

Why Iran rejects recent report on the human rights situation in the Islamic Republic

Investigating the fundamental and structural weaknesses and shortcomings of the Special Rapporteur's report

Iran objects to the politicization HR Mechanism

Why Sweden is not eligible to launch a campaign about HR

The review of the human rights situation in Iran was put on the agenda at the forty-third session of the Human Rights Council (June ۲۲, ۲۰۲۰). At the meeting, one of the **European country** which claims to be defending human rights and has even refused to sell medical equipment for the treatment of innocent Iranian children suffering from Butterfly (EB) disease, sponsored a Resolution extending the mandate of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, with the support of other Western countries which have violated the rights of the Iranian people and, despite the growing number of negative votes, and in a completely politicized process, had it adopted.

HR Violators cannot represent themselves as plaintiffs or judges

Also, countries which themselves violate the rights of other nations cannot represent themselves, as plaintiffs or judges of the human rights situation, but they must be held accountable and responsible for their crimes in gross and persistent violation of human rights to nations. For this purpose, it is enough to take a look at the performance of the governments claiming protection of human rights, towards the people of Iran and other nations in the region. The United States, France, Germany, the United Kingdom, Canada, and Sweden, which by imposing oppressive, illegal, and criminal sanctions are the biggest violators of the Iranian people, by selling advanced weapons to the Saudi regime, they are

the biggest violators of the rights of the Yemeni people; by strategically cooperating with the Zionist regime, they are the biggest violators of the rights of the Palestinian people, and by supporting terrorist and takfiri groups, they are the biggest violators of the rights of the nations of the region, including Iraq and Syria, and even the people of their own countries.

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Not covering positive aspects of HR in Iran

Although according to the provisions of Resolution A/HRC /RES /٤٣/٢٤ the mandate of the Special Rapporteur is specifically: "submitting a report on the human rights situation in the Islamic Republic of Iran", this report, from a logical perspective, should have covered, both positive and negative aspects of the human rights situation, and along raising allegations of human rights violations, to mention cases of protection and promotion of human rights. Unfortunately, the report focuses entirely on the negative cases and ignores the efforts, measures and actions which resulted in the promotion of the human rights situation in Iran.

Referring to False information from terrorist sects and hostile governments

The report is based on false information received from some terrorist sects and groups that have a dark history of killing thousands of innocent Iranians, and presently try every possible course of animosity against the Iranian people and alliance with the enemies, leaves no room for the "Special Rapporteur to claim neutrality." Also, the bold role of information received from some organizations affiliated with the governments hostile to the Iranian nation, including the British regime, which has a heavy history of crimes against the Iranian people, over the past few decades, as well as supporting the enemies of the Iranian nation, especially the former Ba'athist regime in Iraq, the terrorist regime in the United States, the occupying Zionist regime, and the invading Saudi regime, have been a proof and indication of "lack of honesty" and "lack of good will" by the Special Rapporteur.

The allegations and accusations are the main text of the report

It is important to note that not only is the content of the recent report of the Special Rapporteur based on the information and reports received from the terrorist groups affiliated with hostile governments against the Islamic Republic of Iran, including delusive allegations and unsubstantiated allegations, rather, the main text of the report is prepared with the provisions of these allegations and accusations, and wherever the Special Rapporteur wished, he cited the official views of the Iranian side, at the end of each issue and specified the "opinion of the Government of the Islamic Republic of Iran."; and in other words, the allegations and accusations of terrorist groups and hostiles against the Iranian nation, were set as the main text of the report and the basis of its results and recommendations; and, in practice, by prejudging, his pre-thought intentions, for legitimizing and the admissibility of the allegations and accusations of terrorist groups affiliated with governments opposed to the Iranian people, were revealed, and, practically, manifested proved his "lack of neutrality.

Therefore, the prepared report in open violation of the provisions of Article 7 of the Addendum to Resolution 9.7 of the Human Rights Council (18 June, 2007) on the "need to obtain facts through objective and reliable information from credible sources", and, as thus, the Special Rapporteur violates the requirement set by the Human Rights Council.

