can be attacked or reprimanded for holding an opinion”, despite the media and political propaganda particularly by the representatives of the Bahais, no person is expelled from Iranian universities or imprisoned in Iran only for holding an opinion.

Unfortunately in the Bahai sect, inquisition and imposition of beliefs is considered ordinary. For example, if a Bahai student at university chooses “Islamic Teachings” course, he or she is pressured by Bahai sect to leave the university, and otherwise he/she would be deprived of Bahai rights. It is repeatedly asserted that educational centers in the Islamic Republic of Iran, like other countries are obligated to respect domestic rules and regulations. If people, irrespective of their religion, sect or belief, abide by the rules and regulations, no one is allowed to violate their rights. Otherwise, punishments will be imposed on offenders and criminals in order to respect the rights of others.

It is noteworthy that Article 18 (3) of the Covenant on Civil and Political Rights stipulates that “ Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others.”. Also, according to Article 19 of the said Covenant “The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to respect of the rights or reputations of others; as well as protection of national security or of public order, or of public health or morals.

The historical and colonial record of Bahais in Iran, and their systemic cooperation with some foreign countries and the despotic regime of Shah, in

particular their grip on SAVAK (unpopular intelligence service responsible for many crimes such as imprisonment and torture of anti-Shah and revolutionary people in the country) is undeniable. The mentioned negative record and sectarian advertising have caused hatred of large segments of society against them. However, the citizenship rights of those who do not stimulate missionary activities are respected. The claim on distribution of a declaration in Yazd city is strongly denied. And also, there has not been filed any complaint in this regard.

Regarding, paragraphs 46 and 47, it should be mentioned that recognition of Christianity as the official religion in the constitution does not provide impunity or judicial immunity for its followers. As stipulated in paragraph 14 of Article 3 and preamble of Article 20 of the Iranian constitution, all citizens are equal before the law.

It is pointed out the mere belief in a religion including Christianity does not account for criminal prosecution of the follower of a religion except when the latter is engaged in an illegality which as occurred, shall following identification of accusation, culminate in issuance of writ of culpability and bill of indictment, due process and legal proceeding, hearing of the perpetrators defense and that of his attorney. Subsequently and upon the establishment of a criminal act, a punishment proportionate to the crime shall be determined by the court.

Mosques and churches equally have to go through the required municipal and other provisions for acquiring the necessary permits for their establishment at a specified location.

In the judicial system of the Islamic Republic of Iran, the individuals who are under judicial prosecution are under no circumstances categorized according to their religion up to the termination of trial and serving of their determined sentence. All trials in the Islamic Republic of Iran are performed with full respect to due process and fair trial standards and in particular, access to a lawyer. Therefore, while repudiating the unfounded reflected allegations, it is expected that the Special Rapporteur observe the criteria and standards included in the Code of Conduct for Special Procedures Mandate-holders of the Human Rights Council.

Regarding paragraphs 47 and 48, the Special Rapporteur's allegations as regards the continuous violation of Moslem minority sects such as Nematollahi

Gonabadi, with invoking invalid sources with no regards for the current realities, is categorically unacceptable. The latter is due to the fact that Dervishes are citizens of the Islamic Republic of Iran and enjoy constitutional and legal rights in accordance to the precise stipulations made by paragraph 14 of Article 3 and the one topping the Article 20 of the Constitution of the Islamic Republic of Iran, according equal rights to all.

The Special Rapporteur's mere citation of the received reports to serve as a proof to the torturing of Dervishes and destruction of their premises or locations is incapable of providing any substantiating proof to the allegations made by the Special Rapporteur. As regards the premises used by the Dervish Moslems, it informs that some Dervishes proceed with construction of premises without prior acquisition of the required permits which is in violation of municipal regulations. The observance of the aforementioned regulations is obligatory for establishment of any site or premises including for mosques.

It is reiterated that judicial procedure followed with regard to Dervish Moslems and their premises or congregation sites has not in any way been performed due to their being Dervishes but due to their illegal measures of disturbing the public order and security equally and unexceptionally applicable to all Iranian citizens

Regarding the claims of paragraphs 50 and 51 it should be stipulated that based on the existing evidences, no Arab Khozestani citizen is prosecuted only due to conversion. As described in the previous paragraphs, the terrorist activities and extremist Salafi-excommunicating believes of those people is influenced by the current extremism in the region. The evidences of the case confirm their efforts for promulgation of extremism and the disciplinary and legal actions to deal with this extremist group is aimed to ensure the safety and welfare of all people.

d) Economic, Social and Cultural Rights

In reply to paragraphs 53 to 55 unfortunately the prejudgments and overall referral of the Special Rapporteur in these paragraphs must be criticized. With this prejudgment and also with his negative approach he disregards the realities and advancements of various economic, social and cultural sectors of Iran, and presents unreal pictures.

