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Promotion and protection of human rights: human rights situations and reports of special rapporteurs and representatives

Situation of human rights in the Islamic Republic of Iran

Note by the Secretary-General

The Secretary-General has the honour to transmit to the General Assembly the report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, Javaid Rehman, submitted in accordance with Human Rights Council resolution [52/27](#).

* [A/78/150](#).



**Report of the Special Rapporteur on the situation of human rights
in the Islamic Republic of Iran, Javaid Rehman**

Summary

The Special Rapporteur on the situation of human rights in the Islamic Republic of Iran submits his sixth report to the General Assembly, pursuant to Human Rights Council resolution [52/27](#), in which he details patterns, trends, progress and concerns arising out of the situation of human rights in the Islamic Republic of Iran.

I. Introduction

1. The present report is submitted pursuant to Human Rights Council resolution [52/27](#), in which the Council requested the Special Rapporteur to report to the General Assembly at its seventy-eighth session on the situation of human rights in the Islamic Republic of Iran. The present report contains information collected up to 31 July 2023, including from the Government of the Islamic Republic of Iran, non-governmental and media organizations, and in individual interviews with victims of human rights violations, their families and lawyers. In the report, the Special Rapporteur draws on observations of the human rights treaty bodies and the special procedure mandate holders of the Human Rights Council.

2. The Special Rapporteur thanks the Government of the Islamic Republic of Iran for its engagement but regrets that it continues to deny him entry to the country. He reiterates his request to be allowed to carry out visits to the country in accordance with the Human Rights Council resolution establishing his mandate.

3. The Special Rapporteur notes the scale of the nationwide protests triggered by the death in police custody of 22-year-old Jina Mahsa Amini on 16 September 2022. The Iranian authorities reacted to the largely peaceful protests with the use of excessive force by security forces, leading to the death or injury of hundreds of protestors and a marked worsening of the overall human rights situation in the country. The Special Rapporteur has accordingly undertaken extensive activities, including advocacy and engagement with all relevant stakeholders.

4. After presenting his fifth report¹ on 26 October 2022 to the General Assembly, the Special Rapporteur made a presentation at the Arria-formula meeting of the Security Council on 2 November, at which he addressed the latest developments in the context of protests. On 24 November, he delivered a statement on behalf of the Coordination Committee of Special Procedures and his own mandate to the Human Rights Council at its thirty-fifth special session, on the deteriorating situation of human rights in the Islamic Republic of Iran, especially with respect to women and children,² during which he reiterated his call for the establishment of an international independent mechanism to investigate all human rights violations leading up to and since the death of Ms. Amini.

5. By its resolution [S-35/1](#), the Human Rights Council decided to establish an independent international fact-finding mission with a mandate to investigate alleged human rights violations related to the protests since 16 September 2022, especially with respect to women and children, establish the facts and circumstances surrounding the alleged violations and collect, consolidate, analyse and preserve evidence of such violations, including in view of cooperation in any legal proceedings.³ In April and June 2023, in accordance with the terms of the resolution, the Special Rapporteur met with members of the fact-finding mission and its staff in Geneva.⁴

6. Since October 2022, the Special Rapporteur has visited various countries and engaged with a significant number of stakeholders, including victims, family members or friends of victims of human rights violations, as well as governmental and non-governmental organizations. He visited Germany and Belgium in November and December 2022, and Sweden, France and the Kingdom of the Netherlands in February, April, and June 2023, respectively. In addition to presenting his report to

¹ [A/77/525](#).

² See Human Rights Council resolution [S-35/1](#).

³ *Ibid.*, para. 7 (a)–(c).

⁴ *Ibid.*, para. 7 (d).

the Human Rights Council in Geneva in March 2023, the Special Rapporteur also visited Switzerland in April and June 2023.

7. From 1 January to 31 July 2023, the Special Rapporteur transmitted 13 communications to the Government of the Islamic Republic of Iran jointly with other thematic special procedure mandate holders. The Government responded to six of the communications. In addition, the Special Rapporteur issued five public statements with other thematic procedure mandate holders related to numerous serious human rights issues.

II. Overview of the situation of human rights

A. Use of unlawful lethal force against protesters

8. As noted in his previous report, the Special Rapporteur regrets that the Iranian authorities have reacted to the nationwide protests through excessive and lethal use of force. The 22-year-old Ms. Amini, from the Kurdish minority, died in Tehran three days after her arrest for allegedly failing to comply with the country's strict rules on women's dress code by wearing an "improper hijab". In the immediate aftermath of her death, there were substantial nationwide protests, primarily led by women and young people under the banner of "*Zan, Zendegi, Azadi*" ("Woman, Life, Freedom").⁵

9. According to information received by 31 July 2023, the use of lethal force by security forces has led to the deaths of at least 537 persons, including at least 68 children⁶ and 48 women. Hundreds more have been injured, while thousands have been reportedly arrested, detained or incarcerated.⁷

10. The Special Rapporteur is disappointed that the Government has failed to conduct an impartial, independent and transparent investigation into the death of Ms. Amini, or any independent and transparent investigation into the use of excessive, unlawful lethal force by State security forces since 16 September 2022 and other related incidents.

11. The Special Rapporteur provided evidence and testimonies in his report to the Human Rights Council, which established that Ms. Amini had been violently beaten and died as a result of torture and ill-treatment at the hands of the morality police.⁸ Furthermore, detailed reports by civil society actors and eyewitness testimonies have shown that security forces, including the police, the Islamic Revolutionary Guard Corps and the Basij militia, have violently cracked down on protesters and have revealed a widespread pattern of unlawful lethal use of force.⁹ This includes the use of shotguns, assault rifles and handguns against the protesters.¹⁰ For instance, verified videos show security forces deliberately shooting unarmed protesters from a short distance. In some cases, protesters were shot while they were running away and

⁵ See A/HRC/52/67, para. 6.

⁶ Reports from other human rights organizations indicate that the number of children killed during the protests was higher, and indicate that at least 76 children have been killed. See <https://cfppi.org/wp-content/uploads/2023/05/Report-CFPPi-IranChildren-052023-1.pdf>, p. 2.

⁷ See <https://iranhr.net/en/articles/5795/>.

⁸ See A/HRC/52/67, paras. 17–20. See also www.i24news.tv/en/news/middle-east/iran-eastern-states/1664205590-eyewitness-confirms-amini-was-hit-by-iranian-police-report and www.amnesty.org.uk/press-releases/iran-leaders-gathered-un-must-act-over-mahsa-aminis-death-and-anti-protest-violence.

⁹ See A/HRC/52/67, paras. 21–28; and www.hrw.org/news/2022/10/05/iran-security-forces-fire-kill-protesters.

¹⁰ Ibid. See also <https://twitter.com/KurdistanHRN/status/1598438910568587264>; and <https://ir.voanews.com/a/iran-shooting/5168912.html>.

clearly posed no threat to the security forces.¹¹ Many cases exemplify a clear intention to kill or shoot at protesters recklessly with disregard as to whether these actions would result in loss of life or serious injuries to the protesters.¹²

12. The Special Rapporteur is alarmed by the level of violence used against protesters, in particular targeting religious and ethnic minorities. The Kurdish and Baluch minorities have been particularly affected by this violence. Consistent with widespread and established patterns of denial and cover-up, Iranian authorities have attributed responsibility for these deaths to enemies of the Islamic Republic of Iran. The continuing violence against women and girls has been alarming, including cases of deliberate killings,¹³ as well as sexual and physical violence.¹⁴

13. The Special Rapporteur is shocked that, despite appeals by the international community, including by his mandate, the Iranian authorities have executed at least seven protesters as at 31 July 2023 after arbitrary, summary and sham trials, which constitute a violation of the right to a fair trial and due process. He remains concerned at reports that at least 25 other individuals have been charged with offences that carry the death penalty and may be either awaiting or undergoing trials.¹⁵

B. Arbitrary arrests and detention

14. The Special Rapporteur remains deeply concerned at the pattern of unlawful and arbitrary detentions of individuals for the exercise or defence of human rights.

