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Situation of human rights in the Islamic Republic of Iran

Report of the Secretary-General*

Summary

The present report is submitted pursuant to General Assembly resolution 77/228, in which the Assembly requested the Secretary-General to submit an interim report on the situation of human rights in the Islamic Republic of Iran to the Human Rights Council at its fifty-third session.

* The present report was submitted after the deadline so as to include the most recent information.



I. Introduction

1. The present report is submitted pursuant to General Assembly resolution 77/228, in which the Assembly requested the Secretary-General to submit an interim report on the situation of human rights in the Islamic Republic of Iran to the Human Rights Council at its fifty-third session. The report covers the period between 1 August 2022 and 15 April 2023.
2. The report contains information from the Government of the Islamic Republic of Iran, non-governmental and media organizations and submissions received by the Office of the United Nations High Commissioner for Human Rights (OHCHR). It also draws on observations of United Nations human rights mechanisms.
3. The Government continued to engage with OHCHR and the United Nations human rights mechanisms during the reporting period. The Secretary-General acknowledges the comments provided by the Government in response to the present report. However, substantive engagement on the State's obligations under international human rights law remained limited and the level of implementation of recommendations from international human rights mechanisms remained low.
4. During the reporting period, the overall human rights situation in the Islamic Republic of Iran deteriorated markedly. Against the backdrop of continuously worsening socioeconomic conditions, aggravated by sanctions and the persistent impact of the coronavirus disease (COVID-19) pandemic (described in more detail in previous reports¹ of the Secretary-General), the country experienced nationwide protests following the death of 22-year-old Jina Mahsa Amini on 16 September 2022, three days after she had fallen into a coma in police custody (see also para. 57 below).² The protests, which occurred to various degrees in the country's 31 provinces, brought to the forefront the underlying grievances of the population, including institutionalized discrimination against women and girls, as well as that against minorities. According to information received by OHCHR, security forces used disproportionate force, and arbitrary detention of protestors, activists, human rights defenders and lawyers significantly increased during the reporting period. The existing national justice and accountability mechanisms remained ineffective in addressing allegations of violations and victims' grievances, which has perpetuated a sense of impunity, particularly in relation to women and minorities who continue to face discrimination and economic marginalization.
5. On 24 November 2022, the Human Rights Council convened a special session on the deteriorating situation of human rights in the Islamic Republic of Iran, especially with respect to women and children, and adopted resolution S-35/1, establishing an independent international fact-finding mission with a mandate to investigate alleged human rights violations in the country related to the protests that began on 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.

II. Overview of the human rights situation in the Islamic Republic of Iran

A. Excessive use of force

6. Since nationwide protests erupted in September 2022, information received by OHCHR indicates that security forces intentionally used disproportionate force, including lethal force, against protestors in various parts of the country. Incidents involving the use of force that reportedly resulted in human rights violations were higher in areas in which protests were more significant and sustained, including in the capital, Tehran, Kurdish regions in the north-west and the Sistan va Baluchestan Province in the south-east. In addition to the anti-riot police (*yeganeh vize*), which is the only entity authorized under Iranian law to respond

¹ [A/75/287](#), para. 40; and [A/76/268](#), paras. 46–53.

² [A/HRC/52/67](#), para. 6. See also paragraph 55, below.

to and manage protests using less-lethal means, other security forces, including the Basij paramilitary force and plain-clothes security agents, were reportedly heavily deployed in some areas.³

7. Analysis of available information shows that security forces possibly used a variety of firearms in the context of protests, including handguns, assault rifles and in some cases automatic weapons against predominantly peaceful protests. Tear gas and batons were also used. In many of the cases analysed, OHCHR found that the use of lethal force was unwarranted, as security forces or other individuals were not facing an imminent threat to their lives or serious bodily integrity, which is the standard set by international human rights law,⁴ raising concerns of unlawful killing of protestors. Reports indicated that shots to the eyes of women, men and children by security forces were particularly common during protests, resulting in the loss of sight.⁵

8. The Government noted that it operated according to a well-established system in responding to unrest using a series of measures favouring restraint and negotiations and the use of less-lethal means of control, including water cannons, paintball markers and tear gas. It added that gatherings were not predominantly peaceful as some individuals affiliated with “terrorist groups, certain foreign countries and Persian-language media outlets abroad” perpetrated violence and caused significant damage to public and private property and endangered citizens’ lives.⁶ The Government added that dozens of security officers were killed as a result of the attacks by those individuals and that firearms were used “for legitimate self-defence or in defence of others when deemed necessary to save lives”.⁷ However, information analysed by OHCHR suggests that adequate precautions were not taken to minimize injury and preserve human life, particularly in the context of large-scale security operations.

9. As stated by the Human Rights Committee, law enforcement officials should recognize that isolated acts of violence by some participants should not be attributed to others, to the organizers or to the assembly as such; and thus some participants in an assembly may be covered by the right of peaceful assembly, while others in the same assembly are not.⁸ The Human Rights Committee has also stated that law enforcement officials should seek to de-escalate situations that might result in violence, noting that they are obliged to exhaust non-violent means and to give prior warning if it becomes absolutely necessary to use force, unless doing either would be manifestly ineffective.⁹ Furthermore, according to the general provisions of the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials in cases in which lawful use of force is unavoidable, law enforcement officials should, *inter alia*, “exercise restraint in such use and act in proportion to the seriousness of the offence and the legitimate objective to be achieved”.¹⁰ As stated by the Human Rights Committee, firearms are not an appropriate tool for the policing of assemblies. Any use of firearms by law enforcement officials in the context of assemblies must be limited to targeted individuals in circumstances in which it is strictly necessary to confront an imminent threat of death or serious injury.¹¹

10. Excessive use of force by security forces was documented in several cities, including Divandarreh, Garmsar, Hamadan, Kerman, Marivan, Mashhad, Mehrshahr, Rasht, Saqqez, Sanandaj, Shiraz and Tehran.¹² There were a number of incidents in which the use of force by security forces reportedly led to the death of numerous protestors and bystanders in the

³ Submission to OHCHR.