1 - Right to Education

In reply to paragraphs 56 to 60, we would like to reassure that the promotion of women's education is one of the most important objectives of the country. According to UNESCO's 2012 Report on the Evaluation of Universal Education for All, the Islamic Republic of Iran is in the top six countries of the world where there is gender equality in access to education. In this regard it must be said that the literacy levels of women between 15 and 24 in the years 2009-2010 rose from 97.1 percent to 97.7 and the capacity of female students in state universities in 2011-2012 increased to 56 percent. Planning for optimum use of students in proportionate subjects with their capabilities and the society's needs is a natural matter in education systems and private universities which have a lot of capacities, behave according to their priorities and bring about equal education opportunities for individuals with the criteria.

According to the latest UNDP and MPO world report entitled Iran National Human Development Report, Iran's annual GDI has increased by 1.42 and has been higher than the HDI with a rate of 1.15 percent. The evaluation of the GDI factors show that developments achieved in women's economic development is the main reason for the increase in the GDI, which is equal to 2.4 percent growth of the equal distribution of income that has an important share in such an increase in the GDI.

With regard to the Bahaii higher education, as several times enough information and evidence has been presented, education for them legally and practically exists, and dozens of them are freely studying in universities. The problem arises when due to ethnic pressures inflicted by illegal institutions, some of them are forced to take enticing actions at university, and with the creation of sensitivity among Muslim students, they turn their own education conditions unsuitable (In previous paragraphs more comprehensive information has been presented regarding the Bahaii conditions in Iran)

2- Right to Employment

With regards to the right to employment the Constitution of the Islamic Republic of Iran, has correctly demanded this right and in various articles such as article 43(4) and articles 19, 20 and 28 it mentions these rights and prohibits any type of injustice in the way of citizens from accessing their ideal jobs. Furthermore, article 6 of the Labor Act also deals with the subject. Those whose names have been mentioned in the Human Rights Council report were arrested on charges of crimes against national security and or campaigning against the

Islamic Republic system, and are currently spending their sentences. Their punishments have nothing to do with their union activities.

The determination of the minimum wage in Iran is done by the Labor Supreme Council, which is made up of representatives from workers, employees and the government. The application method of this Council to determine minimum wages is in such way that each year the representatives of workers and employees of the Council make decisions on the basis of inflation levels and workers income situation. Of course this decision as well as taking into consideration the inflation rate and the income conditions of workers, pays attention to the sustainability of corporations and business, because disregarding this subject and disregarding the economic conditions of society and the ability of corporations in paying wages, employees will not be able to run their workshop and all the workers will be unemployed. This subject is a usual matter in all countries where the minimum wage is set through the agreement of the workers and employees.

Due to some economic problems and the sanctions that have been imposed on the country, in Iran the determination of the minimum wage is done through the agreement of labor movements and employees and the consideration of economic and social needs. Furthermore the 25 percent rise in comparison to last year only includes the minimum monthly wages and the supplementary costs of consumer goods of the household, supplementary for housing costs, family allowance, and extra month's wages per year, Eid allowance and end of year bonus (two or three months wages per year) if they are all added to the minimum wage, the added amount will be well over 25 percent. Also to prevent new redundancies the government provides cash assistance to production units that are facing crises solely for the payment of workers.

With a reference to the stated source which is ILNA (Iranian Labor News Agency) we noticed that the figures for the said news is quoted from the Coroner's Office and not the international relations deputy of the Employment Ministry. Therefore it is necessary for to explain that in quoting news regarding work related incidents in Iran, there are three proper sources which are the Coroner's Office, the employment inspector of the Cooperative, Employment and Social Security Ministry and the Social Security Organization's statistics.