15. According to several reports, more than 20,000¹⁶ individuals have been arrested since the start of the protests in September 2022. The Special Rapporteur takes note of the positive steps taken to grant pardons to or reduce the prison sentences of some of those arrested, detained or prosecuted, including in the context of the protests, by the Supreme Leader of the Islamic Republic of Iran.¹⁷ Concerns nevertheless remain as regards those that remain in prison, and that some individuals have been released on bail while others have been rearrested.

16. Many of those arrested in relation to the protests were charged with offences under the Islamic Penal Code that are vague and loosely defined, including that of engaging in “propaganda against the State”, “assembly and collusion to act against national security”, “insulting the supreme leader”, “establishing or being a member of a group to disrupt national security” and “destroying public facilities and equipment to disrupt public order”.¹⁸ Other serious charges include *efsad-e fel-arz*

¹¹ See www.youtube.com/watch?v=jWUKHoFEVvg.

¹² See www.amnesty.org/en/latest/news/2022/09/iran-world-must-take-meaningful-action-against-bloody-crackdown-as-death-toll-rises/; www.hrw.org/news/2022/11/03/iran-thousands-detained-protesters-and-activists-peril; <https://www.nytimes.com/2022/10/14/world/middleeast/iran-zahedan-crackdown.html>; and www.hrw.org/news/2022/10/05/iran-security-forces-fire-kill-protesters.

¹³ See www.bbc.co.uk/news/world-middle-east-63836921.

¹⁴ See https://twitter.com/dr_rafizadeh/status/1604738348656234497?s=46&t=A1bfl3dHo4gCp5qTUNuWJg; <https://twitter.com/josephiadele/status/1604053070912135169?s=46&t=5Ob-cxqW5bbyho2AvK6glw>; and <https://twitter.com/alinejadmasih/status/1573762455746101248?s=46&t=Ywnx6FewmUYmTwamRXUQw>.

¹⁵ See www.en-hrana.org/update-on-legal-status-of-death-row-protesters-ten-months-after-the-2022-nationwide-protests/.

¹⁶ See <https://iranhumanrights.org/2023/02/analysis-khameneis-pardon-is-a-public-relations-stunt-that-cedes-no-ground-to-the-protesters/>.

¹⁷ See www.aljazeera.com/news/2023/2/5/iran-supreme-leader-pardons-tens-of-thousands-of-prisoners.

¹⁸ Submission to OHCHR.

(spreading corruption on Earth) and *moharebeh* (taking up arms to take lives or property and to create fear in the public), which are punishable by death.¹⁹

17. The Special Rapporteur is alarmed at the serious and gross violations of due process and violations of the right to fair trial, including heavy reliance on confessions extracted through torture and other forms of ill-treatment to convict protesters to death or other harsh sentences. The Special Rapporteur has received several reports, including on the case of Saman Yasin, a rapper arrested on 2 October 2022 in Tehran in relation to his songs in which he reportedly criticized the Government. On 29 October 2022, he was charged with *moharebeh*, an offence carrying the death penalty. Reportedly, he has been repeatedly tortured in prison and, while his death sentence was reversed in January 2023, he is to be retried by the Islamic Revolutionary Court in Tehran later this year.²⁰

Human rights defenders and lawyers

18. The continuing repression, harassment and detention of human rights defenders and lawyers for the exercise or defence of human rights, including through prolonged detention and new convictions, is extremely concerning.

19. In the aftermath of the protests, the Iranian security forces arrested at least 576 civil rights activists, including teachers, union activists and minority rights activists.²¹ The arrests and attacks appear to be aimed at punishing and silencing human rights defenders and civil rights activists, in particular in relation to women's rights and those calling for accountability for the death of Ms. Amini.

20. Reports continued to be received of human rights lawyers imprisoned for their work. From 16 September 2022 to 10 January 2023, a total of 44 lawyers were arrested for their work, 27 of whom have reportedly been released while the rest remain in detention.²² The Special Rapporteur remains concerned at these arrests and detentions, which reinforce a pattern of consistent interference with the legal profession, contrary to human rights laws and standards. Human rights defender Nargis Mohammadi remains in prison serving a 16-year prison sentence.²³

21. The Special Rapporteur is deeply concerned at reports indicating that, since April 2023, nearly 100 lawyers have been summoned to the security prosecutor's office at Evin prison, where they have been reportedly asked to sign a document expressing their personal remorse for supporting the protests. Failure to sign the document could result in their being debarred from working as lawyers.²⁴

Journalists

22. The Special Rapporteur continues to be concerned at the significant reports of threats against and arrests and imprisonments of journalists for their critical and independent reporting, including on the matter of the protests and the subsequent school poisonings (see paras. 54–57 below).

¹⁹ See www.hrw.org/news/2022/12/13/iran-death-sentences-against-protesters.

²⁰ See www.sharghdaily.com/fa/tiny/news-889629.

²¹ See <https://iranhr.net/en/articles/5526>.

²² See <https://iranhumanrights.org/2023/01/iran-protests-at-least-44-defense-attorneys-arrested-since-september/>.

²³ See www.unesco.org/en/articles/three-imprisoned-iranian-women-journalists-awarded-2023-unesco/guillermo-cano-world-press-freedom.

²⁴ See www.theguardian.com/world/2023/may/26/supporters-of-jailed-iranian-journalists-call-for-trial-to-be-held-in-public.

23. According to the non-governmental organization Reporters Without Borders, the Islamic Republic of Iran ranked 177 out of 180 in its 2023 press freedom index.²⁵ This comes in a context where the number of journalists imprisoned in the Islamic Republic of Iran has been unprecedented over the past two decades. During the reporting period, more than 70 journalists were arrested,²⁶ including 25 women.²⁷ As at 31 July 2023, 21 journalists remained jailed in the country.²⁸ It is deeply concerning that they have received harsh prison sentences ranging from 12 months to 18 years, as well as travel bans or the suspension of their work permits. Some even risk the death penalty for their journalistic activities.²⁹

24. Niloofer Hamedi and Elaheh Mohammadi, the two journalists who reported the death of Ms. Amini, were arrested on 22 and 29 September 2022, respectively, and transferred from Evin prison to Qarchak prison on 18 December 2022.³⁰ Both journalists are accused of “collaborating with the hostile American government”, “colluding against national security” and engaging in propaganda activity against the authorities.³¹ These charges carry harsh sentences and potentially even the death penalty. Ms. Mohammadi and Ms. Hamedi, whose trials began on 29 and 30 May 2023, respectively,³² are being tried in separate closed trials in Revolutionary courts.³³

Dual and foreign nationals

25. The Special Rapporteur is extremely distressed at the execution of at least two individuals with dual nationality. British Iranian national, Alireza Akbari, and Swedish-Iranian, Habib Chaab, were executed on 14 January and 6 May 2023, respectively, for charges including “corruption on Earth”.³⁴

26. The Special Rapporteur welcomes the release by the Iranian authorities of at least six foreign and dual nationals,³⁵ including Olivier Vandecasteele, a Belgian humanitarian aid worker who had been imprisoned in Teheran since February 2022 under arbitrary and unsubstantiated criminal charges of espionage,³⁶ and two Austrian-Iranian nationals, Massud Mossaheb and Kamran Ghaderi, in May and June 2023.³⁷

27. Despite releases of foreign and dual nationals in recent months, it is believed that at least 22 European foreign and dual nationals remained in Iranian prisons as at

²⁵ See <https://rsf.org/en/country/iran>.

²⁶ <https://rsf.org/en/iranian-reporters-not-giving-after-six-months-protests-and-persecution>.

²⁷ <https://rsf.org/en/everyday-occurrence-iran-three-more-women-journalists-jailed-tehran-marking-55-arrests-start>.

²⁸ See <https://rsf.org/en/country/iran>.

²⁹ See <https://rsf.org/en/iran-rsf-alerts-renewed-wave-heavy-handed-arrests-targeting-journalists>.