Supporting the sanctions and ignoring US, EU responsibility

The recent report, while talking about the accountability of human rights violators, nowhere refers to the illegal, oppressive and criminal sanctions of the US regime and its destructive, damaging and deadly effects and consequences, as well as the US regime's international accountability for "violating the imperative laws" and "punishing" all Iranians by imposing "indiscriminating sanctions", is not mentioned. As a result of threatening the lives and property of individuals through sanctions that affect all areas of the economy, oil and gas, industry, agriculture, science and research, air and sea transport, construction, metals, finance and even banking, food, medicine, medical equipment and other humanitarian issues, have no place in the human rights logic of the Special Rapporteur on the situation of human rights, and, in practice, with this approach of the Special Rapporteur, the definite Decision of the United Nations (International Court of Justice) of 2008, on complete lifting of sanctions affecting human rights, was completely trampled by an official appointed by a subsidiary organ of the United Nations.

Ignoring the UN reports of the effects of the sanctions

On the other hand, the absolute indifference to the findings and documents of the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, who in her recent report addressed a number of cases of the effects and consequences of the US regime's illegal, oppressive and criminal sanctions against the Iranian nation, including the cases mentioned hereunder, is another clear evidence of the dominance of a political approach over the human rights and impartiality nature of the Special Rapporteur's report;

١. Preventing Iran from using zoom software even during the Covid-١٩ outbreak,
٢. Preventing Iran from using loans from the World Bank even during the Covid-١٩ outbreak,
٣. Sanctions on Iran's oil tankers,
٤. Sanction on drug imports,
٥. Sanction of pharmaceutical equipment,
٦. Sanction of anesthesia equipment,
٧. Sanction on respiratory equipment,
٨. Sanction on ophthalmic equipment,
٩. Sanction of heart disease equipment,
١٠. Sanction on endoscopic equipment,
١١. Sanction on CT scan equipment,
١٢. Sanction on dialysis machines,
١٣. Sanction on kidney transplant tools,
١٤. Sanction of medical equipment and diabetes control,
١٥. Sanction on digital radiology equipment,
١٦. Sanction of electroshock equipment,
١٧. Sanction on laryngeal examination instruments,
١٨. Sanction on ultrasound equipment,
١٩. Sanction on laboratory equipment,
٢٠. Sanction on special medical dressings,

٢١. The negative impact of sanctions on the performance of hospitals during the Covid-١٩ outbreak,

٢٢. Sanctioning of all companies that interact with the “Instex Mechanis”.

It is also worth noting that the oppressive sanctions against the Iranian nation have left heavy financial losses and many physical and psychological consequences, and some of its financial and human consequences are brought up in the report of the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, as follows:

١. Lack of access by doctors to scientific information on the Corona virus.

٢. Depriving many Iranians of the right to study in universities around the world,

٣. Death of patients with chronic diseases due to limited access to treatment,

٤. Psychological harassment of patients due to lack of access to medicine,

٥. The negative impact of sanctions on foreign nationals residing in Iran, especially Afghans,

٦. Violation of the rights of Iranian children by sanctions,

٧. Violation of the rights of Iranian women by sanctions,

٨. Violation of millions of immigrants' rights by sanctions,

٩. Violation of the right to food due to sanctions,

١٠. Violation of the rights of Iranian citizens through sanctions against natural and legal persons.

Surprisingly, in the report of the Special Rapporteur on Iran, there is no single trace of and reference to tens of innocent children and hundreds of innocent patients who died due to the difficulty of accessing necessary medicine and medical equipment due to the imposition of cruel, illegal and criminal sanctions by the US regime, which are the definite violation of the "right to life" and "right to health" of thousands of Iranian citizens; and apparently from the point of view of the report, these children and patients are not human beings so that a small part of the report to raise and describe the violation of their most obvious, fundamental and indisputable rights, which are the "right to life" and the "right to health", while **according to the head of the Center for Transplant Management and Treatment of Diseases of the Ministry of Health, Treatment and Medical Education of Iran, the sanctions pose a serious threat to the lives of at least ٣٣٥ MPS patients and according to the director of the Iranian Thalassemia Association, ١٥٠**

thalassemia patients died in ۲۰۱۸-۲۰۱۹ due to the imposed sanctions and lack of medicine, and according to the former head of the Hemophilia Association of Iran, the US sanctions have disabled hundreds of rare disease patients; and, also, at least twenty innocent children with butterfly disease(Epidermolysis Bullosa) have lost their lives due to non-delivery of needed medicine and related dressings.

