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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, Mai Sato, submitted in accordance with Human Rights Council resolution [55/19](#).

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\* The present report was submitted after the deadline in order to reflect the most recent developments.



## **Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, Mai Sato**

### **Vision and priorities of the mandate**

#### *Summary*

The present report is submitted to the General Assembly at its seventy-ninth session, pursuant to Human Rights Council resolution [55/19](#). It is the first report by the current Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, Mai Sato, who started her mandate on 1 August 2024. In the report, she outlines her vision, approaches and priorities for the mandate.

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## I. Introduction

1. The present report is submitted pursuant to Human Rights Council resolution [55/19](#), in which the Council requested the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran to report to the General Assembly at its seventy-ninth session.
2. The President of the Human Rights Council appointed the current Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, Mai Sato, on 12 July 2024. She officially commenced her mandate on 1 August 2024.
3. Since the previous reporting in March 2024,<sup>1</sup> the holders of the mandate jointly with other thematic mandate holders, have transmitted 11 communications to the Islamic Republic of Iran, receiving eight responses, and have issued nine public statements.<sup>2</sup>
4. This report sets out the current mandate holder's vision and priorities for the mandate and her activities since 1 August 2024.

## II. Vision for the mandate

5. The Special Rapporteur holds the mandate to analyse the human rights situation in the Islamic Republic of Iran, with the aim of bolstering the country's human rights protection for all Iranians. She will endeavour to contribute to the greater observance of human rights by monitoring and investigating human rights violations in the country, raising public awareness and acting on individual cases of reported violations. While various stakeholders – Member States, United Nations bodies and agencies and other local or regional communities – all have a role to play in the realization of human rights in the country, her primary areas of focus are the Islamic Republic of Iran (duty bearer) and its people (rights holders).

### A. Duty bearer

6. In order to fairly reflect the position of the Islamic Republic of Iran, the Special Rapporteur wishes to draw attention to comments provided to her on a draft of the present report by the Islamic Republic of Iran.<sup>3</sup> In these comments, the Islamic Republic of Iran states that it “consistently spares no effort in promoting and protecting the human rights of its citizens and has achieved substantial progress and accomplishments in this regard” and “has consistently engaged with individuals appointed as the Special Rapporteur in order to enhance the substance of the reports being drafted and to minimize judgments and explanations based upon incorrect information and data”.

7. The Special Rapporteur greatly appreciates the expressed commitment of the Islamic Republic of Iran to upholding human rights and its desire for engagement. She also states her strong desire to engage in constructive dialogue with the Islamic Republic of Iran. She is ready to engage in direct communications to assess and advise

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<sup>1</sup> For activities carried out in the previous reporting period, see [A/HRC/55/62](#).

<sup>2</sup> These include activities carried out by the former Special Rapporteur, Javaid Rehman (until 31 July 2024), and the current Special Rapporteur, Mai Sato (from 1 August 2024). For public statements, see [www.ohchr.org/en/latest?field\\_content\\_category\\_target\\_id%5B158%5D=158&field\\_content\\_category\\_target\\_id%5B162%5D=162&field\\_content\\_category\\_target\\_id%5B161%5D=161&field\\_content\\_category\\_target\\_id%5B159%5D=159&field\\_entity\\_target\\_id%5B1304%5D=1304](http://www.ohchr.org/en/latest?field_content_category_target_id%5B158%5D=158&field_content_category_target_id%5B162%5D=162&field_content_category_target_id%5B161%5D=161&field_content_category_target_id%5B159%5D=159&field_entity_target_id%5B1304%5D=1304).

<sup>3</sup> Response from the Islamic Republic of Iran received on 16 September 2024.

on the measures that should be taken to prevent, investigate or redress human rights violations.<sup>4</sup> She reiterates that, in its resolution [55/19](#) of April 2024, the Human Rights Council called upon the Government to cooperate fully with the Special Rapporteur to grant unhindered access to the country and provide all information necessary. While acknowledging that access to the country has not been granted since the re-establishment of the mandate in 2011,<sup>5</sup> allowing the Special Rapporteur access will be viewed as a very significant step in demonstrating the willingness of the Islamic Republic of Iran to engage with the resolution adopted by a majority of Council members.<sup>6</sup>

8. The Islamic Republic of Iran, in its comments on the draft report, also indicated that it expects the Special Rapporteur to “maintain her independence, free from any external interference, provocation, pressure, threat, or extraneous influence”. This she will certainly seek to do. Engaging with victims and human rights defenders is considered part of her role and will not affect her independence.

