سازمان دفاع از قربانیان خشونت
Organization for Defending Victims
of Violence

استنادات گزارشات "بررسی دوره‌ای جهانی ۲۰۱۷"

به گزارشات سازمان دفاع از قربانیان خشونت

سازمان دفاع از قربانیان خشونت
Organization for Defending Victims
of Violence

گزارش راهبردی ۹۶/۵۳

بهمن ۱۳۹۶

۹۶۰۱۱۵۳

سازمان دفاع از قربانیان خشونت

Organization for Defending Victims
of Violence

یو پی آر یا بررسی دوره‌ای همگانی، هر چهار و نیم سال یک‌بار، به بررسی ادواری وضعیت حقوق‌بشر در تمامی ۱۹۳ دولت عضو سازمان ملل متحد می‌پردازد. این سازوکار به موجب قطعنامه ۲۵۱/۶۰ مجمع عمومی در مارس ۲۰۰۶ بوجود آمد و بر اساس آن به شورای حقوق‌بشر مأموریت داده شد بر مبنای اطلاعات موثق و بی‌طرفانه از اجرای تعهدات و وظایف هر کشور در زمینه حقوق‌بشر، به شیوه‌ای فراگیر و با رفتار یکسان، بررسی دوره‌ای به عمل آورد.

بررسی دوره‌ای جهانی برای اولین دوره بر اساس قرعه‌کشی صورت گرفت و در دوره‌های بعدی نیز بر اساس نوبت بررسی در دوره اول تعیین گردیده است. این امر مستلزم بررسی وضعیت ٤٢ کشور در هر سال طی سه نشست دوهفته‌ای گروه‌کاری خواهد بود که در هر دوره ١٤ کشور بررسی می‌شود.

اطلاعات قابل استناد برای برگزاری جلسات UPR کشورها بر اساس ۳ گزارش می‌باشد:

۱-گزارشی که توسط کشور تحت بررسی به‌عنوان گزارش ملی تهیه می‌شود و حداکثر ۲۰ صفحه است.

۲-گزارشی که توسط دفتر کمیساریای عالی تدوین شده و شامل مجموعه‌ای از اطلاعات قابل استناد از گزارش نهادهای معاهده‌ای، رویه‌های ویژه و سایر نهادهای مرتبط سازمان ملل متحد می‌باشد و حداکثر ۱۰صفحه است.

۳-گزارش خلاصه‌ای که دفترکمیساریای عالی از مجموع اطلاعات قابل‌اتکا و معتبر ارسالی توسط سازمان‌های غیردولتی، مؤسسات حقوق‌بشری ملی و سایر ذی‌نفعان تهیه می‌نماید و حداکثر ۱۰ صفحه است.

گزارش ملی و دو گزارش تهیه‌شده توسط دفتر کمیساریای عالی به شش زبان انگلیسی، چینی، فرانسوی، عربی، اسپانیائی و روسی ترجمه و ٦ هفته قبل از برگزاری نشست بررسی دوره‌ای گزارش کشور تحت بررسی، به گروه‌کاری وضعیت‌ها ارسال می‌گردد.

سازمان دفاع از قربانیان خشونت
Organization for Defending Victims of Violence

سازمان دفاع از قربانیان خشونت (ODVV) در ادامه فعالیت‌های منسجم خود در این خصوص، در دوره ۸ ماهه گذشته (ماه می تا دسامبر ۲۰۱۷) نیز برای برخی از کشورهای موردبررسی(فرانسه، بحرین،پاکستان، امارات متحده عربی و رژیم صهیونیستی) گزارش‌هایی (در بخش گزارش‌های NGO) تهیه و ارسال نموده است.

در ذیل به بندهای نقل شده توسط دفتر کمیساریا از گزارش‌های ارسالی از طرف سازمان دفاع از قربانیان خشونت در مورد هر یک از کشورهای مورد بحث اشاره می‌شود.

گزارش UPR پاکستان[1]:

جلسه UPR پاکستان در تاریخ ۱۳ نوامبر ۲۰۱۷ برگزار شد و گزارش توصیه‌های دریافتی این کشور در تاریخ ۲۳ اوت ۲۰۱۷ ارائه شد. تعداد ۲۱ سازمان غیردولتی در این دوره UPR به کشور پاکستان توصیه‌هایی کردند. در این گزارش جمعاً به ٤ مورد از توصیه‌های که توسط سازمان دفاع از قربانیان خشونت (ODVV) ارسال شد، اشاره گردیده است.

این٤ مورد در بندهای ذیل آمده است:

24. Organization for Defending Victims of Violence **(ODVV)** stated that there were still reports of drone attacks killing civilians.

46. **ODVV** indicated that, despite the fact that the Constitution guaranteed the minority rights to freely practice their religion, religious minorities faced discrimination in both law and practice. JS11 stated that Ahmadis, Christians, Hindus, and Hazara Shias were not allowed to openly profess their beliefs; their properties and even graves were not exempted from being vandalized by fundamentalists.

47. CSW noted that the Shia community had faced systematic persecution in the form of sectarian violence. AI and **ODVV** noted

[1] · A/HRC/WG.6/28/PAK/3

that the Hazara Shia community in Quetta continued to be targeted.