⁴ Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.

⁵ See <https://iranhumanrights.org/2023/02/iran-scores-blinded-as-security-forces-aim-guns-at-protesters-eyes>.

⁶ Report by the High Council for Human Rights of the Islamic Republic of Iran.

⁷ *Ibid.*

⁸ Human Rights Committee, general comment No. 37 (2020), paras. 17–20; see also OHCHR, “United Nations human rights guidance on less-lethal weapons in law enforcement” (United Nations publication, 2020), para. 6.3.2.

⁹ Human Rights Committee, general comment No. 37 (2020), para. 78.

¹⁰ Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, para. 5 (a).

¹¹ Human Rights Committee, general comment No. 36 (2019), para. 12.

¹² Submission to OHCHR.

context of protests, amounting to human rights violations. On 30 September 2022, in the city of Zahedan in the Sistan va Baluchestan Province, security forces reportedly fired live ammunition, tear gas and metal pellets at protestors after Friday prayers killing dozens, including 15 children, and injuring hundreds, making it potentially the deadliest single incident in the context of the protests.¹³ Just prior, many had taken to the streets to protest against the death of Ms. Amini and the alleged rape of a 15-year-old Baluchi girl by the local police chief.¹⁴ Some of the footage analysed by OHCHR appeared to show security forces and other security elements in plain clothes firing indiscriminately from rooftops at a gathering of protestors.¹⁵ Many of those injured were reportedly denied treatment at hospitals because they did not possess Iranian identity documents.¹⁶ The Government noted that it had carried out a comprehensive official investigation into the incident. It alleged that, on the day of the incident, a group of people had attacked police station No. 16 in the city and that many innocent citizens had been killed as they had been caught in the crossfire between the attackers and defence forces.¹⁷ The Government stated that the investigation had concluded that the local security council had “accepted the negligence of some officers” and dismissed the commander of the Zahedan police force, while ordering compensation for the victims.

11. On 19 November 2022, security forces, reportedly including the Islamic Revolutionary Guard Corps, were deployed to the mainly Kurdish city of Mahabad after weeks of protests. Armoured vehicles patrolled the streets as security forces reportedly shot at protestors and buildings. Internet access was also shut down during the operation. Security forces reportedly killed dozens of individuals in the week leading up to and during the security operation.¹⁸

12. The Secretary-General reiterates that, as indicated by the Human Rights Committee, any use of force must comply with the principles of legality, necessity, proportionality, precaution and non-discrimination. The Secretary-General recalls that States have an obligation to investigate effectively, impartially and in a timely manner any allegation or reasonable suspicion of unlawful use of force.

B. Attacks by non-State actors

13. On 26 October 2022, three armed men opened fire at the Shah Cheragh Shrine in the city of Shiraz resulting in the death of at least 15 persons, including women and children, and injuring 30 others. Da’esh claimed responsibility for the attack. The Secretary-General strongly condemned “the terrorist attack” against persons exercising their right to practise their religion.¹⁹ Two individuals were found guilty of *fesad fil-arz* (corruption on earth) and “taking action against national security” for their involvement in the attack. On 18 March 2023, they were sentenced to death.

C. Death penalty and arbitrary deprivation of life

14. According to the information received, it is estimated that 582 people were executed in 2022, marking a 75 per cent increase compared with 2021, in which 333 people were reportedly executed. There were three children among those executed in 2022. Of the total number of executions, 256 (44 per cent) were for drug-related offences, marking a 6 per cent

¹³ Ibid.

¹⁴ Ibid.

¹⁵ See www.nytimes.com/2022/10/14/world/middleeast/iran-zahedan-crackdown.html.

¹⁶ Many members of the Baluchi minority are stateless and lack Iranian identity cards. The process for obtaining identity cards is complex and long. Many Baluchis had their identity cards revoked because State institutions suspected that they came from Pakistan and Afghanistan where there are also Baluchi minorities. That undermines a host of rights – particularly, access to education and health.

¹⁷ Report by the High Council for Human Rights of the Islamic Republic of Iran.

¹⁸ Submission to OHCHR.

¹⁹ See www.un.org/sg/en/content/sg/statement/2022-10-26/statement-attributable-the-spokesperson-for-the-secretary-general-attack-shah-cheragh-holy-shrine-shiraz-iran.

increase in executions for drug-related offences compared with the previous year.²⁰ That marks the highest rate of drug-related executions in the country since 2017. It is estimated that 15 persons were executed under security-related charges, while 288 individuals were executed for murder charges, of whom 16 were women.²¹ At least 273 of the executions in 2022 were based on death sentences issued by the revolutionary courts.²²

15. The numbers of those executed from minority communities remain disproportionately high, particularly for drug-related or security-related crimes.²³ One third of those executed in 2022 belonged to the Baluchi minority, who also accounted for half of drug-related executions.²⁴ At least 16 Afghan nationals were executed in 2022, representing a threefold increase compared with the previous year.²⁵ In 2023, during January and February alone, at least 94 individuals were executed, marking a rise in executions compared with the same period in 2022.²⁶

16. Four people were executed for their involvement in the nationwide protests. On 8 December 2022, 22-year-old Mohsen Shekari was executed after being charged with *muharaba*²⁷ (enmity against God) and accused of wielding a knife with the intention of creating terror and killing and causing injury to a Basij officer on duty. He was also accused of blocking a street in the capital on 25 September 2022. His confession, which appeared to have been forced, was aired on television after his execution.²⁸ Four days later, Majidreza Rahnavard was executed after also being charged with *muharaba* 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 a revolutionary court. His confession also appeared to have been forced; his left hand was bandaged, suggesting that he may have been subjected to torture and ill-treatment.²⁹

17. On 7 January 2023, Mohammad Mehdi Karami and Seyed Mohammad Hosseini were executed after their conviction for *fesad fil-arz* and for the killing of a Basij officer in the city of Karaj on 3 November 2022. The Government claimed that both Mr. Karami and Mr. Hosseini had attacked and killed a Basij officer who was removing debris from a road blocked by protestors on 3 November 2022. It stated that “both defendants confessed to their crimes while fair trial standards were fully observed”.³⁰ It added that a lawyer was provided by the court to represent the defendants, given that they did not have legal counsel.

