

Executive Summary

1. This report is compiled by a group of jurists, economists and culture lovers of the Dadandishan of Pasargad Institute by using the eyewitness and library studies methods and based on the analysis of data. This report attempts to review the challenges and threats against the right to development, fair trial, civil, political and economic rights, all of which are part of the recommendations given to Iran in the first round of the UPR.

2. The first universal declaration of human rights which was issued by Cyrus the Great is a clear evidence of the shining human rights history of Iran. In the contemporary times too, Iran was a forerunner in joining international documents such as the International Covenant on Civil and Political Rights and also ratifying useful and constructive domestic laws, but with limited application however.

3. Also in this report while highlighting legislative and executive improvements, the social factors situation: family damages, road traffic and economic fatalities, cultural, political and judicial challenges and how human rights can be taught in schools and universities were reviewed and in the end we gave some recommendations.

4. Some of the recommendations include: setting up of a citizen's rights supreme council; removal of some legal vacuums by legislating comprehensive laws in support of the socially harmed; reduction of dependency on oil and gas incomes, going forward with development in things like renewable energies, appointment of a special rapporteur to review the anti human rights effects of international sanctions on human rights.

Keywords: right to development; right of access to fair trial; right to education

About us:

5. The Dadandishan Pasargad Institute is a nongovernmental, nonpolitical and nonprofit organization which with the motto of support for civil, political and economic rights. The Institute began its education and research activities in 2003 and has participated in the drafting of the Citizen's Rights Charter of Iran.

6. The Institute has technical working groups on civil, political and economic rights, women and children, education and research, whose members are university lecturers and volunteers, and the Institute has had effective presence in several international human rights conferences.

Pivotal recommendations:

7. The recommendations concerned from the first round of the UPR on Iran (2010) are on promotion of human rights and human rights education, the right to development and correct judicial procedure which include:

- Continuation of efforts for the promotion of human rights in social, economic and cultural spheres (Sudan)
- Continuation of innovative measures to guarantee attention to economic, social and cultural rights in political development (Bolivia)
- Continuation of capacity building programmes on human rights

- Take measures to ensure the effectiveness and neutrality of the judicial system in accordance with the International Covenant on Civil and Political Rights.

The situation of recommendations in the past, present and satisfactory future:

8. Cyrus the Great's human rights cylinder (638BC), Zoroastrian teachings, the existence of a parliament in the Persian Empire, Iran being one of the first nations to sign the Universal Declaration of Human Rights, International Covenant on Civil and Political Rights, International Covenant on Economic, Social and Cultural Rights and the NPT are all signs of Iran's commitments to human rights.

9. Aside from some challenges and obstacles, we currently see improvements in the legislative and executive branches and NGOs, that with the removal of international sanctions and the sharing of existing experiences, the future perspective will look good.

Data collection method:

10. The use of eyewitness with nature walks talks with those with knowledge and library studies and comparison of data with domestic and international laws by analysing the data.

Advancements

Social, economic and cultural:

- Improvements in the legislative area:

11. The foreseeing of the removal of trade visas with trade partnering countries and the drafting of the issuing of long term and busy trade visa agreements to ease imports and exports and getting municipalities to rent out lands belonging to traders with low capitals to give further opportunities to small and average Iranian manufacturers to the consumer market and the prioritization to legal and private citizens of the cooperative and private sectors in governmental deals, as a result of the Continued Improvement of the Work Environment Act of March 2012.

12. Government's responsibility to support families to manufacture from home that can be produced to the market outside of the living environment, according to the Organization and Support for Domestic Jobs Act of June 2000.

13. Interior Ministry's responsibility to facilitate necessary measures for the development and strengthening of NGOs with regards to the fight against corruption and the evaluation of corruption factors by observing the best interests of the regime and within the laws and regulations and submission of an annual report to the Parliament, according to the Promotion of the Health of the Administrative System and Fight against Corruption Act of 2011.