³⁰ See <https://iranwire.com/en/journalism-is-not-a-crime/111490-detained-women-journalists-moved-to-qarchak-prison/>; and www.theguardian.com/global-development/2022/oct/29/iran-accuses-journalists-who-reported-mahsa-aminis-death-of-spying-for-cia.

³¹ See www.theguardian.com/global-development/2022/oct/29/iran-accuses-journalists-who-reported-mahsa-aminis-death-of-spying-for-cia; and www.hrw.org/blog-feed/iranian-society-under-crackdown#blog-384815.

³² See www.bbc.com/news/world-middle-east-65753525.

³³ See www.theguardian.com/world/2023/may/26/supporters-of-jailed-iranian-journalists-call-for-trial-to-be-held-in-public.

³⁴ See www.reuters.com/world/middle-east/iran-executes-british-iranian-national-akbari-iranian-report-2023-01-14/; and www.aljazeera.com/news/2023/5/6/iran-executes-swedish-iranian-dual-national-state-media.

³⁵ See www.reuters.com/world/macron-two-french-citizens-released-iran-2023-05-12/; and www.aljazeera.com/news/2023/6/2/iran-releases-one-danish-and-two-austrian-citizens.

³⁶ See www.euronews.com/my-europe/2023/05/26/ngo-worker-olivier-vandecasteele-freed-from-imprisonment-in-iran-and-on-his-way-to-belgium.

³⁷ See www.reuters.com/world/three-europeans-return-home-after-release-by-iran-prisoner-swap-2023-06-03/.

3 June 2023.³⁸ However, such figures are difficult to verify owing to the lack of access to such information. The Special Rapporteur remains extremely concerned at the Iranian authorities' pattern of arbitrary detention of foreign and dual nationals and using them for prisoner swaps or other returns.

C. Death penalty

Use of death penalty

28. The Special Rapporteur remains deeply concerned at the alarming increase in the number of executions observed during the reporting period, including the implementation of the death penalty following unfair trials and after the systemic use of torture to extract forced confessions.

29. At least 582 people were executed in the Islamic Republic of Iran in 2022,³⁹ including 256 for drug-related offenses,⁴⁰ a significant increase compared with 2021. At least 15 of the executions were related to charges of *efsad-e fel-arz* and *moharebeh*.⁴¹ In addition, at least 16 women were executed in 2022.⁴² As at 31 July 2023, 419 people had reportedly been executed, including at least 239 for drug-related offenses and 10 women.⁴³

30. The number of those executed from ethnic minority communities remain disproportionately high, in particular for drug-related or security-related offenses.⁴⁴ In 2022, 147 of those executed belonged to the Baloch minority. From 1 January to 31 July 2023, at least 85 individuals from the Baloch minority were executed, an increase compared with the same period in 2022.⁴⁵

Executions in relation to the protests

31. Since the nationwide protests started on 16 September 2022, at least seven people have been executed by the Iranian authorities for their involvement. On 8 December 2022, 22-year-old Mohsen Shekari was executed after being charged with *moharebeh* and accused of “blocking a street in Tehran, creating fear and depriving people of freedom and security, and intentionally wounding a security agent with a cold weapon (knife)”.⁴⁶ He was reportedly forced to make a confession that was aired on television after his execution.⁴⁷ Four days later, Majidreza Rahnavard was also executed after being charged with *moharebeh* and accused of killing two Basij officers in November 2022. He was executed only 23 days after his arrest. His trial consisted of only one session before the Revolutionary Court, and he was also reportedly tortured and forced to confess.⁴⁸

32. Two protesters, Mohammad Mehdi Karami, a 21-year-old Iranian-Kurdish man and Seyyed Mohammad Hosseini, a 39-year-old man, were executed on 7 January 2023. Both had been charged and convicted of *efsad-e fel-arz* for their alleged

³⁸ Ibid.

³⁹ See https://iranhr.net/media/files/Rapport_iran_2022_PirQr2V.pdf, p. 12.

⁴⁰ Ibid, pp. 12 and 14.

⁴¹ Ibid, p. 12.

⁴² Ibid.

⁴³ See <https://iranhr.net/en/>.

⁴⁴ A/HRC/52/67, para. 67.

⁴⁵ See <https://iranhr.net/en/articles/6022/>.

⁴⁶ See www.amnesty.org/en/latest/news/2022/12/iran-horrifying-execution-of-young-protester-exposes-authorities-cruelty-and-risk-of-further-bloodshed/.

⁴⁷ See www.bbc.com/news/world-middle-east-63900099; and <https://iranhr.net/en/articles/5624/>.

⁴⁸ See www.amnesty.org/en/latest/news/2022/12/iran-public-execution-of-majidreza-rahnavaard-exposes-authorities-revenge-killings/.

involvement in the killing of a Basij agent during a protest on 3 November 2022.⁴⁹ According to the Office of the United Nations High Commissioner for Human Rights,⁵⁰ on 19 May 2023, Majid Kazemi, Saeed Yaghoubi and Saleh Mirhashemi were executed after being accused of participating in the killing of three Iranian officials, having been sentenced to death and charged with *moharebeh*. Reports indicate that the extent of the defendants' alleged involvement in the deaths of the police officers remains highly uncertain and questionable. The officers were allegedly killed by gunshots during the protests in Isfahan Province on 16 November 2022, yet the charges against the defendants do not explicitly accuse them of "murder". The three men appealed against the verdict on 6 May 2023, but the Supreme Court upheld their death sentences, despite a pending request for judicial review.

33. The Special Rapporteur notes that, in six of the cases, the Government claimed that the defendants had attacked and killed Basij or police officers. It further stated that "the defendants confessed to their crimes while fair trial standards were fully observed". The Special Rapporteur notes with great concern that the defendants had not been allowed to appoint their own legal counsel and had been denied access to health care while in prison.

34. The Special Rapporteur is extremely concerned at reports of confessions extracted through torture and of the death penalty having been implemented after court proceedings that substantially violated the right to fair trial. In the cases of the executions of the seven protesters, the Special Rapporteur takes the view that the death penalty had been applied following judicial proceedings that had failed to meet acceptable international standards of fair trial or due process, thereby making the sentencing and imposition of the death penalty arbitrary and in violation of article 6 of the International Covenant on Civil and Political Rights.⁵¹

35. The Special Rapporteur regrets to note that no progress has been observed towards abolishing the death penalty for children. Under Iranian law, the death penalty can be imposed against girls as young as 9 lunar years and boys as young as 15 lunar years for *qisas* (retribution in kind) or *hudud* crimes (crimes for which punishments are mandated and fixed), such as homicide and adultery.⁵²

D. Situation of ethnic and religious minorities

36. The Special Rapporteur continues to be deeply concerned that discrimination against ethnic and religious minorities persists. He is alarmed at reports of serious abuses, victimization, killings and executions of ethnic and religious prisoners, especially those belonging to the Baloch and Kurdish minorities. Arab and Azerbaijani⁵³ minorities have been consistently harassed and targeted, while Christian converts and members of the Bahá'í religious minority continue to face increased repression and persecution.

37. During the reporting period, there was a marked increase in attacks, targeting and harassment of members of the Bahá'í community. Since July 2022, more than 333 incidents have been reported, including at least 80 cases of arbitrary detentions, interrogations and unlawful arrests. Bahá'is have continued to suffer serious human

⁴⁹ See www.amnesty.org/en/latest/news/2023/01/iran-young-man-at-grave-risk-of-execution-in-connection-with-protests-amid-killing-spree/.

⁵⁰ See www.ohchr.org/en/press-releases/2023/05/un-experts-urge-iran-stop-horrific-wave-executions.

⁵¹ See Human Rights Committee, general comment No. 36 (2018) on the right to life, para. 41.

⁵² See A/75/213, para. 31; and A/77/181, para. 24.