87. HRCP noted the adoption of the Offences in the Name or Pretext of Honour Act 2016 and Anti-Rape Law. However, HRCP and **ODVV** indicated that the law had many loopholes161 which left room for perpetrators to escape punishment. UH Law School also noted continuous challenges that could prevent honour killing convictions, such as underreporting, lack of evidence, and a perceived religious justification.

گزارش UPR رژیم صهیونیستی[۲]:

جلسه UPR رژیم صهیونیستی در تاریخ ۲۳ ژانویه ۲۰۱۸ برگزار شد و گزارش توصیه‌های دریافتی این رژیم در تاریخ ۳ نوامبر ۲۰۱۷ ارائه شد. تعداد ۲۲ سازمان غیردولتی در این دوره UPR به رژیم صهیونیستی توصیه‌هایی کردند. در این گزارش جمعاً به ۲ مورد از توصیه‌های که توسط سازمان دفاع از قربانیان خشونت (ODVV) ارسال شد، اشاره گردیده است.

این ۲ مورد در بندهای ذیل آمده است:

26. JS5 noted that access to the Al Aqsa Mosque was severely restricted by the ongoing closure of Jerusalem to residents of the West Bank and Gaza and by the regular ban on Palestinian men under the age of 50 from entering the Mosque. Israeli authorities continued to interfere with the internal affairs of Al Aqsa. **ODVV** noted a policy to turn the mosque into a synagogue.

60. JS1 reported that Israeli forces were preventing the entry of construction materials to Gaza Strip to re-build and re-construct schools damaged during the conflict. SAR stated that travel

2. A/HRC/WG.6/29/ISR/3

restrictions had particularly affected academic life in the Gaza Strip. **ODVV** noted that in the Gaza War, over 200 schools, including three UN schools, were destroyed by Israel attacks. The reconstruction of these schools was hampered by the decade Gaza blockade.

گزارش UPR امارات متحده عربی:[۳]

جلسه UPR امارات متحده عربی در تاریخ ۲۲ ژانویه ۲۰۱۸ برگزار شد و گزارش توصیه-های دریافتی این کشور در تاریخ۳ نوامبر ۲۰۱۷ ارائه شد. تعداد ۱۷ سازمان غیردولتی در این دوره UPR به امارات متحده عربی توصیه‌هایی کردند. در این گزارش جمعاً به ۲ مورد از توصیه‌های که توسط سازمان دفاع از قربانیان خشونت (ODVV) ارسال شد، اشاره گردیده است.

این۲ مورد در بندهای ذیل آمده است:

4. Organization for Defending Victim of Violence **(ODVV)** recommended the ratification of the 1951 Convention relating to the Status of Refugees and its 1967 Protocol. مؤسسه on Statelessness and Inclusion (ISI) recommended the accession and full implementation of the 1954 and 1961 Statelessness Conventions. Human Rights Watch (HRW) recommended the ratification of the ILO Domestic Workers Convention and aligning national laws to the treaty.

13. **ODVV** expressed concern about the construction work in the UEA to create manmade islands. According to **ODVV**, it did not pay sufficient attention to the protection of bio-diversity. The most disastrous environmental impacts included threat to the

[3]. A/HRC/WG.6/29/ARE/3

security of migrating birds, destruction of live coral cover, change of natural water flow and destruction of natural seabed.

گزارش UPR فرانسه:[4]

جلسه UPR فرانسه در تاریخ ۱۵ ژانویه ۲۰۱۸ برگزار شد و گزارش توصیه‌های دریافتی این کشور در تاریخ ۲ نوامبر ۲۰۱۷ ارائه شد. تعداد ۳۰ سازمان غیردولتی در این دوره UPR به فرانسه توصیه‌هایی کردند. در این گزارش جمعاً به ٦ مورد از توصیه‌های که توسط سازمان دفاع از قربانیان خشونت (ODVV) ارسال شد، اشاره گردیده است.

این٦ مورد در بندهای ذیل آمده است:

15. AI noted that France's ratification of the Arms Trade Treaty in 2014 was a positive step given its role as a major exporter of arms. However, gaps in the legal frameworkremain and could lead to unlawful arms transfers, diversion or illicit arms trafficking. AI recommended that the State meet its obligations under the Arms Trade Treaty and not authorize the transfer of conventional arms where it has knowledge, at the time of authorization, that the arms or items would be used in the commission of genocide, crimes against humanity, or war crimes. Organization for Defending Victims of Violence **(ODVV)** made similar recommendations.

21. EU FRA reported that more than 30 municipalities in France sought to enact bylaws prohibiting the so-called 'burkini', a swimsuit designed for women that covers their entire body. Justifications for such bans tend to argue that the burkini runs counter to moral standards and French secularism (laïcité). **ODVV** recommended that France should reach out to Muslims and give

[4] . A/HRC/WG.6/29/FRA/3

them assurances that they are not under suspicion because of their religion or ethnicity.