In the Islamic Republic of Iran the Cooperative, Employment and Social Security Ministry and the Health, Treatment and Medical Training Ministry are the custodians of announcing necessary standards for the provision of workers safety and healthy work environment and supervision over the implementation of these standards. In line with Chapter Four of the Labor Act is dedicated to the technical and hygiene protection of work. In practical terms this subjects is very seriously pursued in the working agenda of the Ministry and as well as announcement of various standards and guidelines for the establishment of a safe and healthy environment for workers, the employment inspectors of the Ministry follow up on the implementation of these guidelines through their periodic inspections and obligate employees to implement these guidelines. Furthermore employees who violate these guidelines face the law and are fined and forced to pay compensation to injured workers.

In this regard due to the good performance that it has had, in May this year the Islamic Republic of Iran was host to to the International Consultative Sitting on the Health of the Workforce with the cooperation of the Health, Treatment and Medical Training Ministry, ILO and WHO in Tehran and Semnan. The aim of this sitting was to cover universal healthcare with promotion, prevention, treatment and rehabilitation for unofficial workers, workers in agriculture, small and medium industries, and migrant and contract workers and was held as an international consultative sitting for East Mediterranean countries and its outcome was as the experience of Iran was put at the disposal of relevant international organizations. This sitting was held in May this year in Semnan and with the presence of 25 foreign experts from Eastern Mediterranean countries.

With regards to a drop in the participation rate of women from 13.8 percent in 2012 compared to 16 percent in 2010, it is reiterated that according to the census of the Census Centre of Iran, the economic participation rate of women in 2010, 2011 and 2012 are respectively 14.1, 12.6 and 13.8; and the economic participation of men in the same years are 62.1, 60.7 and 61.6 percent respectively. As it can be seen the economic participation rate for both men and women has dropped in 2012 compared to 2010, the cause of which is the economic conditions of the country and no discrimination has been shown towards women. Also we draw the attention of the Special Rapporteur to the point that according to the aforementioned figures, the economic participation

of women in 2012 to the previous year has had an increase of 1.2 percent and men an increase of 0.9 percent.

The subject of wages has also been mentioned in Chapter Three of the Labor Act. The most important article of this Chapter is the equal payment of wages between men and women, which is article 38 of this Act which states: For doing equal work which is done in equal conditions in a workshop, men and women must get paid equally. Discrimination in determination of wages levels on the basis of age, gender, race, and ethnicity, political and religious beliefs is prohibited. This present article of the law not only is in accordance with ILO Convention No. 100 (equal remuneration between men and women workers are equal in value), but more than that it includes the Convention on the equality of remuneration according to age, gender, race, ethnicity, political and religious beliefs. Considering Iran has joined this Convention, and is obliged to observe it, to-date international labor standards organization committee has not found faults in the observation of this law.

In view of article 38 of the Labor Act of the Islamic Republic of Iran and the ILO No. 100 Convention to which Iran is a member, and is obliged to implement it, there are no wages differences between men and women for the same type of work. Therefore no difference is observed on gender bases in receiving income.

Not only there are no policies or programmes to reduce women's economic participation and prevention of their employment in Iran, but there are plenty of programmes in this regard some of which are as follows:

- 1) Article 12 of the Fifth Development Programme (support for the empowerment of women and reduction of gender inequalities)
- 2) Supportive laws for working mothers
- 3) Amendment in the Family Allowance Act amendment (equality in the payment of family allowance)
- 4) Unemployment benefit for women heads of household
- 5) Government support policies for the promotion of women's empowerment
- 6) Promotion of job creation
- 7) Promotion of education levels for women and girls

8) Social security benefits for women heads of household (empowerment of women heads of household with the use of public budget and public assistance resources)

9) Activities of the Cooperative and Women and the Family Job Creation Foundation in 2013

The Development of Income Programme with the use of the provision of micro financial provision (attached banking approach: fulfillment of job creating potentials and development of employment for approximately 150,000 individuals)

The government has spent all its efforts and concentration of its programme in lesser developed regions on the implementation of projects for economic, social and cultural infrastructure reconstruction and parallels to that the appointment of geographical responsibilities, has realized the genuine basis for the presence of scientific-expertise qualified ethnic groups with the preservation of their values and statuses. Thus, there is no official obstacle (under the headings of the law and guidelines) in the way of the drawing of local individuals to high managerial positions in these regions, and the government resolutely rejects any form of official and intentional discriminations

With regards to the participation of women in top government managerial positions it must be reminded that in the official memorandum of the president's deputy for Management and Human Development to all relevant departments, the subject of a unity in procedures and supervision of the performance of departments to expand the areas for women's activities in decision making and managerial levels, has been distributed. According to this memorandum relevant organizations or departments are obliged to seriously pursue the five points below:

- Determination of women's development matters indexes in each department
- Determination of the minimum growth of indexes throughout five years in relation to the existing conditions
- Guarding they ways the indexes are realized and implementing departments and presentation of report
- Financial backing of the relevant department based on predetermined credits within the annual budget laws

- Establishment of communication and interaction with nongovernmental organizations relevant to department duties.