- Improvements in the executive area:

14. The empowerment of NGOs and the observation of citizen's rights and the expansion of the political and social participation of the people, as the executive policies of the Sports and Youth, and Interior Ministries according to the 2012 ratification of the cabinet.

15. Presence of three representatives from NGOs in the National Reference Coordination Council and follow up on getting the views of relevant executive bodies regarding children's

rights according to the Convention on the Rights of the Child National Reference guidelines ratified in 2011.

16. Reopening of Cinema House and the release of a number of political prisoners and the setting up of a special committee to review the harmful effects of satellite signals jamming.

17. Getting 76th position in the human development - hope to life, income per capita and literacy levels index in 2012.

- Improvements in the NGOs area:

18. Some of the effective social movements of NGOs and cooperation with the government in going forward with objectives are:

- Solidarity of some NGOs in criticising the parliaments draft legislation on the establishment, activities and monitoring of NGOs and removal of this restrictive draft from the Parliament's working agenda in 1991.

- Establishment of the NGOs fraction in the Parliament and also the Environmental Committee in Tehran City Council.

-Membership of NGOs representative in the NGOs national monitoring group.

Judicial structure:

- Improvements in the legislative area:

19. The possibility to have women judges, and dealing with religious minorities law suits in accordance to their personal customs, and foreseeing custody for mothers in the event of the death of the father according to the Family Protection Act of March 2013.

20. According to the Monitoring of Judges' Behaviour Act of November 2011, judges that are disorderly and biased during judicial proceedings, and refuse to accept documents and evidence from both parties, issue unfounded or unfair decisions, behaviour contrary to judicial dignity, committing crimes, receiving gifts and bribes, they will be disciplined anything from written reprimand to pay cuts and removal from post, taking into consideration the seriousness of the offence

21. Setting up provincial offices to receive people's complaints from governmental and municipal bodies and their referral to Tehran and establishment of an appeals proceedings stage and restitution of justice towards decisions, according to the Administrative Justice Tribunal Guidelines Act of July 2013.

Improvements in judicial development area:

22. Responsibility of the Judiciary to make the following logical: research time, expertise trial and avoiding prison sentences, increasing social health and expansion of digital justice for the improvement of criminal proceedings according to the Guidelines and Objectives of the Judiciary's 5 Year Plan ratified in November 2012.

23. Expansion of technical courts plan, such as the oil, banking and sports, and the setting up of technical dispute resolution councils including ones for prisoners.

24. Issuance of the guidelines for the organization of prisoners and reduction of the criminal population of prisons with focal points such as supervision of bails, out of queue investigations and the use of alternative punishments to detention, methods of proceedings on bankruptcy claims and financial criminals, the duties of judges supervising prisons ratified in May 2013 by the Judiciary.

25. Preparation and compilation of comprehensive law practice legislations, crime prevention, decriminalization of some crimes, support for crime victims, reforming judicial bodies, social punishments, protection of children and juveniles, international crimes and political crimes.

- Improvements in the executive area:

26. Setting up of the National Women and the Family Council to determine the evaluation factors and organization of various departments on the women and the family's conditions according to cabinet ministers June 2011 ratification.

27. Assessment of the removal of delay in criminal proceedings and speeding up of ongoing trials and prevention of crime, digital trials in accordance with the Guidelines to the Presentation of Digital Judicial Services ratified in 2011

28. Organization of the admittance of the accused in police detention centres solely with an arrest warrant that has the stamp and signature of the relevant judicial authority and or explanation of the time period and prohibition from investigation and interrogation in the place of detention according to the Executive Guidelines to the Establishment, Operation, and Supervision of Police Detention Centres ratified in March 2013.

29. The possibility of the customs to use new equipments and search methods such as sniffer dogs and X-Ray machines to prevent, confront and seriously fight the entry and exit and transit of contraband drugs according to the Customs Affairs Guidelines ratified in March 2012.