Legitimizing the illegal oppressive and criminal US sanctions

The politicized and inhumane approach injected in the recent report is to the extent that, firstly, implicitly justifies and legitimizes the illegal, oppressive and criminal US sanctions, and in a seemingly humanitarian position calls on the countries who have carry out the illegal, oppressive and criminal sanctions against the Iranian people, to reduce (rather than eliminate) the negative effects of sanctions on the human rights situation in Iran, to consider or apply "Humanitarian exemptions"!

Blaming the victim to compensate for the criminal

And arrogantly acquitting the US regime and other Western countries imposing sanctions, on its deadly effects and consequences, the report, shamelessly, addresses the Government of the Islamic Republic of Iran rudely advises and urges it to "take steps to reduce the impacts of (illegal and oppressive sanctions imposed by the United States and implemented by many Western countries), including against vulnerable groups";

Becoming the agent of the US Treasury Department

and, thirdly, without mentioning the effects and consequences of the criminal act of the countries who imposed and those who perpetrate the illegal and oppressive sanctions against the Iranian nation, and without considering the international accountability of the US government and the Western governments in imposing and implementing these sanctions, especially the sanctions blocking Iran's financial and banking relations, arrogantly and brazenly calls on the government of the Islamic Republic to "establish transparent financial mechanisms to ensure the continuation of trade in medicine and other humanitarian items"! So that the US regime can master all the ways to circumvent the sanctions, by Iran, and in this way block all the ways established to meet the basic needs

of the Iranian people. In this way, the Special Rapporteur on the situation of human rights, instead of supporting the people whose fundamental rights have been violated and instead of confronting the violators of the rights of this nation, has acted as an agent of the US Treasury Department to increase the effectiveness of the “US maximum pressure” on the Iranian nation. In fact, instead of supporting the oppressed, he has, practically, tried, with all his power, to sharpen the razor of America's enmity and hostility against the soul and psyche and the rights of the Iranian people.

Inverting the Islamic-legal concepts that guarantee the rights of the people

The use of incorrect terms, interpretations and definitions and the insistence on their use in the Special Rapporteur's report, including the ۱۰۰٪ incorrect interpretation of the legal title "Moharebeh", with no attention to the clear and frequent legal explanations of the Islamic Republic of Iran over the past years, and even ignoring the definition provided in the report of the UN Secretary General to the ۴۳rd session of the Human Rights Council (March, ۲۰۲۰) in defining the legal concept of “Moharebeh”, proves the politicized and illegal approach of the report against the laws of Islam and the penal code of the Islamic Republic of Iran. It is not clear why the Special Rapporteur, instead of including “Moharebeh” as one of the instances of terrorist crimes, and without paying attention to its definition, meaning "drawing weapons with the intension of the lives, property or honor of people or intimidating them in a way that causes insecurity among the public", insists to strongly ignore the repeated responses and comments of Iran, so that like those who are unaware of the legal and judicial system of Islam, and in the position of a group opposed to religions and hostile to the Islamic Republic of Iran, practically seduce and deceive public opinion against religious laws; a religion that considers terrorist acts against the people (even one person) to be hostile to God, depicts the highest guarantee for the protection of the rights of people in the system of government.

Disregarding the most important HR issue of ۲۰۲۰: assassination of General Suleiman

Intentional failure to refer to the Special Rapporteur on extrajudicial, arbitrary and urgent homicides

The assassination of the greatest defender of the rights of the nations of the region and the most powerful commander in the fight against terrorism, General Qassem Soleimani, which, according to the report of the Special Rapporteur on extrajudicial,

summary or arbitrary executions, to the forty-fifth session of the Human Rights Council, was considered as the violation of the three thematic areas of international law, namely "right to use of force", "humanitarian law" and "human rights law", was deliberately ignored.

This crime had such an impact on the Iranian nation that tens of millions of Iranians came to streets, in tens of cities, for a week and mourned for the greatest savior of the people of the region, including Sunni and Shi'ite Muslims and followers of other religions Christians. The absence of this greatest human rights phenomenon of Iran in the Special Rapporteur's report leaves no doubt that he is not neutral and neither fair. The Special Rapporteur should be questioned that how one may talk about the human rights situation in Iran, but not a single word be raised about the issue which, according to the report of Agnes Callamard, was a "clear violation of the right to life under Article 7 of the International Covenant on Civil and Political Rights" and affected the entire Iranian nation and shocked and bereaved them, no word to be mentioned; and still one should be expected to accept the claim of defending human rights!