The planning and organizing of the promotion of women are in the hands of decision making responsibilities in a purposeful way and always in national programmes particularly within the current government. In this regard, increase in the rate of women's participation in pilot academic levels, their inclination to be present in social, cultural, economic and political spheres and also the implementation of capacity building programmes from the government for the promotion of women's managerial skills is very important. Some of the top managerial positions appointed to women in 2012 are as follows:

- Vice-President for Legal Affairs
- Vice-President and Director of the Environmental Organization
- Vice-President for Women and Family Affairs
- Director of the National Standards Organization
- Ministry of Foreign Affairs spokesperson
- Director of the National Retirement Fund
- Women elected in city and village councils
- Appointment of consultants, deputies and general managers of governmental departments in the capital and the provinces.
- Management and Human Development Deputy to the Governor of Sistan and Baluchistan province

Also it must be said that for the first time in 2014 the government has taken steps for the appointment of women governor generals and mayors for the following provinces:

- Sarbaz provincial town mayor in Sistan and Baluchistan province
- Governor General of the border town of Hamoon in Sistan and Baluchistan province
- Governor General of Turken provincial town of Golestan province

- Governor General of Ghasrghand provincial town of Sistan and Baluchistan province
- Governor General of Baluch provincial town of Sistan and Baluchistan province
- Increase in the appointment process of women judges
- Drawing of women judges takes place via a nationwide exam, and the acceptance conditions are the same for all participants. In the nationwide exam in 2012, 743 of the women participants were accepted entrance. Also judicial internship courses take place equally for men and women judicial interns, scientifically and workshop method. Professional and skills trainings are done while the service of the judges also is without gender distinction and solely is based on the individuals' judicial and managerial positions.
- According to the latest existing statistics, there are currently 670 women judges and the basis for taking on another 370 as interns for taking judicial training courses are being undertaken.
- The statistics for women judges employed in justice departments across the nation with a distinction of judicial position in 2013 is shown in the following table:

Table 1: Statistics for women judges employed in justice departments across the nation – 2013

Organizational position	Number
Court assistant	538
Judicial consultant	96
Prosecutor's assistant in various towns	8
Counselor	10
Judicial assistant to director general of provinces justice departments	18

Total	670
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According to the contents of the Iranian Constitution, particularly in the preamble and articles 13 to 15, the rights of ethnic and religious minorities have clearly been stated and officially recognized. Also in the top documents of the country and throughout all different implementation stages this subject is duly noted and there has never been any type of discrimination in employment and social matters. The career volunteers' selection system in the governmental sectors is based on legal conditions such as scientific, professional and moral aptitudes, and all ethnic and linguistic minorities etc. can officially be employed by the government, and currently they work as civil servants. Therefore the claims in this paragraph are not credible.

In the provincial trip of the President of the Islamic Republic of Iran to Sistan and Baluchistan province in 2014, numerous development projects were ratified and with the implementation of these projects job opportunities for the people of this province will be fulfilled. Also towards the solidification of social justice and equality for all citizens of the country, the government considers extraordinary financial facilities to help religious minorities associations within the total annual budget of the country. Also, the training performance of the government in the technical and professional training sector in provinces with ethnic groups for 2013 is as follows:

No.	Ethnicity	Province	Number of Training Centers	Training performance Individual-course
1	Kurd	Kurdistan-Kermanshah	299	24,529
2	Turk	East & West Azerbaijani Ardebil, Zanjan	1193	92,731
3	Baluch	Sistan and	168	16,910

		Baluchistan		
4	Turkmen	Golestan, North Khorasan	528	47,694

In the Islamic Republic of Iran system, based on article 19 of the Constitution it clearly states: “the people of Iran from any ethnicity or tribe have equal rights, and the color of their skin, race, language and so forth will not give them any advantages.” Also article 20 states all the people of the nation whether they are men or women are protected equally by the law, and they can enjoy all human, political, social and cultural rights with the observation of Islamic principles.” Therefore in the Islamic Republic of Iran system, members of the Bahaii sect, just like other citizens have citizen’s rights including enjoyment of education at all levels (state run schools and free). Furthermore the government approves all university degrees of Bahaii citizens from foreign universities within the Technical Committee of the Science, Research and Technology Ministry. This in fact facilitates the entrance of these citizens into the employment market.

