



INTERNATIONAL COMMISSION OF JURISTS

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**United Nations Human Rights Council
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ICJ Intervention under Item 4 on Human Rights Situations that require the Human Rights Council's Attention

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Mr. President,

The ongoing incidence of gross human rights violations in Iran forming part of a generally deteriorating human rights situation require that the Government allow the UN High Commissioner for Human Rights to visit the country expeditiously. Iranian security forces have engaged in the unlawful use of force to undermine the exercise of the rights to freedom of assembly and expression. They have engaged in acts of extrajudicial killing, arbitrary arrest and detention, torture, including rape, as well as cruel, inhuman or degrading treatment of persons detained in the context of protests following the flawed June 2009 presidential elections. Many of these violations continue as we speak.

A number of protesters have been sentenced to death in trials conducted in violation of international standards of fair trial. However, the Iranian judiciary is reluctant to provide information regarding the ongoing prosecutions and sentencing. At least 13 protestors have been sentenced to death so far, including a 20-year-old Iranian student Mohammad Amin Valian, who was sentenced to death for "enmity against God". More than 100 Iranian students have remained in detention solely in relation to their legitimate political activity. Others have been subjected to torture or other ill-treatment and blocked from returning to school in violation of their right to education.

The ICJ urges this Council to take action to prompt Iran's observance of international human rights law and cooperation with the UN human rights mechanisms, including the six special procedures of the Council that were requested by the General Assembly resolution 64/176 to investigate the situation in Iran. We request the UN Secretary General to report to the June session of the Council on the dire human rights situation in Iran and urge the General Assembly to respond to this crisis when considering Iran's candidature to the Human Rights Council in May 2010 elections.

The ICJ is deeply concerned by the deteriorating human rights situation in Sri Lanka.

Almost a year after the end of the war, the Government has continued to violate the right to liberty and security of the person, and has not taken meaningful steps toward the resettlement and restitution of property to many internally displaced persons, some of whom remain arbitrarily detained. The Government continues to place impermissible limitations on free expression and peaceful assembly through the abusive application of sweeping emergency regulations and the Prevention of Terrorism Act. A campaign of intimidation against journalists, human rights defenders and members of the opposition has heightened since the presidential elections on 26 January 2010 - exemplified by the arrest and detention of opposition candidate Gen. Sarath Fonseka and the allegations of corruption against the head of Transparency International Mr. J.C. Weliamuna. Moreover, some 12,000 "surrendees",

suspected of links to the LTTE, remain arbitrarily detained in closed camps, deprived of legal status, judicial supervision of their detention and the right to a fair trial.

These concerns reflect a historical pattern of institutional weaknesses in the rule of law in Sri Lanka. At a side-event to this Council on 18 March, the ICJ will release a report demonstrating that, since 1977, neither the regular criminal justice system nor commissions of inquiry have been able to satisfy the state's responsibility for guaranteeing the right to a remedy and reparations for violations of human rights, including the widespread enforced disappearances and unlawful killings. This Council should urge the Government to tackle the absence of state accountability, remove limitations on the investigative and prosecutorial system, and undertake institutional and legal reform to ensure compliance with and effective application of international obligations.

The ICJ calls on the Government to pursue a sustainable peace based on the rule of law by repealing emergency laws that violate international law, respecting lawful dissent, and guaranteeing human rights for all, including members of minority communities.

I thank you.