18. In those four cases, the defendants’ due process and fair trial rights were reportedly not respected.³¹ Many of the trials relied on confessions, which were allegedly obtained under duress, including torture. Furthermore, confessions were often aired on television before legal proceedings had taken place. Additionally, it appeared that many of those convicted had not been given an opportunity to prepare and present a defence, given that in many cases the trials were concluded in a single day, and defendants were unable to retain lawyers of their choosing, but were required to accept court-appointed lawyers. According to the Human Rights Committee, the violation of fair trial guarantees in proceedings that result in the imposition of the death penalty renders the sentence arbitrary in nature and in violation of the right to life.³² The United Nations High Commissioner for Human Rights noted that the death penalty and criminal proceedings in the Islamic Republic of Iran were “being weaponized”

²⁰ Submission to OHCHR.

²¹ Ibid.

²² Ibid.

²³ See www.amnesty.org/en/latest/news/2022/12/iran-public-execution-of-majidreza-rahnavaard-exposes-authorities-revenge-killings.

²⁴ Submission to OHCHR.

²⁵ Ibid.

²⁶ See www.amnesty.org/en/latest/news/2023/03/iran-chilling-execution-spree-with-escalating-use-of-death-penalty-against-persecuted-ethnic-minorities.

²⁷ Penal Code, art. 279.

²⁸ See www.bbc.com/news/world-middle-east-63900099.

²⁹ See www.amnesty.org/en/latest/news/2022/12/iran-public-execution-of-majidreza-rahnavaard-exposes-authorities-revenge-killings.

³⁰ Report by the High Council for Human Rights of the Islamic Republic of Iran.

³¹ Submission to OHCHR.

³² Human Rights Committee, general comment No. 36 (2019), para. 41.

by the Government to punish individuals participating in protests and strike fear into the population.³³

19. Since the execution of the four individuals, an additional 19 persons have been sentenced to death in the context of the protests and are considered at imminent risk of execution.³⁴ In some cases, appeals have been reportedly granted by the Supreme Court.³⁵ In addition, information received indicates that there are currently 100 individuals who face charges that carry the death penalty in relation to the protests. They are predominantly from Khuzestan, Sistan va Baluchestan and Tehran Provinces.

20. The Secretary-General reiterates his concern at the high number of death penalty sentences and executions, the inclusion in Iranian law of the death penalty for a range of acts and the imposition of the death penalty in violation of fair trial standards. Those concerned include persons that were children at the time the offences were committed, persons convicted on drug-related charges not involving intentional killings and demonstrators subjected to expedited trials that failed to meet minimum due process and fair trial standards. The Secretary-General opposes the imposition of the death penalty in all circumstances.

D. Arbitrary detention and conditions in detention

21. The Secretary-General is alarmed by the scale of the arrests and detentions since the onset of the protests. According to information received, between 17 September 2022 and 8 February 2023, it is estimated that 20,000 individuals have been arrested and detained for supporting or participating in the protests.³⁶ Many women who have expressed their public support for the protests by dancing or removing their veil (hijab) have reportedly faced arbitrary arrest.³⁷ Such arrests have allegedly taken place at protest sites, homes, workplaces and academic institutions. In many instances, individuals claimed that they were not informed of the reason for their arrest and some were subsequently released without charge or released on bail. On 22 September 2022, the head of the judiciary reportedly stated that those arrests were “preventative detentions”.³⁸

22. The Secretary-General is concerned by reports of security forces using disproportionate force³⁹ while arresting individuals, despite a directive issued on 22 September 2022 by the Commander-in-Chief of Law Enforcement Command in which he called for “maximum self-restraint” and that prohibited acts of violence, unlawful detention and entering universities.⁴⁰ For example, on 2 October 2022, riot police, some in plain clothes, barricaded the Sharif University of Technology in Tehran to prevent students from exiting the premises and protesting outside the university premises. Dozens of students were reportedly arrested as part of the operation, in which the police allegedly used batons and tear gas against them.⁴¹

23. Many of those arrested in relation to the protests were charged with offences under the Penal Code, including 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”.⁴² Other serious charges include *fesad fil-arz* and *muharaba*, which are punishable by death.

³³ See www.ohchr.org/en/press-releases/2023/01/respect-lives-voices-iranians-and-listen-grievances-pleads-un-human-rights.

³⁴ Submission to OHCHR.

³⁵ See <https://iranhr.net/en/articles/5714>.

³⁶ Submission to OHCHR.

³⁷ Submission to OHCHR.

³⁸ See <https://iranhumanrights.org/2022/10/iran-protests-scores-of-civil-society-members-detained-preventatively>.

³⁹ Submission to OHCHR.

⁴⁰ Report by the High Council for Human Rights of the Islamic Republic of Iran.

⁴¹ See www.bbc.com/news/world-middle-east-63111767.

⁴² Submission to OHCHR.