The Bahaiis have all citizens’ rights within the framework of the law; unless a group of them whose actions violate citizen’s rights and national laws, something that applies to all individuals of the nation and in accordance to the decisions of relevant competent judicial authorities. According the official policy of the government of Iran, all Bahaiis have relatively good conditions in cultural, economic and social matters. The Bahaiis in Iran owe their economic activities successes to the provision of facilities those state bodies, particularly banks and the Ministries of Mines and Industries, and Agriculture have provided them. The government sees itself obliged to observe justice within judicial rights and the preservation of the citizen’s rights of this sect within criminal courts.

The claims of the refusal to renew business permits of some Bahaiis have been reviewed with details and are seen as a normal matter within commerce related institutions and have nothing to do with their beliefs. The contents of paragraphs 73 to 75 are undocumented and incorrect and it is necessary for them to be omitted from the report. Also claims stated in articles 76 to 78 are not possible due to the limited time the Special Rapporteur has given the government to provide answers.

We inform that now the 1990 law referred to in paragraph 79 has been annulled, and the Special Rapporteur's reference to annulled laws is pretty surprising! All workers and employees in the Islamic Republic of Iran are free to join one of the recognized unions to defend their own interests. On these basis chapters six and seven of the Labor Act is dedicated to the subject of labor and employee unions and talks and collective treaties. In these chapters the workers of each production unit have the right found their association under three headings: Labor Islamic Council, trade unions and Workers Representative. Currently in the Islamic Republic of Iran workers and employees associations are active and on various occasions they defend their rightful rights. The Employees Union Associations of Iran Supreme Council is a member of the International Organization of Employees. This organization is approved by the ILO.

Towards the establishment of national unity with various groups, including the groups mentioned, the 11th government a committee has been set up and is interacting, and presently has achieved good results. Currently 7 teachers' unions are active in the country and one representative from these seven bodies is introduced to the Ministry of Education and Training, and through an order from the Education and Training Minister, the representative has been appointed as the advisor on union organizations affairs to the Minister. The figures for labor trade unions have increased from 6132 provincial bodies (based on profession and industry) in 2912 to 6160 in 2013. Also employees unions have increased from 1816 in 2012 to 1855 in 2013. These two figures indicate the natural growth of these organizations within freedom of association.

3 – Right to Health

With regard to paragraphs 81 to 85 it must be reassured plenty of orderly and purposeful efforts have been made in the fight against drought and its environmental repercussions in the country. Unfortunately in less than two decades, due to global warming, climate change and prolonged droughts several lakes and ponds (Parishan, Jazmoorian and etc.) have completely dried up. With regards to the international Hamoon pond it must be said that the failure to observe its environmental right to water from Hirmand River (located in neighbouring country) over the recent years has caused a drop in the water levels of the pond and in some seasons has been hit by droughts. This issue and similar issues are examples of the raising the question of the diplomatic approach to the environment within the country's Environmental Organization's

programmes. Through signing agreements and forming joint cooperation committees with neighboring countries such as Afghanistan, this Organization tries to draw their participation so that with joint coordination and cooperation and interaction to eliminate environmental problems. Also in this regard, Iran is currently reviewing the joining of the Bordering Rivers (Helsinki) Convention, for better management of bordering rivers such as Hirmand River, and hopes that with these efforts the human repercussions of water shortages and drying up of lakes reaches a minimum level.

Also due to natural restrictions on water resources in Iran and that geographically the country is situated in dry and semi-dry region and is affected by climate change, therefore the water resources management of the country gives priority to the provision of drinking water. This is why, due to the lack of provision of water needs, the natural ecosystems are faced with water shortage and in some seasons, droughts. With this explanation to solve the problem, the government has drafted and approved a comprehensive management of the country's ponds programme including Hamoon and Lake Urumia, specifically for the preservation of Lake Urumia through cooperation with UNDP the government has conducted extensive studies for the drawing up of a comprehensive management and drought risk management programme which is ongoing.