26. HRW documented repeated abuses during policy operations carried out under the state of emergency, which allows police to search homes and place people under house arrest without prior judicial approval. HRW recommended ensuring that counterterrorism measures are carried out in a non-discriminatory and proportionate manner and that raids are subject to prior judicial authorization. AI recommended limiting the use of emergency powers to what is strictly required by the exigencies of the situation. **ODVV** recommended that in pursuing terror crimes, France makes further efforts to protect the fundamental rights and freedoms of its citizens. The Syndicat de la magistrature (SM) made similar recommendations.

37. ADDH/CCIF, HRW and CIVICUS considered that the law 2004-228, prohibiting the visible wearing of religious signs for public secondary school pupils, violates the fundamental rights to freedom from discrimination, freedom of religion and the right to autonomy. HRW and ADDH/CCIF recommended that France repeal or amend the law instituting the ban on full-face concealment in public spaces to ensure that women who choose to veil their faces for religious reasons may do so without fear of legal sanction. **ODVV** made similar recommendations.

سازمان دفاع از قربانیان خشونت
Organization for Defending Victims of Violence

50. ERRC reported that Romani communities in France live in substandard housing and experience multiple forced evictions, which leave them in increasingly marginalised, poor and unstable conditions. No durable solutions or measures for integration were provided even for those most vulnerable, among them pregnant women, persons with disability and the elderly. ERRC added that Romani people living in slums have inadequate drinking water and sanitation. ERRC recommended that France immediately cease the practice of evicting Roma from their homes and communities without any alternative sustainable solution for housing; and that

ensures equal access to basic rights, including water and sanitation, health insurance and health care, access to emergency housing. **ODVV** made similar recommendations.

70. Global Detention Project (GDP) reported that detention in France recorded a high number of detainees in 2016, including numerous children fleeing situations of war, violent conflict or brittle rule of law. GDP recommended ensuring that persons fleeing war and violence and seeking asylum are not detained at the time when they apply for asylum; that families with children are not detained and that alternatives to detention are available. **ODVV** recommended that France continue protecting the rights of all migrants regardless of their situation and status.

گزارش UPR بحرین:[5]

جلسه UPR بحرین در تاریخ ۱ می ۲۰۱۷ برگزار شد و گزارش توصیه‌های دریافتی این کشور در تاریخ ۲۰ فوریه ۲۰۱۷ ارائه شد. تعداد ۲۵ سازمان غیردولتی در این دوره UPR به بحرین توصیه‌هایی کردند. در این گزارش جمعاً به ۳ مورد از توصیه‌های که توسط سازمان دفاع از قربانیان خشونت (ODVV) ارسال شد، اشاره گردیده است.

سازمان دفاع از قربانیان خشونت
Organization for Defending Victims of Violence

این۳ مورد در بندهای ذیل آمده است:

3. JS9 and ICSRF urged Bahrain to join the International Criminal Court. JS10 recommended Bahrain to accede to and fully implement the 1954 and 1961 statelessness conventions. **ODVV** urged to ratify the 1951 Convention Relating to the Status of Refugees and the additional protocol.

[5] . A/HRC/WG.6/27/BHR/3

24. JS12 observed that in its second UPR cycle, Bahrain fully supported recommendations (Recommendations 115.70, 115.93) concerning efforts to meet the aspirations of the victims of discrimination and the protection of ethnic and religious communities. The government has failed to implement those recommendations. On the contrary, the authorities have continued to discriminate against Bahrain's Shia majority – including the Baharna and Ajam ethnoreligious groups – in most aspects of daily life. JS12 recommended Bahrain to respect the right of the Shia community to publicly observe religious practices and holidays, reopen closed religious associations and Shia civil society groups and refrain from obstructing Friday prayers and other religious gatherings. JS12, GIDHR and **ODVV** observed that the Bahraini authorities have increased restrictions on freedom of religion and conscience. They reported that at least 38 Shia mosques have been destroyed. They recommended respecting freedom of religion and take practical steps to stop any form of discrimination against Shia Muslims.

26. JS1 observed that the authorities used several laws such as the Penal Code, the Terrorism Act, the Citizenship Act, and the Public Gatherings Law to silence political activists, human rights defenders, and influential people in the media field, in addition to others who are affiliated with the opposition. AI, BHRO, **ODVV**, JS6, JS9, JS14, JS15 JS17 and JS2 noted that since Bahrain's last UPR, the authorities have continued to target the political opposition in Bahrain, imprisoning the leaders of the major opposition groups and restricting their activities. This law gives the Ministry of Justice the right to register and supervise political associations, while it is not obliged to clarify the reasons for refusing to accept the registration of new associations. As a result, the Ministry of Justice filed a lawsuit against Al-Wefaq National Islamic Society, Bahrain's main Shia opposition group on July 17, 2016 and its Secretary General Sheikh Ali Salaman has been detained since December 2014 on charges related to his freedom

of expression. They recommended amending the Political Associations Law, by revoking article 13, and163 of the Penal Code, and repeal all measures against the political opposition; allow opposition party members and leaders to exercise their rights to freedom of expression, association and peaceful assembly, in line with international human rights law and release all leaders and political activists arrested since 2011.

سازمان دفاع از قربانیان خشونت
Organization for Defending Victims of Violence