24. In some instances, individuals were arrested or detained for actions or behaviour that, when committed, did not constitute crimes under Iranian law. For example, Parviz Broumand, a former player for the national football team, was temporarily detained on 15 November 2022 for “leading riots”,⁴³ which at that time was not a statutory criminal offence,⁴⁴ but was only contained in article 60 of a Bill on Discretionary Punishments,⁴⁵ which had been proposed by a number of parliamentarians in October 2022 and which remains under discussion in parliament.⁴⁶ There are concerns that if it passes into law, article 60 would further criminalize the exercise of the right of peaceful assembly by introducing a new crime of organizing or leading a demonstration, assembly, strike or sit-in.⁴⁷

25. On 6 November 2022, parliament approved a resolution urging the judiciary to impose harsh penalties, including executing “rioters”, arguing that doing so would “serve as a good lesson in the shortest possible time” and would “act as a deterrent to others”.⁴⁸

26. The authorities have insisted that individuals were not arrested for simply exercising their rights to peaceful assembly and to freedom of expression, but for violent acts committed in the context of the protests. However, OHCHR considers that the scale and circumstances of the arrests, including the use of force and the conditions of detention, cumulatively, appear to suggest that they were deliberately intended to punish, intimidate and silence individuals for the exercise of their fundamental rights.

27. On 5 February 2023, the Supreme Leader of the Islamic Republic of Iran granted pardons, or reduced prison sentences, to those arrested, detained or prosecuted, including in the context of the protests. Subsequently, in March 2023, the head of the judiciary announced that 22,000 individuals arrested during the protests had been pardoned.⁴⁹ While this is a notable step, OHCHR is yet to receive information on how the decree was implemented and whether all of those arrested in the context of the protests were released. Furthermore, it is concerning that some individuals were released on bail while others were rearrested.

28. It is particularly concerning that individuals arrested on “national security” charges punishable by death sentences were reportedly denied the right to appoint a legal counsel of their own choosing, and were required to select one from a list of court-appointed lawyers, as provided for in an explanatory note to article 48 of the Code of Criminal Procedure.⁵⁰ Pursuant to article 14 (3) (d) of the International Covenant on Civil and Political Rights, to which the Islamic Republic of Iran is a State party, all persons charged with a criminal offence have a right to defend themselves in person or through legal assistance of their own choosing. Furthermore, OHCHR received reports pointing to court-appointed lawyers setting extortionate fees, refusing to visit their clients and inadequately representing them. As stated by the Human Rights Committee, it is the duty of all public authorities to refrain from prejudging the outcome of a trial, including by abstaining from making public statements affirming the guilt of the accused. The media should also avoid news coverage undermining the presumption of innocence.⁵¹

29. There have been numerous allegations of torture and ill-treatment of individuals by the security forces during arrests and interrogations to extract forced confessions.⁵² There are also serious allegations of sexual and gender-based violence committed against women, men

⁴³ See <https://iranwire.com/en/sports/111255-iranian-athletes-who-join-stir-face-death-arrest-heavy-sentences>.

⁴⁴ See www.tlabproject.org/blog/iranian-law-and-judicial-practice-towards-protestors-from-the-women-life-freedom-movement.

⁴⁵ See paras. 38 and 42, below.

⁴⁶ Submission to OHCHR.

⁴⁷ Article 60 provides that: “If the person leads [such demonstrations, assemblies, strikes or sit-ins] they shall be sentenced to an imprisonment sentence of degree three or four [between 5 and 15 years].”

⁴⁸ See <https://www.irna.ir/news/84934370-درخواست-۲۲۷-نماینده-مجلس-از-قوه-قضائیه-برای-برخورد-قاطع-با-تحریک-کنندگان> (in Persian).

⁴⁹ See <https://en.irna.ir/news/85056317/22k-Iranian-prisoners-related-to-recent-riots-pardoned>.

⁵⁰ Submission to OHCHR.

⁵¹ Human Rights Committee, general comment No. 32 (2007), para. 30.

⁵² Submission to OHCHR.

and children, particularly in detention.⁵³ In some instances, protestors were allegedly forcibly disappeared. The use of incommunicado and solitary confinement was also reported. For example, Toomaj Salehi, an Iranian rapper who was arrested on 30 October 2022, was accused of *fesad fil-arz* in connection with his music and online activities perceived to be critical of the authorities. Reports received alleged that Salehi was held in prolonged solitary confinement and might have been subjected to torture and ill-treatment.⁵⁴

30. Prison conditions in the Islamic Republic of Iran remain of serious concern as highlighted in previous reports of the Secretary-General, including the denial of medical care, dire sanitary conditions, contaminated drinking water, overcrowding and the lack of independent oversight.⁵⁵ A member of parliament stated on 19 October 2022 that, due to the high number of detainees in the Greater Tehran Central Penitentiary, the prisoners were living in unacceptable and difficult conditions.⁵⁶ It is likely that the overcrowding has been exacerbated by the large-scale arrests made since the start of the nationwide protests. The difficult conditions in detention compelled some prisoners to resort to hunger strikes, as observed in a previous report.⁵⁷ In January 2023, 15 Iranian women in the Kachoui prison, who had been detained in the context of the protests, went on hunger strike to protest against the conditions of their imprisonment, including the lack of medical care.⁵⁸

31. On 15 October 2022, a fire broke out in a section of the Evin prison in Tehran, where a number of human rights defenders and political prisoners are held. The authorities reported that the prisoners in ward seven of Evin prison had intentionally set fire to a sewing workshop, which subsequently engulfed the ward.⁵⁹ Although details of the incident remain unclear, there were alarming reports of shootings that occurred before the fire broke out and of anti-riot police allegedly using tear gas, metal pellets and batons on prisoners.⁶⁰ The authorities confirmed that 8 prisoners had died due to “smoke inhalation caused by the fire” while 61 others sustained fire-related injuries.⁶¹ The facility had been the subject of previous allegations of torture and ill-treatment, particularly of political prisoners and human rights defenders. The events at Evin prison raise serious concerns regarding possible intentional lethal use of force and firearms by security forces in cases in which it might not have been strictly unavoidable to protect life, which authorities should investigate thoroughly and transparently.