The provision of information on air pollution is indicative of the open flow of information in Iran, without any political consideration and in an honest way is at public disposal. With regards to the claims in the paragraph about 4 cities in Iran being very polluted, it must be noted that there are a lot of polluted cities in the world which are more polluted than the mentioned cities. But due to the lack of air pollution detecting machines, their information is not reflected. Also, in some parts of the world, air pollution data is not given to the WHO due to political reasons. With regards to the mentioned Iranian cities, most of the air pollution problems are due to the mismanagement of lands and water resources in western neighbouring countries (particularly following America's military presence). Iran is currently drafting a regional programme with the participation of all relevant sides to solve the air pollution problem.

With regard to paragraph 88 it must be said that the air pollution in Iran shows that national air pollution monitoring stations have caused notable improvements that include the omission of lead from petrol, the removal of asbestos from products programme, promotion of the quality of fuels and cars in

accordance to E4 standards, and due to these reasons, the air quality has improved in the country's towns and cities. With regards to the claims to high mortality rates, if the APHEKOM report (2008-2011) is referred to, the air pollution related mortality rates in Europe are much higher than in Iran.

With regard to paragraph 89 it must be said that on 30 April this year the government drafted a comprehensive legislation on the reduction of air pollution in 9 focal points and 35 executive programmes which is currently ongoing, according to this legislation, petrochemical components have been removed and suitable petrol have been replaced through refineries production and imports. It must be said that sanctions have caused delays in the implementation of extensive programmes to fight air pollution in Iran.

Also for the purpose of reducing air pollution in Tehran two comprehensive air pollution reductions are being prepared and have been put in the implementing stage. The first programme began as a ten year programme in 2000, and the second programme following the approval of the cabinet of ministers, has been implemented since March 2012. The first programme was in 7 focal points and the second programme is in 10 focal points. Some of these focal points are being followed up and presented by the Environmental Protection Organization and some with the supervision of the same Organization by other Ministries and relevant organizations. These include:

- Expansion of network of air pollution measuring equipment in cities
- Establishment and promotion of environmental friendly standards within automobile manufacturing industry in the country
- Improvement and promotion of the quality of petrol and consumer oil byproducts.
- One of the effective factors in the reduction of emission of pollutants from cars is the quality of the fuel used by them. In view of the coordination and valued interaction of the Oil Ministry and valued and notable efforts of experts, the opportunity to produce and distribute fuel in accordance with standards EU4 and EU5 have been realized.
- The omission of lead from petrol since 2002
- Banning of old motor vehicles and motorcycles from city and town traffic

- Increase information dissemination and public education and implementation of related programmes including Clean Air Day
- Monitoring air pollution tests on motor vehicles and motorcycles
- Monitoring noise emission levels of motor vehicles and motorcycles
- Removal of asbestos
- Necessity for the use of new technologies for the reduction of pollutant emissions from factories
- Necessity to install and use large factories emissions detecting systems.
- Launching of mechanized centres for mechanical inspections of light and heavy motor vehicles and motorcycles in Tehran province.
- Converting public buses to use gas as fuel
- Expansion of public transport, particularly expansion of the subway metro system
- Launching and expansion of BRT lines
- Traffic management with the use of new remote control monitoring systems
- Expansion of green environment through the creation of a 36,000 hectare green belt around Tehran and over more than 12,500 hectares of green space inside the city
- Improvement of the traffic police activities and confronting vehicles that lack mechanical test passes.

4 – Sanctions

We welcome the Special Rapporteur's approach to important social issues such as sanctions, employment and the environment which are more serious concerns of the people. In paragraphs 92 to 99 the Special Rapporteur has presented incomprehensive information, which are very distant from the existing realities. Unfortunately the respected Special Rapporteur has not accurately dealt with the important subject of sanctions, has ignored the roots of the illegal sanctions imposed against the country which have resulted in the grave violation of the human rights of the citizens in health, employment and accessing basic human rights areas. He has neither expressed concern, nor even disapproved them from

his Special Rapporteur's status, and not asked for swift removal of these sanctions. Even instead of condemning the imposers of the sanctions, he has criticized the victims of the sanctions and the government under sanctions. The imposers and executors of economic sanctions are without doubt violators of human rights, because sanctions are blatant violations of the fundamental human rights of the citizens of the country that is under sanction, and these sanctions leave negative repercussions. No sanctions are legitimate and justified from this aspect, because they are all contrary to international human rights norms.