Based on the provided reasons and evidence, the Special Rapporteur's report is a clear violation of the provisions stipulated in Resolutions 9/1 and 9/2 of the Human Rights Council (18 June, 2009) and its annexes, and, openly has trampled three main requirements for Rapporteurs, namely "neutrality", "independence" and "fairness", and therefore has been unable to meet the three central conditions of "good will", "honesty" and "professionalism", and, consequently lacks the three basic conditions of "justice", "merit" and "efficiency". Therefore, the report of such a Rapporteur cannot have "admissibility" and "legitimacy".

A review of the human rights progress in the Islamic Republic of Iran

- Increase in the employment rate and participation of more than 40% of women in the country's economy and holding senior management positions, including as Vice-President, member of the Islamic Consultative Assembly (Parliament), ambassador, judge, governor, mayor and ..., **in the field of women's rights;**
- Implementation of the "Health System Transformation Plan" and guarantee for public access to health services, payment of monthly cash subsidies to low-income families and launching of arrangements for implementation of the subsidy plan for purchase of basic goods for 10 million people, poverty alleviation and development of rural low-income areas, **in the field of the right to health and the eradication of poverty;**
- Hosting about 3 million Afghan refugees, free education of about 450 thousand Afghan students in Iranian schools, about 120 thousand of whom do not have a permit to be present in Iran, free education of 15 thousand Afghan students in bachelor, master and doctoral degrees in universities across Iran, free admission and treatment of foreign nationals suffering from Covid-19 and the enjoyment of over 115,000 asylum seekers with rare diseases of the free insurance services in Iran and free health insurance coverage for more than 100,000 low-income Afghan refugees, health insurance coverage for all refugee children with disabilities, with the cooperation of the Office of the United Nations High Commissioner for Refugees (UNHCR), **in the field of migrants and refugees rights;**
- Active participation of minority groups in all political, social, economic and cultural sections of the country (having a fixed quota in the Islamic Consultative Assembly), **in the field of minority rights;**
- Approval of the law on political offence (investigation of political offences in the presence of a jury) and its implementation after the announcement of its bylaws by the Head of the Judiciary, **in the field of freedom of expression;**
- Introduction of a change in the judicial system of the country, especially within the framework of the law of "the Sixth Development Plan", increasing accuracy and speed in providing judicial services, creating equal opportunities for access to judicial services for individuals, crime prevention and reducing the criminal population, increasing dispute settlements through arbitration and the establishment and development of arbitration bodies, the establishment of an advanced inspection system to detect failures by judges and judicial staff, **in the field of the right to fair trial;**

- Improving the situation of prisons, developing the necessary infrastructure in cooperation with non-governmental and public organizations, helping to reduce the number of criminals by ten percent, annually, through the new penal institutions such as "suspension of prosecution" or "suspension of punishment enforcement", "postponement of verdict issuance" , "parole" and "alternatives to imprisonment", the adoption of a recent law reducing the sentence of Ta'ziri imprisonment or the issuance of the judiciary circular, by the Head of the Judiciary, on the fight against Corona virus, which resulted in temporary leave for more than ١٢٠,٠٠٠ prisoners; Amnesty and mitigation of punishments of more than ٨,٠٠٠ people through applying Islamic mercy and within the framework of legal regulations from the beginning of ٢٠٢٠ and a ٧٠٪ satisfaction of people with the Judiciary for its fight against corruption, **in the field of prisoner rights and the right to fair trial;**
- Supporting the families of prisoners through counseling and guidance, obtaining the consent of plaintiffs, cash and non-cash supports, granting occupational and vocational training facilities, introduction to support organizations and institutions; cultural, sports and educational activities and judicial follow-ups **in the field of supporting the families of prisoners;**
- **Dedicating more than one third of instructions, circulars and regulations issued** by the Head of the Judiciary to issues related to human rights and human dignity, including the "Instructions for the Protection of Human Dignity and Values in the Judiciary" and "Judicial Security Document", **in the field of protection of people's dignity;**