E. Freedom of opinion and expression and access to information

32. Since the onset of protests, respect for the rights to freedom of opinion, expression and information has deteriorated markedly in law and in practice. Reportedly, a significant proportion of the arrests made in the context of the protests were for exercising the right to freedom of opinion and expression online and offline.⁶² During the reporting period, more than 70 journalists were arrested,⁶³ of whom 25 were women.⁶⁴ As of January 2023, at least 16 of those journalists remained imprisoned.⁶⁵ It is deeply concerning that they received harsh

⁵³ See www.amnesty.org/en/latest/news/2022/09/iran-leaked-documents-reveal-top-level-orders-to-armed-forces-to-mercilessly-confront-protesters.

⁵⁴ See www.amnesty.org.uk/urgent-actions/14-people-sentenced-death-relation-protests; and <https://iranhumanrights.org/2023/04/imprisoned-dissident-rapper-toomaj-salehi-voice-of-irans-protests-faces-possible-execution>.

⁵⁵ A/75/287, para. 29; A/76/268, para. 13; and A/77/525, paras. 16–23.

⁵⁶ See <https://kalanshahr.ir/news/i/26828> (in Persian).

⁵⁷ A/77/525, paras. 20 and 21.

⁵⁸ See www.rferl.org/a/iran-women-launch-hunger-strike-prison-conditions/32211043.html.

⁵⁹ Report by the High Council for Human Rights of the Islamic Republic of Iran.

⁶⁰ See www.amnesty.org/en/documents/mde13/6129/2022/en.

⁶¹ Report by the High Council for Human Rights of the Islamic Republic of Iran.

⁶² See www.justsecurity.org/83633/countering-irans-brand-of-digital-authoritarianism/; and www.accessnow.org/press-release/iran-mass-arrests-hrds.

⁶³ See <https://rsf.org/en/iranian-reporters-not-giving-after-six-months-protests-and-persecution>.

⁶⁴ See <https://rsf.org/en/everyday-occurrence-iran-three-more-women-journalists-jailed-tehran-marking-55-arrests-start>.

⁶⁵ Ibid.

prison sentences, ranging from 12 months to 18 years, as well as travel bans and suspension of their work permits, for their journalistic activities.

33. During the reporting period, 44 per cent of journalists detained were women, which represents a 4 per cent increase in comparison with the 2019 protests.⁶⁶ Journalists Niloofar Hamed and Elahe Mohammadi have been detained since October 2022 on espionage-related charges stemming from their reporting on the death of Ms. Amini. On 28 January 2023, journalist Nazila Maroofian was sentenced to two years in prison, fined 15 million rials (approximately \$355) and subjected to a five-year travel ban after being charged with “propaganda against the State” and “spreading false news”, following the publication of her interview with Ms. Amini’s father, in which he denied that his daughter had health issues that would have caused her death.⁶⁷

34. The authorities continued to retain broad control over the Internet and the digital space and intensified online censorship. Since 21 September 2022, access to some social media and messaging platforms remains banned.⁶⁸ The Government stated that those restrictions were temporary, with the aim of maintaining public order.⁶⁹ Frequent Internet shutdowns were reported in several locations on most days of the protests, limiting access to information, including to essential public services, and the ability to conduct economic activities online. The authorities also resorted to curbing the use of virtual private networks. Reports received indicate that, in many instances, the cities in which Internet shutdowns were most extreme were those that saw an intensified use of lethal force by State security forces.⁷⁰ Those include Zahedan, in Sistan va Baluchestan Province, and Sanandaj and Saqqez, in Kordestan Province – all predominantly populated by Kurdish and Baluchi ethnic minorities.⁷¹ Mobile Internet shutdowns are tantamount to a total Internet shutdown in those regions as most users rely on mobile connections to access the Internet. According to information received, those restrictions disproportionately affected, in particular, impoverished ethnic and national minority communities and areas with limited landline communications.⁷² Access to the Internet is widely recognized as an indispensable enabler of a broad range of human rights.⁷³ While Internet shutdowns deeply affect many human rights, they most immediately affect freedom of expression and access to information.

35. On 19 October 2022, the Ministry of Information and Communications Technology announced that the Government was in the process of criminalizing virtual private networks, one of the key elements of the user protection bill.⁷⁴ In his previous report, the Secretary-General warned that the partially adopted bill placed governance of Internet systems in the hands of security forces, eliminating and criminalizing the use of all virtual private networks and rendering all foreign Internet services unusable if foreign companies refused to adhere to the laws of the Islamic Republic of Iran.⁷⁵ Without virtual private networks, it is extremely difficult to access and share independent sources of information on the ground, including human rights reporting.

36. The Secretary-General is concerned by the use of administrative measures that so far have resulted in the shutdown or sanctioning of numerous media outlets and the detrimental effect this has had on independent reporting. On 20 February 2023, the Sazandegi newspaper was temporarily suspended by the Press Supervision Council, under the Ministry of Culture and Islamic Guidance, on charges of “publishing false content” and for “disturbing public opinion” under articles 5 and 6 of the national press law for an article on rising inflation. The

⁶⁶ See <https://rsf.org/en/unprecedented-number-women-journalists-are-now-detained-iran>.

⁶⁷ Ibid.

⁶⁸ See <https://rsf.org/en/iran-reins-access-instagram-and-whatsapp-last-platforms-available-iranians>.

⁶⁹ Report by the High Council for Human Rights of the Islamic Republic of Iran.

⁷⁰ Submission to OHCHR.

⁷¹ Ibid.

⁷² Ibid.

⁷³ Human Rights Council resolution 47/16; and A/66/290, para. 12.

⁷⁴ See <https://twitter.com/Way2PayMedia/status/1582643872165134336> (in Persian).