⁵³ See www.arc4dh.eu/wp-content/uploads/2023/05/ArcDH_Response_to_the_Call_for_Submission_by_SR_on_Iran_Final_3.pdf.

rights violations, including through torture and ill-treatment, destruction of properties, cemetery desecration, as well as denials of education and various forms of economic pressure, including reports of forced closure of Bahá'í-owned businesses and confiscation of Bahá'í properties. The Special Rapporteur remains extremely concerned at the reported mental and physical torture and ill-treatment and denial of appropriate medical treatment of two former leaders of the Bahá'í community, Mahvash Sabet and Fariba Kamalabadi, who on 11 December 2022 were arbitrarily sentenced to an additional 10 years of imprisonment, after having already spent 10 years in prison.⁵⁴ He demands their immediate and unconditional release.

38. The Special Rapporteur is alarmed to note that ethnic and religious minorities have increasingly been arbitrarily arrested and detained in connection with peaceful activities, such as advocating for linguistic freedom, organizing or taking part in protests, being affiliated with opposition parties, campaigning against environmental degradation in their areas or simply participating in religious or cultural activities. In March 2023, the number of deaths and injuries among fuel carriers of the Baluch minority reportedly more than doubled over the previous month to reach 20.⁵⁵ Several other Baluchis were killed, injured or arrested in March 2023.⁵⁶

39. At least 135 Baluchis have reportedly been killed by security forces since the protests started in September 2022. In one of the reported incidents, on 30 September 2022, also called “black Friday” or “bloody Friday”, security forces fired live ammunition, metal pellets and tear gas against peaceful protesters and bystanders from nearby rooftops and the police station in the city of Zahedan in the Sistan and Baluchestan Province. According to verified reports, at least 95 persons were killed that day, including 9 children, and a further 400 injured. Most of the victims were shot in the head, heart, neck, and torso, demonstrating a clear intention to kill or to seriously harm.⁵⁷

40. It is reported that, between 19 September 2022 and 23 May 2023, at least 140 Kurdish protesters, including 10 women and 17 children, were killed by State security officials. In addition, the number of reported executions among minorities are disproportionately and significantly higher relative to the total population.⁵⁸

E. Situation of women and girls

International legal framework

41. Core multilateral human rights instruments, including the Universal Declaration of Human Rights, guarantee every person's fundamental right to equality and non-discrimination, including the right not to experience any distinction on the basis of sex and/or gender. The Islamic Republic of Iran ratified both the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights in 1975, without any reservations, as well as Convention on the Rights of the Child in 1994. The State's other obligations within international human rights law also require it to ensure non-discrimination and gender equality. The State has not ratified the Convention on the Elimination of All Forms of Discrimination Against Women, and it is

⁵⁴ See www.bic.org/news/unbelievable-injustice-mahvash-sabet-and-fariba-kamalabadi-sentenced-second-decade-prison-iran.

⁵⁵ See <https://bhrg.info/en/?p=1978>, p. 2.

⁵⁶ *Ibid.*, p. 5.

⁵⁷ See A/HRC/52/67, para. 29. See also www.amnesty.org/en/latest/news/2022/10/iran-at-least-82-baluchi-protesters-and-bystanders-killed-in-bloody-crackdown/; and www.nytimes.com/2022/10/14/world/middleeast/iran-zahedan-crackdown.html.

⁵⁸ See www.amnesty.org/en/latest/news/2023/03/iran-chilling-execution-spree-with-escalating-use-of-death-penalty-against-persecuted-ethnic-minorities/.

regrettable that the Government did not support any of the 14 recommendations regarding the ratification of that Convention made during its third universal periodic review, although it partially supported or noted four related recommendations.⁵⁹

42. In its resolution 2023/2, the Economic and Social Council decided to remove with immediate effect the Islamic Republic of Iran from membership in the Commission on the Status of Women for the remainder of its 2022–2026 term.⁶⁰

Compulsory veiling laws

43. One of the most illustrative examples of the State's systematic and systemic targeting, harassment and discrimination against women is through the laws, policies and practices of enforced veiling. The Special Rapporteur regretfully notes that the compulsory veiling law is enforced on women and girls, regardless of the religious, cultural and other beliefs as a matter of official State policy.

44. Compulsory veiling for women “is entrenched in Iran's Penal Code and other laws and regulations that enable security and administrative bodies to subject women to arbitrary arrest and detention and deny them access to public institutions including hospitals, schools, government offices and airports if they do not cover their hair”.⁶¹ Within the Islamic Penal Code, women seen in public without a veil could be sentenced to between 10 days and two months in prison or a fine.⁶² The law applies to girls as young as nine, as this is the minimum age of criminal responsibility for girls in the Islamic Republic of Iran. In practice, the authorities have imposed compulsory veiling on girls from the age of seven at the start of elementary school.

45. The police, Basij militia and morality police enforce compulsory veiling laws, with vigilante justice reportedly resulting in violence against women, including arrests and arbitrary detentions. Hundreds of businesses were closed during the reporting period or received warnings for allegedly allowing their customers or staff to work or be employed while wearing an “improper” hijab.⁶³ Courts have also imposed degrading punishments on women convicted of violating compulsory veiling laws, which have included attending counselling sessions for “anti-social behaviour”, washing dead bodies for Islamic burials, and providing cleaning services at governmental buildings.⁶⁴

46. In recent months, Iranian women and girls have increasingly faced harsh and coercive measures.⁶⁵ Several State bodies and institutions have made official announcements with regard to the adoption of even stricter measures and new policies aimed at coercing women and girls into compliance with compulsory veiling. On 30 March 2023, the Ministry of the Interior issued a statement announcing that no form of retreating or tolerance with regards to breaches of traditional principles, rules and values had taken place or would take place.⁶⁶ The Ministry further emphasized the requirement for compliance with compulsory veiling and expressed support for vigilantes, as “those promoting virtue and preventing vice”, who continued to

⁵⁹ See A/HRC/46/50, para. 41.

⁶⁰ See <https://news.un.org/en/story/2022/12/1131722>.

⁶¹ See www.amnesty.org/en/latest/news/2022/12/iran-international-community-must-not-be-deceived-by-dubious-claims-of-disbanding-morality-police/.

⁶² Iranian Penal Code Article 638 (Note).

⁶³ At least 458 Businesses Closed to Enforce Compulsory Hijab – Hrana (en-hrana.org).

⁶⁴ Iran: Authorities doubling down on punishments against women and girls defying discriminatory veiling laws – Amnesty International.

⁶⁵ See www.amnesty.org/en/latest/news/2022/12/iran-international-community-must-not-be-deceived-by-dubious-claims-of-disbanding-morality-police/; and www.article19.org/resources/iran-siege-on-women-and-girls-intensifies-as-authorities-deceive-the-world/.

⁶⁶ See www.farsnews.ir/news/14020110000602 (available in Farsi only).

intimidate and harass women in public places to force them into compliance. According to the statement, the country's judiciary, law enforcement and other relevant bodies would be taking action against those "breaking the norms".⁶⁷

47. On 3 April 2023, two separate statements were made by the Ministry of Education and the Ministry of Science and Technology in which it was announced that schools and universities would not provide education and other services, such as accommodation, to girls and women who refuse to accept and follow compulsory veiling laws.⁶⁸ On 18 July, the Deputy Minister for Culture and Islamic Guidance, Mohammad Hashemi, stated in a media interview that "veiling is our red line and, in this relation, we do not compromise with anyone". He also stated that warnings had been issued to around 1,000 artists for having engaged in "illegal conduct" and various restrictions had been imposed on the professional activities of over 300 artists who had persisted with their conduct, including unveiling.⁶⁹ Most recently, the morality police have been redeployed to confront and notify those that do not comply with compulsory veiling and those refusing to comply to be referred to judicial authorities.⁷⁰ Video accounts shared on social media showed several women being confronted, detained and forcefully transported to marked vans in July 2023.⁷¹

48. In parallel, two major bills – the bill on discretionary punishments⁷² and the bill to support the family by promoting the culture of chastity and hijab⁷³ – have been prepared and submitted to the parliament in order, inter alia, to impose additional restrictive and punitive measures on women and girls who fail to comply with the country's compulsory veiling laws.

