

United Nations

Human Rights Council

The KMMK-G's oral statement to the ei hth session of the Forum on Minori Issues on "Minorities in the Criminal lustice System"

Thank you Madam the President,

The Association for Human Rights in Kurdistan of Iran-Geneva would like to draw your attention on the situation of Kurdish people in the Iranian Criminal Justice System.

According to Article 4 of the Iranian Consitution : *"All civil, penal, financial, economic, administrative, cultural, military, political and other laws and regulations must be based on Islamic principles of Sharia the Shia faith a..."* and article 15 of the same constitution stipulates that the official language of the state is Persian.

These articles plus 'hundred other vague and contradictory articles such as « *mohareb* >> in the iranian penal code breach Iran's international obligations in regards to minorities.

Trials in Iran often fall far short international law and standards. Sentences, including the death penalty are often imposed without any regard to internationally prescribed safeguards, such as access to a lawyer of one's choice from the time of arrest. The use of "confessions" coerced under torture or other ill-treatment is routinely reported, and courts generally rely on evidence obtained in breach of international law and standards.

The vast majority of executions in Iran are for crimes such as drug-related offenses where international law clearly prohibits the `death penalty, as the offenses are not 'the most serious crimes. Iranian law maintains the death penalty for financial crimes and for acts that should not be considered criminal at all including consensual sexual relations between adults.

Executions based on national-security-related charges and imaginary crimes of enmity` against God are often politically motivated and it's carried out disproportionatel against members of Iran's ethnic nationalities such as Kurds, Baluchis, Ahwazi Arabs, Azerbaijani Turks and Turkmen who experience widespread discrimination in law and practice, including in the enjoyment of their economic, social and cultural rights.

It is clear that discriminations against the Kurds and other minorities will not be improved without consideration of the international community. We hope that Special Rapporteur Ms. Rita IZSAK, in her reports and in periodic statements, will be allowed to visit Iran and provide a report on. Kurdish people who is facing genocidal policies.

The Association for Human Rights in Kurdistan of Iran-Geneva (KMMK-G)

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