⁷⁵ A/HRC/50/19, para. 33.

suspension was overturned on 1 March 2023 by the prosecutor for media and culture, as the investigation did not find any content deemed unlawful.⁷⁶

37. In addition, the Ministry of Foreign Affairs of the Islamic Republic of Iran announced sanctions,⁷⁷ including asset freezes, against the London-based Persian-language broadcaster Iran International and BBC Persian on 19 October 2022, accusing the media outlets of inciting riots, providing false information and supporting terrorism by their coverage of the protests.⁷⁸

38. On 30 January 2023, a group of parliamentarians introduced a draft bill to add a provision to the Penal Code on discretionary punishments – article 512 bis.⁷⁹ The new article provides that anyone deemed to have a “professional or social status” and who spreads false information through various means, including through “interviews, articles, messages”, online or offline, regarding issues on which an official statement has not been made is committing a criminal offence. The punishment could include the death penalty if the defendant were to be convicted in conjunction with the charge of *fesad fil-arz*. If enacted, article 512 bis would amount to a violation of the right to freedom of expression, would further endanger journalists, human rights defenders, writers, actors and others deemed to “hold social status” and place them at increased risk of lengthy prison terms and would also likely further facilitate the application of the death penalty in such cases. Individuals may also be deterred from reporting on human rights violations fearing possible reprisals against them.

F. Human rights situation of women

39. Individuals from a wide cross section of society participated in the nationwide protests, with women and girls playing a prominent role. The protests, under the banner “Zan, Zendegi, Azadi” (“Women, Life, Freedom”), emphasized that women’s rights were central to the larger struggle for human rights in the Islamic Republic of Iran. Despite years of tireless activism by Iranian women demanding an end to deeply embedded discrimination against them in law and practice, the authorities have not only failed to address their grievances, but have also intensified the repression against them. Women and girls belonging to minority groups are particularly affected by the intersecting nature of discrimination.⁸⁰ On 14 December 2022, the Economic and Social Council adopted a resolution in which it expressed grave concern about the continuing gross and systematic violation of the human rights of women and girls in the Islamic Republic of Iran by the authorities and in which it decided to terminate the membership of the country in the Commission on the Status of Women effective immediately.⁸¹

40. During the reporting period, State policy has become more stringent in enforcing mandatory veiling, imposing harsher penalties that significantly affect the daily lives of women and girls. On 15 August 2022, the President of the Islamic Republic of Iran signed a decree for more rigorous enforcement of compulsory veiling. The decree includes the introduction of face recognition technology to monitor and fine unveiled women or to refer them for “counselling” and a mandatory prison sentence for any Iranian national who questions or publishes online content critical of compulsory veiling.⁸² In September 2022, the Secretary of the Headquarters for Promoting Virtue and Preventing Vice announced plans to use face recognition technology in public spaces to identify women who were non-compliant.⁸³

⁷⁶ See <https://rsf.org/en/rsf-denounces-reformist-daily-s-closure-iran>.

⁷⁷ See <https://www.al-monitor.com/originals/2022/10/iran-sanctions-bbc-persian>.

⁷⁸ Report by the High Council for Human Rights of the Islamic Republic of Iran.

⁷⁹ Submission to OHCHR. See also para. 24, above.

⁸⁰ United Nations Network on Racial Discrimination and Protection of Minorities, *Guidance Note on Intersectionality, Racial Discrimination and Protection of Minorities* (Geneva, OHCHR, 2022).

⁸¹ Economic and Social Council resolution 2023/2.

⁸² See www.bbc.com/news/world-middle-east-62984076.

⁸³ See www.theguardian.com/global-development/2022/sep/05/iran-government-facial-recognition-technology-hijab-law-crackdown.

41. On 10 January 2023, the Prosecutor General ordered the Law Enforcement Command to impose compulsory veiling “decisively”.⁸⁴ On 3 February 2023, the head of parliament’s legal and judicial commission announced that a draft bill was being considered to suspend the identity cards of women who refused to comply with compulsory veiling and to deny them banking services until they paid a fine.⁸⁵ On 27 March 2023, a member of parliament presented a plan to enforce compulsory veiling which, if implemented, would impose an extremely harsh fine on unveiled women.⁸⁶ On 1 April 2023, the head of the judiciary threatened to prosecute unveiled women “without mercy”.⁸⁷

42. Concerning measures were also taken at the legislative level. New draft provisions to the Penal Code are being considered in parliament to expand the scope of possible charges against women and girls for non-compliance, allowing imprisonment, flogging and other punishments.⁸⁸ Article 178 of the draft bill on discretionary punishments would enable judicial bodies to take women and girls who do not adhere to compulsory veiling into custody and to require them to sign a written document stating that they will not repeat the “offence”. Women who refuse to do so could face a number of punishments, including being placed under “supervision” for six months, a travel ban and expulsion from government or public positions. Article 180 of the draft bill imposes a responsibility on business owners, including of shops and restaurants, to enforce compulsory veiling, effectively policing women and girls in public spaces. Furthermore, the same draft article would subject women who work in the service sector to harsher punishments for non-compliance with compulsory veiling. For example, in March 2023, a video was published of a man pouring yogurt on two women while they were in a shop, which appeared to be his reaction to them for not adhering to compulsory veiling.⁸⁹

43. The Secretary-General is concerned by the failure to disband the morality police, which – as noted in his previous reports – is responsible, in great part, for subjecting women to verbal and physical harassment, as well as arrests, and for the closure of businesses deemed non-compliant with enforcing compulsory veiling.⁹⁰ At the time of writing, no official order confirming the disbandment of the morality police has been published.

G. Human rights situation of children

44. The authorities have acknowledged⁹¹ that a significant number of protesters were children. It has also been estimated that thousands of children may have been among those who were arrested.⁹² During the reporting period, at least 44 children, including 10 girls, were reportedly killed by the security forces using lethal force.⁹³ The highest number of deaths of children in the context of protests was reported in Sistan va Baluchestan Province, in which at least 10 children were killed.⁹⁴ The Secretary-General strongly denounces all forms of

⁸⁴ See www.isna.ir/news/1401102013051 دستور دادستانی کل کشور به پلیس برای برخورد با کشف حجاب (in Persian).