49. Article 178 of the bill on discretionary punishments would enable judicial bodies to take into custody women and girls who do not adhere to compulsory veiling and to require them to sign a written statement that they would not repeat the "offence". Women who refuse, or are repeat offenders, could face a number of punishments, including being placed under "supervision" for six months, a travel ban or expulsion from governmental or public positions. In parallel, there have been several reports that the authorities would use facial recognition technology and other sophisticated methods of surveillance to identify women who failed to comply with the dress code.⁷⁴

50. The bill to support the family by promoting the culture of chastity and hijab includes 70 articles and changes the legal classification of "improper veiling" from a "crime" to a "violation", but does not envision arrest or imprisonment for first-time violators.⁷⁵ The bill would authorize the Government and public institutions not to provide services to citizens who do not comply with the law. This means that women and girls who violate the law would potentially be stripped of social services, such as banking, driving permits and government employment. In addition, directors and managers of organizations that did not implement the resulting law would be

⁶⁷ Ibid. See also www.article19.org/resources/iran-siege-on-women-and-girls-intensifies-as-authorities-deceive-the-world/.

⁶⁸ See www.rferl.org/a/iran-education-refused-without-hijab/32347464.html.

⁶⁹ Famous Iranian Actress Gets Jail Time For Defying Hijab (iranintl.com); Amnesty Public Statement.

⁷⁰ See www.bbc.com/persian/world-66172691.

⁷¹ See <https://twitter.com/yazdanparast313/status/1680198112206307328?s=20>.

⁷² See www.article19.org/resources/iran-siege-on-women-and-girls-intensifies-as-authorities-deceive-the-world/, art. 19.

⁷³ See <https://iranwire.com/en/news/116899-controversial-chastity-and-hijab-bill-presented-to-parliament/>.

⁷⁴ See www.rferl.org/a/iran-new-hijab-surveillance-measures-unrest/32319730.html.

⁷⁵ Ibid.

punished, in the first instance, with a notice on their file, and in the second instance, with exclusion from management positions for a period of 6 months to one year.

51. A series of punishments is defined, including fines, imprisonment, travel bans, confiscation of passports and deprivation of citizenship rights. The bill also envisions the use of surveillance technology and facial recognition software to identify offenders, as well as “text alerts”. The task of “cyberspace management” has been entrusted to the police force, the Ministry of Information and Security and the intelligence organization.

52. The bill further marginalizes a significant section of society, curbing their freedom of opinion and expression, freedom of movement and a host of economic, social and cultural rights. It is also alarming that the bill is under review by a parliamentary committee, through a fast-tracked process that regrettably lacks public discussion.

53. The Special Rapporteur notes that the Government’s restrictive measures and repressive policies do not rely solely on laws or legal processes, but also on enforcement and use of force by a range of State authorities and private actors that are at the heart of the State’s control over the public and private lives of its citizens, particularly women and girls.⁷⁶ The new measures taken represent dangerous developments to women and girls’ fundamental right to equality, non-discrimination and their right to be treated with dignity.

School poisoning at primary girl schools

54. The Special Rapporteur is concerned at the alarming reports of suspected poisonings in girls’ schools across the country. Along with other special procedure mandate holders, he expressed concern and fear about the sequencing of the attacks, which began only a few weeks after nationwide protests, and for defying compulsory veiling.⁷⁷

55. Since 30 November 2022, when the first incident was reported in Qom Province,⁷⁸ targeted poison attacks have been reported in more than 100 girls’ schools across the Islamic Republic of Iran. More than 13,000 students, the majority of whom are girls, have reportedly received medical care caused by the suspected poisoning.⁷⁹ Among the most recent attacks are those that took place between 15 and 17 April 2023 in multiple schools in the provinces of Alborz, Ardabil, East Azerbaijan, Esfahan, Fars, Kermanshah, Khuzestan, Kurdistan, Mazandaran, Tehran and West Azerbaijan. There are reports of schoolgirls having been hospitalized “with symptoms including coughing, difficulty in breathing, nose and throat irritation, heart palpitation, headache, nausea, vomiting and numbness in limbs”. Many parents have also reportedly removed their daughters from schools for fear of these attacks.

56. The authorities have subjected distressed schoolgirls and their parents, as well as teachers, journalists and others, to harassment and violence, including intimidating and arresting those calling for accountability and the authorities’ complicity or failure to stop the poisonings. In late February 2023, an 11-year-old girl reportedly died because of gas poisoning at a school in Qom. Her father, reportedly the driver of a member of the Assembly of Experts, was allegedly warned by the Qom prosecutor

⁷⁶ See www.ohchr.org/en/press-releases/2023/04/repressive-enforcement-iranian-hijab-laws-symbolises-gender-based.

⁷⁷ See www.ohchr.org/en/press-releases/2023/03/iran-deliberate-poisoning-schoolgirls-further-evidence-continuous-violence.

⁷⁸ See www.amnesty.org/en/documents/mde13/6696/2023/en/.

⁷⁹ Ibid. See also <https://iranhumanrights.org/2023/03/20-prominent-iranian-lawyers-call-on-un-agencies-to-urgently-investigate-school-girl-poisonings/>.

not to speak to the media and was pressured into burying his daughter without notice. The father was also reportedly pressured into appearing on television and declaring that, on the day of poisonings, his daughter had not been at school and that she had suffered from pain in her stomach and legs and died of “severe blood infection”.⁸⁰

57. Eventually, on 6 March 2023, the Supreme Leader of the Islamic Republic of Iran, Ali Khamenei, publicly denounced the poisoning of schoolgirls as an unforgivable crime that should be severely punished. Eight months since the first attacks, while State authorities claim to have made some arrests,⁸¹ they have failed in conducting any independent, transparent investigations or to establish who was behind the attacks.

F. Lack of independent investigations and absence of accountability

58. The Special Rapporteur notes the establishment of the two governmental bodies – the Islamic Consultative Assembly Special Investigation Committee of the Islamic Republic of Iran⁸² and the Special Committee to Investigate the 2022 Unrest⁸³ – intended “to clarify, conduct a detailed and impartial investigation into and compensate for any possible violation of citizens’ rights during the unrest”.

59. The Special Rapporteur, however, regrets that no steps have been taken to establish the accountability framework in law or policy to allow effective channels for obtaining truth, justice and non-occurrence of serious human rights violations, including arbitrary deprivation of life. For example, State authorities have to date failed to conduct any independent, impartial and transparent investigation into the death of Jina Mahsa Amini and have consistently denied any misconduct or wrongdoing on their part.⁸⁴ Instead, the authorities have made unsubstantiated claims that Ms. Amini died because of a heart problem and that her death was linked to pre-existing medical conditions,⁸⁵ claims that were fully and completely rejected by her family.⁸⁶

60. Multiple requests made by Ms. Amini’s family for the establishment of a committee of independent doctors to investigate her death have been rejected. Members of Ms. Amini’s family have been denied access to her autopsy report and instead subjected to threats and pressure by the authorities.⁸⁷ The recordings of Ms. Amini’s arrest have not been released. In his previous report to the Human Rights Council, the Special Rapporteur noted the various sources, including a former Islamic Revolutionary Guard Corps commander, and other independent sources, that pointed to reports that Ms. Amini was severely beaten by the morality police, death reportedly

⁸⁰ See <https://iranhumanrights.org/2023/02/one-girl-dead-400-children-poisoned-amid-attacks-on-schools-in-iran/>.

⁸¹ See www.etemadonline.com/tiny/news-619780 (available in Farsi only).

⁸² See High Council for Human Rights of the Islamic Republic of Iran, “Report of the Islamic Consultative Assemblies, Special Investigation Committee on the Death of Mahsa Amini”, available at <https://netherlands.mfa.ir/files/en373/Report%20-%20Mahsa%20Amini.pdf>.

⁸³ See <https://hyderabad.mfa.ir/files/enHyderabad/EEC.pdf>.