Conclusions and recommendations

Although with having several months the Special Rapporteur had enough time to prepare his draft report, but despite the regulations stated in article 8 of the Code of Conduct (subject of document 5/2) he only gave the Islamic Republic of Iran a few limited days to respond to the numerous claims and allegations, something that by itself is the clearest reason for failing to be neutral and just in carrying out the Special Rapporteur's duties. At the same time believing to constructive interaction and cooperation with international organizations, Iran has taken steps in preparing a response and expects that its contents will seriously be considered in the Special Rapporteur's final report.

The Special Rapporteur has forgotten his most important duty which is attention to the necessity for the promotion of human rights and reflection of realities based on reliable sources and cross checked for correctness, and does not pay much attention to the cultural observations and the volatile surroundings of the country.

Within the Iranian laws and in the executive procedure, any individual that carries out an act that the legislator has set a punishment for, regardless of beliefs, following the holding of a fair trial and all legal due process, will be punished in proportion to the crime that he or she has committed. Before the drafting of international documents, human dignity in its different dimensions has been centre of attention of the holy religious laws, and there are no restrictions to the inherent rights of people within these laws.

The Islamic Republic of Iran has always taken steps towards the promotion and expansion of human rights at national and international levels in accordance with its commitment to the Constitution and ordinary laws, and international conventions and its religious beliefs and commitments, and in

practice the IRI deems itself committed to observe them. It is unfortunate that on one hand the Special Rapporteur shows his apparent interest for further cooperation with the Iranian government and on the other hand does not pay any attention to previous logical and documented answers, and repeats allegations according to his own interpretation and in an unprofessional manner and without reliable evidence and in ambiguous way.

In the laws of many countries, such as Iran, capital punishment exist, and there is no international consensus for its abolition. Therefore the Special Rapporteur cannot on principle demand for its abolition in his draft report, and it must be removed from the final report. Also the conflicting views on subjects such as drugs within the viewpoint of the Special Rapporteur and the UNODC is arguable, because on several occasions the UNODC has commended the Islamic Republic of Iran for its seriousness in fighting the drugs problem.

The Islamic Republic of Iran seriously rejects the possibility of torture being conducted, because the regulations governing article 38 of the Constitution and ordinary laws, particularly Citizen's Rights and Respecting Legitimate Rights Act hold accountable such acts conducted by any position, and will deal with the culprit through the letter of the law.

The unjust remarks and conclusions of the Special Rapporteur and suggesting false claims which have absolutely nothing to do with the realities of the Iranian society, is like the Iranian citizens are in a hierarchical manner and there is a lawlessness culture which is seriously criticized. It is astonishing that despite the volume of submitted information and evidence, the Rapporteur continues to be in a fantasy environment regarding Iran, and instead of observing the efforts of a nation to realize its fundamental and inherent rights at the international level and drafting and implementing of numerous social and economic programmes despite outside pressures, he once again makes huge deals of shortfalls and continues to present his unreal interpretations.

In this response letter extended information has been provided regarding the nonexistence of forced marriages in the country numerous legal conditions for individuals above the age of 18 marriage was introduced. In Muslim countries sexual intercourse outside of the family framework is denounced, and for this reason from both moral aspects and mental health aspects the setting up of families by individuals over the age of 18 require marriage, and this is much more advanced than the situation of the free and careless relations of young

people in many non-Muslim societies. In Iranian laws any form of violence which result even I the smallest of physical harm is criminalized, and in the very least is punishable by the payment of Diah. From Islam's viewpoint, a marriage contract is a two sided commitment, and is a mutual effort to complete the couple. Concepts such as marital rape are arguable and there is no consensus in a definition and boundary for it, and it is not reflected in international human rights documents.

It seems it's necessary that the information provided in this response letter in regards with Iran's serious efforts to improve the environmental conditions and battle against consecutive droughts following climate change should be reflected in the Rapporteur's final report in a positive way. Also we welcome the Special Rapporteur's attention to the environmental problems of Iran and his calling upon the international community to help with government's policies in this regard. While we expect the Special Rapporteur to denounce unlawful sanctions that are against human rights of all Iranian citizens, and to adopt a clear and transparent stance against these sanctions.