- Improvements in the NGOs area:

30. Attracting the participation of NGOs by the Judiciary for the realization of the rights of needy individuals that are confirmed by support bodies in judicial files and also partnership of NGOs in the rehabilitation of convicted criminals according to Article 211 of the Fifth Development Plan Act.

Human Rights Situation:

- Improvement in the legislative area:

31. Responsibility of the Iranian Judiciary towards the correction of the legal and judicial behaviour of the people, the institutionalization of culture of law abidance, public citizen's rights education by relevant bodies via radio and television and also foreseeing necessary teaching contents for the aforementioned education in schools and also designing of a judicial website for the prevention of crimes and reduction of legal disputes according to the Fifth Development Plan Act of 2010.

- Improvements in the judicial area:

32. The start of judges in school project by the Judiciary to make students aware of the dangers of social crimes and law education in the 2013-14 school year in Lorestan's schools

- *Improvements in the executive area:*

33. Start of the holding of education courses on cultural diversity and humanitarian law with the cooperation of the ICRC and the Red Crescent Society by a number of state universities.

Existing Challenges:

- *Social challenges:*

35. Unfortunately we see the following problems in the social area:

- the age of marriage, lack of knowledge of couples in life skills and a rise in divorce rates over the last few years.
- The weakness of the family institution, rise in unemployment, reduction in mental health and increased access to drugs.
- High volume mortalities in road traffic accidents.

- *Cultural challenges:*

36. In the cultural area we observed the following:

- Lack of education and teaching aid facilities in schools
- Drop in the number of books, lack of enough cinemas.

- *Economic challenges:*

37. According to Central Bank reports in the economic area we have been faced with the following problems:

- Making a living environment getting more difficult and in 2012 dropping seven places down to 144th in comparison to 2010.
- Rise in unemployment, increase in marginalization, drop in the economic participation rate, negative economic growth over the last two years and reduction in the people's purchase power.
- Rise in inflation to up to 28.8 percent in 2012 and up to 44 percent in 2013.
- 5.9 times increase in the growth of liquidity against economic growth
- Increase in tenancy from 22.9 percent in 2006 to 26.6 percent in 2011
- Sharp changes in property values

- *Judicial challenges:*

38. These challenges include:

- Ambiguity in the definition of political crime in legal literature and failure to set up courts with jury for the said crimes.
- Lack of people and authorities' awareness of the concepts of citizen's rights and social freedoms
- Prorogation of trials and erosion in the judicial structure

Human Rights Education:

- *Challenges:*

39. Restriction of human rights education to universities (only three law colleges in the past decade to date have MS in human rights trends to the presentation of human rights concepts and in law degrees there is only one unit of lesson called Islamic human rights)

40. Lack of financial backing for education projects, shortfalls of NGOs in this regard and the existence of a number of restriction by relevant government institutions.

- *Recommendations:*

41 - The Institute's recommendations are as follows:

- Formation of an international council for NGOs and its regional subcommittees by the Human Rights Council for more constructive cooperation and acceptance of the right of NGOs to prosecute in international courts.
- Reduction of dependency on oil and gas revenues
- More freedom of access to the media, and furthering freedom of expression and thought
- Development of the right to fair trial and the holding of all trial sessions in the presence of a jury.
- Going forward with development of things like new and renewable energies, job creation and production, tourism, digital government and legal camaraderie.
- Establishment of result and product control system instead of assessment of the work process.
- Reduction of multi-vocalism and parallel political and economic work
- The use of international guarantees to take international action against offending countries
- Simplified human rights education in schools
- Appointment of special rapporteur to review the inhuman effects of sanctions
- Uniting of all NGOs for the removal of inhuman sanctions the victims of which ultimately are nations; and improvement of the demand levels of the international community by adopting contriving and non tension policies by Iranian executive directors, for the purpose of advancement of the MDG and recognition of each other's rights in different economic, social, political, peaceful technological rights and sustainable development.