⁸⁴ See A/HRC/52/67, para. 17. See also www.article19.org/resources/iran-justice-for-mahsa-jhina-amini and <https://edition.cnn.com/2022/09/19/middleeast/iranian-police-say-death-of-mahsa-amini-unfortunate-intl/index.html>.

⁸⁵ See <https://en.mfa.ir/files/mfaen/report.pdf>, p. 1; www.rferl.org/a/iran-forensic-report-denies-amini-death-injuries/32069928.html; and www.reuters.com/world/middle-east/iranian-state-coroner-says-mahsa-amini-did-not-die-blows-body-2022-10-07/.

⁸⁶ See A/HRC/52/67, para. 17. See also www.radiofarda.com/a/32042268.html (available in Farsi only).

⁸⁷ See A/HRC/52/67, para. 20. See also www.bbc.com/news/world-middle-east-62998231; and www.bbc.com/news/world-middle-east-63200649.

occurring because of torture and ill-treatment at the hands of the police.⁸⁸ Despite several reports and evidence presented by witnesses and family members, the authorities have consistently tried to cover up all available evidence or hide material facts while targeting doctors, as well as the above-mentioned journalists reporting on the case (see para. 24 above), who are currently facing charges that potentially carry the death penalty.

61. The Special Rapporteur is extremely disturbed at the absence of any independent, impartial and transparent investigations into the reported deaths of protesters, in particular women and children, in the context of protests. The authorities undertook an initial investigation into the incidents; while the initial findings included 23 cases of children allegedly killed in the protests, in most cases it was simply noted that investigations were ongoing.⁸⁹

62. Similarly, after more than eight months since the first incident of a school poisoning, in November 2022, the authorities have failed to prevent these attacks from spreading across the country. The Special Rapporteur notes that the High Council for Human Rights of the Islamic Republic of Iran have published two reports that look into the school poisoning.⁹⁰ However, both reports fail to present concrete evidence and to report on measures to protect schoolgirls from widespread attacks, including repeated attacks on the same schools. Instead of acknowledging and reacting to the extreme danger posed by poisoning in schools, the reports focus on the authorities' narratives, including blaming symptoms experienced by the schoolgirls on "mental contagion".⁹¹ At the same time, they have also blamed poisonings on "enemy conspiracies" conducted to "inflammate society".

III. Impact of the economic crisis and sanctions

63. The Special Rapporteur continues to be concerned at the impact of the economic sanctions and the overall economic crisis, which have substantial negative impact on the country's economy, resulting in humanitarian challenges and human rights violations.

64. The negative impact of the reimposition of economic sanctions has been felt strongly by ordinary Iranians. The sanctions have hit oil sales, imposed wide-ranging restrictions on traders and businesses and triggered the devaluation of the Iranian currency. All of those factors have contributed to raising the scale of austerity and pushing inflation higher, and has especially affected medicine and food prices. For instance, the purchasing power of most Iranians has decreased, threatening their access to vital nutrition. Rial devaluation has continued by a factor of 13 between mid-2018 [around the time the unilateral sanctions were reimposed] and end 2022. During this period, the consumer price index raised in scale by a factor of 3.7 and average housing prices by a factor of 3.5. Goods and assets prices inflation (average) was circa 45 per cent and 150 per cent, respectively, in 2021 and 2022 – while food

⁸⁸ See A/HRC/52/67, para. 20; and www.theguardian.com/global-development/2022/sep/16/iranian-woman-dies-after-being-beaten-by-morality-police-over-hijab-law.

⁸⁹ Report submitted by the High Council for Human Rights of the Islamic Republic of Iran, "The preliminary results of Investigations conducted by the High Council for Human Rights regarding allegations about deaths of under 18 people during recent riots", 20 October 2022, p. 1.

⁹⁰ Submission from the Permanent Mission of the Islamic Republic of Iran: "First Enlightening Report on Alleged Poisoning of Students in the Islamic Republic of Iran", dated March 2023; and "Second Enlightening Report on Alleged Poisoning of Students in the Islamic Republic of Iran", dated May 2023.

⁹¹ See <https://hyderabad.mfa.ir/files/enHyderabad/%D9%85%D8%B3%D9%85%D9%88%D9%85%DB%8C%D8%AA2en.pdf>, p. 5; and www.amnesty.org.uk/urgent-actions/millions-schoolgirls-risk-poisoning.

prices rose by 60 per cent to 80 per cent in 2022.⁹² Rising levels of unemployment and poverty have also had a negative impact on the rights to health and education, as well as general access to other basic services for many Iranians.

65. The Special Rapporteur remains concerned that sanctions and banking restrictions unduly affect food security and the availability and distribution of medicines, pharmaceutical equipment and supplies. In addition, he stresses that sanctions affect civil society actors and human rights defenders in obtaining foreign funding to operate on the ground. This can have serious implications in documenting human rights violations inside the country, including supporting the victims. Nonetheless, he warns against narratives that blame the economic sanctions as the sole source of the economic challenges of the country and deny the impact of underlying mismanagement and corruption, as well as consistent refusal of positive obligations of the Governments.

IV. Right to participate in public affairs

A. Introduction and legal framework

66. The right to participate in political and public affairs is essential for establishing a platform for the enjoyment of all fundamental human rights, including the promotion of democratic governance, the rule of law as well as reducing inequalities, social inclusion and economic development. While an enabling human rights environment ensures free and genuine elections, fundamental rights and freedoms take on additional importance in relation to political participation and electoral processes. These rights and freedoms include the right to freedom of opinion and expression, incorporating the right of access to information, the right to peaceful assembly and association, freedom from discrimination and equal access to participation, freedom of movement, as well as the right to security of person, the right to a fair trial and an effective remedy and the right to education.⁹³

67. The International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights⁹⁴ and the International Convention on the Elimination of All Forms of Racial Discrimination,⁹⁵ all of which the Islamic Republic of Iran is a State party to, provide the framework for the right to participate in public affairs, as well as all associated rights. Article 25 of the International Covenant on Civil and Political Rights establishes the rights of all citizens without discrimination to participate in public affairs, including the right to take part in the conduct of public affairs, directly or through freely chosen representatives, the right to vote and to be elected at genuine periodic elections and the right to have access to public service.

B. Constitutional limitations

68. The Constitution of the Islamic Republic of Iran provides the right to participate in political and public life, including by its articles 3(8) and 6, and with various provisions providing for the rights to equality and non-discrimination, as well as the

⁹² Submission by OHCHR.

⁹³ See www.ohchr.org/sites/default/files/Documents/Issues/PublicAffairs/GuidelinesRightParticipatePublicAffairs_web.pdf, paras. 14–17.

⁹⁴ Arts. 8, 11 and 13.

⁹⁵ Art. 5 (c).

rights to freedom of opinion and expression and to freedom of peaceful assembly, and of association.⁹⁶

69. The Special Rapporteur regrets that the existing constitutional and political framework of the Islamic Republic of Iran presents considerable limitations, with the denial of the right to democratic participation in the political and public life for Iranian citizens. Existing constitutional and legislative provisions are subjected to politically engineered “Islamic criteria” or to the application of State ideology, which also results in the negation of the principles of rule of law, erosion of pluralisms and absence of democratic accountability. The failure to engage in a democratic dialogue and the inability to introduce incremental reforms have led to considerable public distrust. Instead of recognizing the democratic aspirations of the Iranian people, the authorities have increasingly resorted to instilling fear through repression and securitization tactics.⁹⁷

70. Governmental failures to ensure meaningful and inclusive political participation have resulted in generating stark inequalities among the Iranian people, who then resort to protests. These protests are put down violently, with peaceful protestors being harassed, injured, killed, arbitrarily arrested, detained, tortured and convicted. As noted earlier, Iranian women and girls have been subjected to gender-based targeting, exclusion and discrimination, whereas ethnic minorities face institutional discrimination and persecution. In the Islamic Republic of Iran, religious minorities, in particular those that have no constitutional recognition, are excluded from all platforms of democratic dialogue or reform.

