

QUICK GUIDE TO ADDRESSING SEXUAL RIGHTS ISSUES DURING THE UNIVERSAL PERIODIC REVIEW ON IRAN

These Guides include:

- A list of issues mentioned in the National Report, the Compilation of official UN Documents and the Summary of Other Stakeholders Submissions, with references to the particular paragraphs in which they can be found.
- The full text of those paragraphs
- In those cases in which the Sexual Rights Initiative has submitted reports, we have included an Annex with our recommendations.

References in the two working languages of the Council (English and French) have been kept in their original language.

Issues are highlighted-References in the National Report are *in Italics*.

Recommendations -including those from UN treaty-monitoring bodies, are at the end of the document.

All sexual rights issues that do not relate specifically to women are referred to in this Guide. Sexual rights' issues referring specifically to women -as well as other women's issues- are referred to in the Guide on Women's Issues

CRC ratified with observations. OP-CRC-SC (Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography) ratified.

ISSUE	N Report	Compilation	Summary
Criminalization of same-sex consensual practices		Harassment and death threats in prisons (26)	Death penalty for juveniles accused of homosexuality acts. High number of cases (18). Criminal sanctions, including death penalty (36)
HIV/AIDS		Need for prevention aiming at young people (63)	Lack of ARV provisions and unemployment (58)
Sexual Violence			Sexual assaults and rape in prisons (20, 21)
Sexual Violence / violence against children		Plans of actions to combat violence against children (14). Impunity in cases of murders of children by fathers. Sexual abuse not explicitly prohibited (34)	Lack of reporting system on domestic violence and abuse on Afghan children (77)
Trafficking/sexual exploitation /violence against children		Large number of street children expose to worst forms of labor (38)	

Criminalization of same-sex consensual practices

The Secretary-General in 2008 noted reports of amputation, flogging, suspicious deaths and suicides of **prisoners**, justified by the authorities as Islamic punishments. It was also reported that **those accused of homosexual acts were routinely flogged and threatened with execution.** (Para 26, Compilation). According to Stop Child Executions, as of June 2009, at least **1601 juveniles were waiting on death row** for a wide range of "offences," **including homosexuality acts**

() (Para 18, Summary). Joint Submission 1 JS1 Noted the existence of criminal sanctions, including the death penalty, against sexual activity between consenting adults ()

See recommendations, JS1 (36)

HIV/AIDS

() UNICEF cited drug use as the highest cause of HIV infection. Approaches aimed at HIV prevention for young people remained a sensitive issue (Para 63, Compilation). The Family Planning Association of I.R.I noted that a large number of people living with HIV did not have access to antiretroviral services due to high costs. Also due to particular physical and treatment conditions, these individuals were unable to work in several full-time jobs (Para 58, Summary)

Sexual Violence

Amnesty International (AI) noted that there had been many reports of torture and other ill-treatment (in prisons) since the disputed presidential elections on 12 June 2009, such as () sexual assault, including rape (Para 20, Summary)

Associazione delle Donne Democratiche Iraniane in Italia expressed utmost concern about torture and rape of young people in prisons (Para 21, Summary)

Sexual Violence / violence against children

() UNICEF reported that the first National Plan of Action on Violence against Children was developed in a broad consultation process. In 2008, the Ministry of Welfare took steps to include violence against children in the draft five-year National Development Plan (Para 14, Compilation)

The Committee on the Rights of the Child (CRC) reiterated its serious concern at the Penal Code provision that fathers who kill their child, or their son's child, are only required to pay one-third of the blood money to the mother, and are subjected to discretionary punishment, if the mother makes a formal complaint. It was also concerned about legislation providing for corporal punishment within the family, and that certain forms of sexual abuse of children or grandchildren were not explicitly prohibited (Para 34, Compilation)

According to Iranian Life Quality Improvement Association (ILIA), fundamental challenges included the lack of a reporting system on domestic violence against Afghan children, the nonexistence of a specific screening process, and the absence of effective referral and treatment of abused children and the abuser (Para 77, Summary)

Seen Recommendations, CRC (14)

Trafficking /Forced prostitution

The Organization for Defending Victims of Violence (ODVV) noted that the Fight Against Human Trafficking Act (2004) is not victim-oriented (Para 7, Summary)

See Recommendations, Special Rapporteur on the human rights of migrants (77), ODVV (7)

Trafficking/sexual exploitation/violence against children

CRC continued to be concerned about the large number of children living and/or working on the streets. The ILO Committee of Experts remarked that street children were particularly exposed to the worst forms of child labour (Para 38, Compilation)

See Recommendations, CRC (4); ILO Committee of Experts (37)

Questions and Recommendations

CRC

- § To ratify OP-CRC-AC, () and International Labour Organization (ILO) Convention No. 138 (Para 4, Compilation)
- § That Iran develops a comprehensive policy (against violence) on children (Para 14, Compilation)

ILO Committee of Experts

- § Immediate measures to ensure that the use, procuring or offering of children for prostitution or the production of pornography or pornographic performances are urgently prohibited (Para 37, Compilation)

The Special Rapporteur on the human rights of migrants

- § To ensure that victims of trafficking are not criminalized (Para 77, Compilation)

JS1

- § That Iran brings its legislation into conformity with its international human rights obligations by repealing all provisions criminalizing (same-sex consensual practices) such activity between consenting adults (Para 36, Summary)

ODVV

- § That steps be taken towards coordination between the laws and the justice system with a view to safeguarding victims' rights (trafficking) (Para 7, Summary)

SRI

- § To introduce the necessary amendments to penal and civil code in order to enable the investigation of cases of domestic violence, ill-treatment and abuse against children, including sexual abuse and murders within the families; within a judicial procedure and that sanctions be applied to perpetrators.
- § To take all necessary measures -including legislation- to safeguard the human rights of sexual minorities; to investigate and -when necessary- penalize discriminatory, violent and abusive actions of public force and penitentiary agents.
- § To implement a wide national health campaign for HIV/AIDS prevention and treatment, providing the adequate facilities and paying especial attention to vulnerable sectors of the population.