⁸⁵ See www.etemadonline.com/بخش-سیاسی-595117/9-بی-حجاب-ها-کارت-ملی-محرومیت-خدمات-اجتماعی (in Persian).

⁸⁶ See www.criticalthreats.org/analysis/iran-update-march-27-2023.

⁸⁷ See www.swissinfo.ch/eng/reuters/raisi-says-hijab-is-the-law-in-iran-as-unveiled-women-face-yoghurt-attack-/48410666.

⁸⁸ Submission to OHCHR.

⁸⁹ See https://twitter.com/iranintl_en/status/1641805731832778752?s=21&t=FWxZEwfVf_OzW_JWKWjhMg.

⁹⁰ A/77/525, para. 38; and A/HRC/47/22, para. 39.

⁹¹ See www.farsnews.ir/news/14010726000804 روایتی از ملاقات با جوانان دستگیر شده در اغتشاشات خدایا - را شکر یک نفر (in Persian).

⁹² See www.amnesty.org/en/latest/news/2023/03/iran-child-detainees-subjected-to-flogging-electric-shocks-and-sexual-violence-in-brutal-protest-crackdown.

⁹³ See www.amnesty.org/en/documents/mde13/6104/2022/en.

⁹⁴ See www.amnesty.org/en/latest/news/2022/10/iran-at-least-23-children-killed-with-impunity-during-brutal-crackdown-on-youthful-protests.

H. Human rights situation of minorities

49. In addition to the systemic discrimination and marginalization described in more detail in previous reports¹⁰⁴ of the Secretary-General, ethnic and religious minority communities were significantly affected in the context of the latest protests. The number of reported deaths among minorities appeared to be higher relative to the total population.¹⁰⁵ Death sentences appear to have been disproportionately imposed on individuals belonging to ethnic minorities, including members of the Baluchi, Arab and Kurdish minorities.¹⁰⁶ Latest figures indicate that, since the beginning of 2023, the authorities have executed at least 13 Baluchis, 1 Ahwazi and 14 Kurds.¹⁰⁷ The generally worsening economic conditions are compounded in regions predominantly populated by minority groups, which already suffer from chronic underdevelopment. The current protests also served as an opportunity for minorities to express discontent regarding persistent discrimination affecting a host of their fundamental rights. Conditions in the Sistan va Baluchestan Province continued to worsen, particularly in relation to health and medical infrastructure.¹⁰⁸ More than half of the population lives below the poverty line,¹⁰⁹ while an estimated 100,000 persons in the Province do not have official documents and are considered stateless. That prevents them from enjoying a range of human rights, such as accessing a host of State entitlements, including health services, education and social benefits, and the right to vote and the acquisition of a nationality.

50. During the reporting period, members of the Baha'i community, as well as Armenian and Assyrian Christians, continued to face discrimination, particularly in relation to their freedom to practise their religion. Many have been arrested on national security charges and had their places of worship raided. Many shops and businesses belonging to members of the Baha'i community have reportedly been closed, depriving many of them of their incomes.¹¹⁰ The rate of arbitrary arrests of members of minority communities has also reportedly increased in the context of recent protests.

I. Human rights defenders and lawyers

51. Scores of human rights defenders remain imprisoned while authorities continue to harass, arrest and prosecute those seeking accountability and justice. Hundreds of human rights defenders were arrested, summoned and interrogated in relation to the protests. According to information received, there was an upward trend in targeting human rights defenders, with at least 218 arrested or convicted between 16 September 2022 and 30 November 2022 in relation to the protests, double the number for 2021.¹¹¹ Lawyers representing protesters and human rights defenders have been targeted at an unprecedented rate. From 16 September 2022 to 10 January 2023, a total of 44 lawyers were arrested for their work; 27 of those have reportedly been released while the rest remain in detention.¹¹²

52. While the Secretary-General notes the release of 29 human rights defenders as of 17 February 2023, there are serious concerns about reports that hundreds of them remain deprived of liberty.¹¹³

¹⁰⁴ A/77/525, para. 4; and A/HRC/47/22, para. 41.

¹⁰⁵ See para. 4 above.

¹⁰⁶ See www.amnesty.org/en/latest/news/2023/03/iran-chilling-execution-spree-with-escalating-use-of-death-penalty-against-persecuted-ethnic-minorities.

¹⁰⁷ Ibid.

¹⁰⁸ Submission to OHCHR.

¹⁰⁹ See <https://iranwire.com/en/features/65841>.

¹¹⁰ Submission to OHCHR.

¹¹¹ Ibid.

¹¹² See <https://iranhumanrights.org/2023/01/iran-protests-at-least-44-defense-attorneys-arrested-since-september>.

¹¹³ See www.frontlinedefenders.org/en/statement-report/statement-iran-should-unconditionally-release-all-detained-human-rights-defenders.

III. Accountability

53. Domestic avenues for accountability remain weak and ineffective, particularly in addressing violations in the context of recent protests. While there have been some investigations into several incidents, most resulted in inconclusive outcomes with very few leading to the prosecution of alleged perpetrators. Similarly, after more than five months since the first incident of a school poisoning, the authorities have failed to prevent these attacks and to identify and hold accountable those responsible. While the Secretary-General notes the establishment of a national committee to investigate violations in relation to recent protests, information on the work of the committee is not publicly available. OHCHR requested but is yet to receive information regarding the outcome of the work of that committee.

54. The Secretary-General reiterates that effective mechanisms for accountability are essential to ensure justice for victims and their families and to ensure that their rights to truth, justice and reparation are respected. The lack of thorough, impartial, effective, independent and transparent investigations into all incidents potentially involving serious human rights violations also undermines trust in the judicial system.