71. The Constitution of 1979 (as amended in 1989), entrenches upon the State an Islamic political ideology imposing a form of government, known as *velayat-e faqih* (guardianship of the Islamic jurist), an ideology that has consolidated executive, legislative and judicial authority in the position of the Supreme Leader,⁹⁸ thereby negating the principle of separation of powers. Within this framework, while the Supreme Leader is not a popularly or democratically elected position and has no fixed term in office, he has been granted absolute sovereignty over the country and the Iranian people.⁹⁹

72. In addition to the Supreme Leader, other prominent public and political positions, including that of the President and the Parliament, reflect substantial limitations. As was evident in the presidential elections of June 2021 and the parliamentary elections of February 2020, the unelected Guardian Council rigorously vets candidates to ensure that only individuals loyal to the State ideology are allowed to stand in elections at all levels, consistently rejecting reformist, liberals and those perceived to be political opponents.¹⁰⁰ A similar pattern is pursued in excluding all reformist and democratic political parties through an arbitrary and restrictive use of the criteria laid out in article 26 of the Constitution. Such disqualifications and exclusions of reformist candidates has a deeply demoralizing impact on those seeking internal progressive reforms or political pluralism. Reformist and liberal public figures have suffered harassment and State repression and are subjected to arbitrary detentions and imprisonments on vague criminal charges.¹⁰¹ Vague and loosely defined provisions in the Penal Code of the Islamic Republic of Iran have been deployed to impose severe punishments, including the death penalty, lashings and

⁹⁶ See www.iranchamber.com/government/laws/constitution_ch03.php, arts. 19–26.

⁹⁷ Minority Rights Group International and Centre for Supporters of Human Rights, *Protests, Discrimination and the future of Minorities in Iran* (2022), p. 4.

⁹⁸ See www.iranchamber.com/government/laws/constitution_ch03.php, preamble and chap. VIII.

⁹⁹ See www1.essex.ac.uk/hri/documents/electoral-process-in-iran.pdf, pp. 6–14.

¹⁰⁰ See A/76/160, paras. 4–7; and A/75/213, para. 39.

¹⁰¹ See <https://freedomhouse.org/country/iran/freedom-world/2023>.

lengthy imprisonments, against political opponents and opposition or those engaged in the right to protest or seeking the right to freedom of expression.

C. Women and minorities in public participation and decision-making

73. Gender-based discrimination in matters of civil, political, social and economic rights continue to overshadow the remarkable advances the Islamic Republic of Iran has achieved in women's education and health. Regrettably, the representation of women in the political and governmental structures remains negligible.

74. The candidacy of a woman for the position of the President has never been accepted, and there are no female members of the Assembly of Experts or the influential Guardian Council.¹⁰² Women may not be appointed as adjudicating judges or serve as the head of the judiciary. Women can only participate as candidates in parliamentary elections provided they gain the trust of the Council of Guardians and prove their absolute loyalty to the *Velayat-e Faqih*.¹⁰³ In the February 2020 parliamentary elections, the Guardian Council disqualified 60 per cent of all female candidates, resulting in only 16 of the 290 parliamentary seats being won by women.¹⁰⁴

75. The Special Rapporteur expresses serious concerns at the discrimination and harassment of women of ethnic and religious minorities, with substantial denials of their right to participate in the political and public life of the Islamic Republic of Iran. Members of non-Persian ethnic minorities, and especially non-Shiite religious minorities, are rarely awarded senior governmental posts and their political representation remains negligible.¹⁰⁵ Exclusionary and discriminatory approaches, including restrictions placed on use of their linguistic and cultural rights, are evident in the consistent targeting and harassment of these communities and the underdeveloped infrastructure of their provincial homelands. Many activists from ethnic minorities communities are targeted or victimized, including with heavy jail sentences and, as noted in the present report, disproportionate level of executions.

D. The right to freedom of opinion and expression

76. The Constitution and legislation recognize the rights to freedom of opinion and expression provided that they are not exercised in a manner detrimental to fundamental Islamic principles or to the rights of the public,¹⁰⁶ with the 1985 Press Law requiring the press "to enjoin the good and forbid the evil", and to "promote the goals that are expressed in the Constitution". These vague, loosely defined directives have empowered the authorities to deploy heavy censorship of materials and suppress the publication of books, newspapers and all other forms of expression of which they disapprove.¹⁰⁷

77. The judiciary also reportedly continues to convict individuals who peacefully exercise their freedom of expression for crimes such as "propaganda against the State", "insulting" political or religious figures and harming "national security" and

¹⁰² See www.atlanticcouncil.org/blogs/iransource/will-iran-let-a-woman-run-for-president-in-2021/.

¹⁰³ See www.ilo.org/dyn/natlex/docs/ELECTRONIC/91816/108002/F33272715/IRN91816%20Eng.pdf, art. 28.

¹⁰⁴ See A/HRC/46/50, para. 55.

¹⁰⁵ See A/74/188, para. 62. See also submissions made to the Special Rapporteur, and <https://freedomhouse.org/country/iran/freedom-world/2023>.

¹⁰⁶ See www.iranchamber.com/government/laws/constitution_ch03.php, art. 24; and <https://president.ir/en/96865>, art. 26.

¹⁰⁷ See www.hrw.org/reports/1996/Iran.htm.

imposes heavy prison sentences. Judicial officials have continued to rely on the Islamic Penal Code, the 1986 Press Law, the Cybercrimes Law as well as the 2016 Political Crimes Law in restricting content that might damage the “foundation” of the Islamic Republic, offend government officials or religious figures, or undermine the Government’s definition of decency, or that meets their criteria for an affront to what they understand as religious and cultural values.

78. The Special Rapporteur is alarmed at the substantial crackdown on journalists and media workers, with threats – including in some cases death threats – as well as harassment, violence and intimidation. He is extremely concerned that such vicious attacks to silence journalists violate the fundamental rights of journalists and are a serious inhibition on the freedoms of expression and of the right to access information in order to allow for public participation, decision-making and to ensure democratic accountability. Such attacks also regrettably result in producing a “chilling effect” on the work of those journalists in the Islamic Republic of Iran and elsewhere who report on the country, and may deter them from reporting on issues, thereby directly engaging the right to participation in public and political life of public interest.

E. Internet disruption and online tracking

79. The authorities have continued to retain broad control of the Internet and social media platforms, restricting freedom of opinion and expression online. As demonstrated during the nationwide protests in November 2019 and since September 2022, Internet services have been heavily disrupted or blocked in the country, especially at the height of the protests.¹⁰⁸

80. On 19 October 2022, the Ministry of Information and Communication Technology reportedly announced that the Government was in the process of banning the sale of virtual private networks.¹⁰⁹ The criminalization and restriction of these networks raises concerns over the ability of individuals to circumvent shutdown measures.¹¹⁰ Social media platform and communication applications, including WhatsApp, Telegram and Instagram, should be seen as tools that enhance the freedom of opinion and expression, and access to information.

F. The right to freedom of assembly and association

81. The right to freedom of assembly is specified in the Constitution of the Islamic Republic of Iran, provided the exercise of that right is “not detrimental to the fundamental principles of Islam”.¹¹¹ Constitutional provisions have been interpreted by State authorities to persistently and systematically violate the fundamental right to freedom of assembly, making illegal even peaceful gathering and demonstrations, with frequent use of excessive lethal force against protestors.

82. The brutal repression of peaceful protesters has been evidenced on innumerable occasions, including between December 2017 and January 2018,¹¹² as well as in November 2019,¹¹³ in July 2021 – during the so-called “uprising of the thirsty”,¹¹⁴

¹⁰⁸ See [A/HRC/52/67](#), para. 50.

¹⁰⁹ Ibid. See also [A/77/181](#), para. 67.

¹¹⁰ See [A/HRC/50/55](#), para. 5.

¹¹¹ See [www.iranchamber.com/government/laws/constitution_ch03.php](#), art. 27.

¹¹² See [A/HRC/37/68](#), paras. 3–5; and [www.ohchr.org/en/press-releases/2018/01/iran-un-experts-urge-respect-protesters-rights?LangID=E&NewsID=22574](#).