55. In relation to circumstances surrounding the death of Ms. Amini, the Islamic Consultative Assembly's Special Investigation Committee issued a report¹¹⁴ in which it asserted that "there has been no assault or physical attack during the dealing with, transfer to and stationing of the deceased in the Public Security Police Headquarters". The report¹¹⁵ from the Legal Medicine Organization noted that Ms. Amini suffered from a disorder she developed after removing a brain tumour at the age of 8, leading to "decreased blood pressure and subsequently a reduced level of consciousness". Her death was diagnosed as cerebral hypoxia.¹¹⁶ Numerous reports, including eyewitness accounts, however, suggest that she was beaten – including on the head – by morality police during and after her violent arrest on 13 September 2022.¹¹⁷ She reportedly fell into a coma a few hours after her arrest and was transferred to the Kasra Hospital in Tehran. She died three days later. The lack of transparency in sharing information with the family after her death also raises serious concerns. Ms. Amini's father noted that he was prevented by medical staff from seeing his daughter's body and was only allowed to see it after it was wrapped for burial.

56. In relation to the reported deaths of children in the context of protests, the High Council for Human Rights noted that the authorities had carried out an initial investigation into these incidents, which included 23 children allegedly killed in the protests. However, the outcome of those investigations has yet to be made public.¹¹⁸

IV. Cooperation with international human rights mechanisms and the Office of the United Nations High Commissioner for Human Rights

A. Human rights treaty bodies

57. The Government has reiterated its commitment to engaging with international human rights mechanisms. The Islamic Republic of Iran has overdue reports to the Committee on Economic, Social and Cultural Rights, the Committee on the Rights of the Child and the Committee on the Rights of Persons with Disabilities.

¹¹⁴ Report by the High Council for Human Rights of the Islamic Republic of Iran.

¹¹⁵ Ibid.

¹¹⁶ Ibid.

¹¹⁷ See www.amnesty.org/en/documents/mde13/6060/2022/en.

¹¹⁸ Report by the High Council for Human Rights of the Islamic Republic of Iran.

B. Special procedures

58. In April 2023, the Human Rights Council renewed, through its resolution 52/27, the mandate of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran.

59. Between 1 August 2022 and 15 April 2023, special procedures issued 11 press releases and 20 communications on the situation of human rights in the Islamic Republic of Iran. The Government replied to 12 communications.

C. Office of the United Nations High Commissioner for Human Rights

60. The Secretary-General welcomes the dialogue between the Government and OHCHR and encourages the former to continue and enhance its engagement with the latter on substantive technical cooperation. The Executive Office of the Secretary-General and OHCHR raised concerns on several occasions with the Government about imminent executions, discrimination against women and girls and the issue of accountability.

V. Recommendations

61. **The Secretary-General urges the Government:**

(a) **To immediately halt the execution of all individuals, including those sentenced to death in the context of protests and for drug-related offences, and to refrain from further application of the death penalty;**

(b) **To abolish the death penalty and introduce an immediate moratorium on its use and prohibit the execution of child offenders in all circumstances and commute their sentences;**

(c) **To release immediately all persons detained arbitrarily, including women and girls, human rights defenders, lawyers and journalists, for legitimately exercising their rights to freedoms of opinion, expression, association and peaceful assembly;**

(d) **To ensure that Internet shutdowns are never applied as they inherently impose unacceptable consequences for human rights;**

(e) **To guarantee the right of peaceful assembly and ensure that security measures in relation to protests are carried out in line with international human rights norms and standards, including the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials;**

(f) **To uphold full respect for due process and fair trial rights in line with international standards, among others by ensuring that all defendants, including those accused of crimes against national security, have effective access to legal counsel of their choosing during the preliminary investigative stage and all subsequent stages of the judicial process;**

(g) **To ensure prompt, transparent and effective investigations by an independent and impartial body into allegations of the excessive and lethal use of force and firearms when not strictly unavoidable to protect life, including during protests, deaths in custody, torture or other ill-treatment and inadequate prison conditions; prosecute and hold accountable public officials, including law enforcement officials, for issuing or carrying out the relevant orders; and make the findings of investigations public;**

(h) **To take further steps to eliminate all forms of gender-based discrimination and violence against women and girls in law and in practice, including through the revision and repeal of laws and policies that criminalize non-compliance with compulsory veiling; and to implement urgently effective measures to respect and protect their fundamental human rights, in accordance with international norms and standards, and advance their equal and safe participation in public life;**

(i) To conduct independent, impartial, prompt, thorough and effective investigations into reported poisoning attacks on girls' schools with a view to hold the perpetrators to account, provide full reparations to the victims and guarantee the right to education without discrimination;

(j) To guarantee the rights to freedom of opinion, expression and peaceful assembly, including by reviewing the draft bill on discretionary punishments and the user protection bill, to ensure that any limitation to rights offline and online complies with the established criteria for permissible restrictions under international human rights law;

(k) To ensure that human rights defenders, lawyers, journalists, writers and labour rights activists can engage in their respective activities safely and freely, without fear of reprisals, harassment, arrest, detention or prosecution;

(l) To protect the rights of all persons belonging to ethnic and religious minorities and address all forms of discrimination against them without delay;

(m) To ratify the Convention on the Elimination of All Forms of Discrimination against Women; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty; the International Convention for the Protection of All Persons from Enforced Disappearance; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; and the fundamental International Labour Organization conventions;

(n) To submit the outstanding periodic reports to the human rights treaty bodies, implement the recommendations of the international human rights mechanisms – the treaty bodies, the special procedures of the Human Rights Council and the universal periodic review – and cooperate with the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran and the independent international fact-finding mission on the Islamic Republic of Iran, including by accepting visits by mandate holders;

(o) To continue to engage with OHCHR in implementation of all the recommendations made in the reports of the Secretary-General and those of international human rights mechanisms, and consider strengthening its cooperation with OHCHR, including by facilitating a visit by the United Nations High Commissioner for Human Rights to the Islamic Republic of Iran and through OHCHR in-country engagement.