¹¹³ See [A/HRC/43/61](#), paras. 5–9; and [A/75/213](#), paras. 4–26.

¹¹⁴ See [A/HRC/49/75](#), para. 9; and [www.en-hrana.org/wp-content/uploads/2021/11/Uprising-of-the-Thirsty-FINAL-for-upload.pdf](#).

during protests of teachers and labour rights defenders in 2022,¹¹⁵ and during the protests that started in September 2022.¹¹⁶ The protests reflect widespread discontent related to the economic situation, as well as the underlying demands for economic, political and social reforms, including gender equality in laws and practices, the recognition of minority rights, the right to freedom of expression, the right to peaceful demonstrations and protests and the right to form and join political parties. The State responses have represented a pattern of brutality, with the use of excessive, unlawful lethal force by State authorities. There has also been a complete absence of investigations and accountability for the role of the State and killings of protesters.

83. Serious concerns persist about laws and practices that restrict or violate the rights to free association and peaceful assembly in the Islamic Republic of Iran. Insufficient protections for these rights continue to compromise the independence of political and labour groups, including trade unions. The Labour Code permits worker representation only through an Islamic labour council or a trade association (guild society).¹¹⁷ Candidates for elections to Islamic labour council boards have to undergo severe screening procedures, which include demonstrating their Islamic beliefs, “practical allegiance” to Islam, as well as faithfulness to the principle of the rule of the Islamic jurist, namely, the Supreme Leader.¹¹⁸

84. Despite the issuance in February 2023 of a joint charter of “minimum demands” by 20 independent Iranian unions and other organizations,¹¹⁹ labour rights activists, protesting teachers and other activists have faced the worst forms of repressions, including arrests, ill-treatment and torture. In recent months, hundreds of teachers and labour rights activists have reportedly been threatened, summoned to court or dismissed from their employment because of their trade union activities, with over 50 union leaders and at least 15 teachers imprisoned as of February and June 2023, respectively.¹²⁰

85. A significant deterioration has been observed in the situation of persons exercising their right to participate and accompanying rights, including to freedom of opinions and expression, or carrying out their activities as human rights defenders, as well as lawyers, teachers, labour rights and minority rights activists, with high numbers of arbitrary arrests, detentions, executions and killings. The innumerable reports received by the Special Rapporteur establish that the rights to freedom of opinion and expression and to participate are under serious threat. He reiterates that, from a human rights perspective, the Islam Republic of Iran is dangerously lacking in basic safeguards and therefore vulnerable to widespread human rights abuses, as demonstrated in the present report. It is certain that there will be no change in the continuing pattern of human rights violations until safeguards of basic freedoms are ensured by State authorities and are enforced by law.

¹¹⁵ See [A/77/181](#), paras. 57 and 58.

¹¹⁶ See [A/HRC/52/67](#), paras. 6–62.

¹¹⁷ See www.ilo.org/dyn/natlex/docs/MONOGRAPH/21843/134132/F1308606019/IRN21843%20Eng2.pdf, sect. 130.

¹¹⁸ See www.ilo.org/dyn/natlex/docs/ELECTRONIC/91492/106123/F-1484752751/IRN91492.pdf, article. 2 (available in Farsi only); and [A/72/322](#) and [A/72/322/Corr.1](#), para. 39.

¹¹⁹ See <https://iranwire.com/en/politics/113866-iranian-trade-unions-civic-groups-issue-charter-of-minimum-demands/>.

¹²⁰ See Swedish Trade Union Confederation, *Woman, life, freedom – and trade unions* (Stockholm, 2023), p. 5; and submissions to the Special Rapporteur.

V. Recommendations

86. The Special Rapporteur recommends that the Supreme Leader, the Government, the judiciary and Parliament, as appropriate:

(a) Accept full responsibility for the death in police custody of Jina Mahsa Amini and take immediate appropriate remedial actions; conduct an independent, impartial, thorough, effective, credible and transparent investigation into her death; and ensure that all perpetrators responsible are held accountable;

(b) Undertake prompt, independent and impartial investigations into the killings of protesters, as well as into acts of violence, including torture, enforced disappearances and arrests, that have taken place in the context of the nationwide protests since 16 September 2022; immediately end all forms of violence, arbitrary arrests and detentions of protesters; and identify and apprehend all those suspected of criminal and violent acts against protesters and ensure that all perpetrators responsible are held accountable;

(c) Immediately end all forms of violence, including sexual violence and harassment of girls and women protesters, and prevent the poisoning of girls in schools; conduct immediate, independent and impartial investigations into acts of violence against, the targeting of and discrimination against girls and women; immediately take concrete steps to apprehend and punish all those involved in violent crimes against girls and women and the poisoning of girls in schools; eliminate in legislation and in practice all forms of discrimination and other violations against women and girls; and ratify the Convention on the Elimination of All Forms of Discrimination against Women;

(d) Immediately abolish, through legislation, the death penalty for all offences and, pending abolition of the death penalty, impose an immediate moratorium on executions, including on executions for drug offenders and those sentenced to death in the context of protests, and commute all death sentences;

(e) Urgently amend legislation to prohibit the execution of persons who committed a crime while under the age of 18 years; and urgently amend legislation to commute all death sentences for child offenders on death row;

(f) Repeal all laws and regulations that impose mandatory dress code and abolish all regulations and procedures whereby women's dress or behaviour in public or private life are monitored or controlled by state agencies; and immediately dismantle the morality police or any State machinery enforcing the hijab;

(g) Ensure that everyone is allowed to participate in lawful and peaceful assemblies and to participate without discrimination in the public affairs, including having the right to take part in the conduct of public affairs, the right to vote and to be elected at genuine periodic elections and the right to have access to public services, in accordance with articles 21 and 25 of the International Covenant on Civil and Political Rights;

(h) Ensure that all persons accused of any crime have the right to a fair trial and due process, fully in accordance with article 14 of the International Covenant on Civil and Political Rights, including with access to a lawyer of their choosing during all stages of the judicial process; and end the use of torture-induced confessions as the basis for convictions and death sentences;

(i) Ensure that human rights defenders, including women human rights defenders, and human rights lawyers and journalists are not threatened with or

subjected to intimidation, harassment, arbitrary arrests, deprivation of liberty or other arbitrary sanctions, and release all those detained in connection with their work;

(j) Immediately release all dual and foreign nationals arbitrarily detained in the Islamic Republic of Iran;

(k) Ensure that all individuals within its territory and subject to its jurisdiction are treated equally before the law without distinction of any kind, such as on the basis of race, sex, language, religion, sexual orientation or political or other opinion;

(l) Protect the rights of all persons belonging to ethnic, religious and sexual minorities; and eliminate all forms of discrimination against those persons and release all those imprisoned for exercising their right to freedom of religion or belief, for exercising their culture or for the use of their language;

(m) Take all measures necessary to mitigate the effects of sanctions; meet the Government's economic and social rights obligations, including on the protection of vulnerable groups; and establish transparent financial mechanisms to ensure that trade in medicines and other essential humanitarian items continues;

(n) Restore full cooperation and engagement with the mandate holder of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, including by permitting him to conduct missions to the country; and cooperate fully with the independent international fact-finding mission on the Islamic Republic of Iran.

87. The Special Rapporteur recommends that the international community:

(a) Continue to apply targeted sanctions on organizations and individuals that carry out serious violations of human rights and make full use of the principle of universal jurisdiction to ensure accountability for perpetrators of human rights violations and crimes under international law;

(b) Support Iranian people by further enhancing provisions for access to the Internet.

88. The Special Rapporteur urges the international community to call for accountability with respect to long-standing emblematic events that have been met with persistent impunity, including the enforced disappearances and summary and arbitrary executions of 1981 and 1988 and the protests of November 2019.

89. The Special Rapporteur urges States imposing sanctions on the Islamic Republic of Iran to ensure that measures such as humanitarian exemptions are given broad and practical effect and are promptly and effectively implemented to minimize the adverse consequences of sanctions on human rights.