9. The Special Rapporteur notes that the Islamic Republic of Iran objects to “attempts to push toward and promote Western values and lifestyles through international human rights institutions and mechanisms”.<sup>7</sup> It regards this as “undoubtedly reprehensible, unacceptable, and contrary to the principles of human rights”. The Islamic Republic of Iran also is concerned that expecting conformity with rights inconsistent with Islamic standards and principles is a breach of national sovereignty. The Special Rapporteur notes, however, that human rights, by their very nature, will have an impact on national sovereignty. Human rights establish basic obligations that States must endeavour to meet, including obligations that are non-derogable. She recognizes that tensions exist between maintaining respect for religious and cultural rights and other rights. Nonetheless, when rights are competing or in conflict, States must find a pathway that does least damage to those rights rather than subordinating certain rights, especially non-derogable rights. The Special Rapporteur also distinguishes between “Western values” and human rights. The West and human rights mechanisms must acknowledge that the Islamic Republic of Iran is an Islamic nation governed by Islamic standards and principles, and it is not expected to conform to their specific standards. This stance does not imply that the Islamic Republic of Iran opposes its internationally recognized obligations in the field of human rights, but rather that it opposes the imposition of a Western lifestyle.

10. The Special Rapporteur notes that the Islamic Republic of Iran has difficulty in accepting the mandate with open arms. Cooperating fully with the Special Rapporteur will build confidence in the international community about the Government’s seriousness in fulfilling its international commitments under the Charter of the United Nations.<sup>8</sup> By accurately recording the current situation of human rights, no matter how confronting the situation may be, incremental steps towards the implementation of human rights can be identified and assessed in a holistic manner. She seeks to acknowledge positive moves towards the observance of international human rights standards and norms and provide measured and informed criticism when merited. The Special Rapporteur hopes that the Islamic Republic of Iran will come to view her expertise and her independent assessment of the human rights situations in the country

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<sup>4</sup> Manual of Operations of Special Procedures of the Human Rights Council, para. 5.

<sup>5</sup> In its resolution [55/19](#), the Human Rights Council stated that it deeply regretted the lack of access granted to the Special Rapporteur.

<sup>6</sup> Adopted by a recorded vote of 24 to 8, with 15 abstentions.

<sup>7</sup> Response from the Islamic Republic of Iran received on 16 September 2024.

<sup>8</sup> The Special Rapporteur echoes the approach taken by Ahmed Shaheed, the former Special Rapporteur on the human rights situation in the Islamic Republic of Iran (see [A/66/374](#), para. 6).

as an asset – or at the very least, view genuine engagement with the Special Rapporteur as a necessary step in imagining a future without the need for the mandate.

11. Where cooperation is denied or limited, and in situations in which the violations are intentional, grave and systemic, the Special Rapporteur may have no choice but to appeal publicly and call on the Islamic Republic of Iran to account for its human rights violations. This will inevitably lead to intensifying the concern of the international community, diminishing the opportunity for positive and constructive dialogue. The Special Rapporteur is ready to start a new relationship and reiterates her appeal to the Islamic Republic of Iran for its full cooperation.

## **B. Rights holders and other stakeholders**

12. Turning attention from the duty bearer to the rights holders, the Special Rapporteur expresses her unwavering commitment to advancing the human rights situation for people in the Islamic Republic of Iran. She will “advocate on behalf of victims of violations”,<sup>9</sup> as rights holders, by calling on the State to respond fully and transparently to allegations and to provide redress. The victims of violations and their families have the right to know the truth about what happened and what led to the rights violations.<sup>10</sup> Ideally, human rights violations are prevented before they occur. Anyone can submit claims about existing or potential human rights violations to the Special Rapporteur. These claims will be evaluated and may then be brought to the attention of the State for clarification. These communications, as well as other submissions and responses from the Islamic Republic of Iran, will help to guide the Special Rapporteur in piecing together a pattern and scale of human rights violations experienced by the Iranian people – and she will, where necessary, publicly call on the international community in cases in which the State fails to remedy the situation.

13. The Special Rapporteur is sincerely committed to communicating her findings with the Iranian people. One obvious way is through the languages spoken by its people. While not the only language used, Persian (Farsi) is the official language of the Islamic Republic of Iran – though not one of the six official United Nations languages.<sup>11</sup> The Special Rapporteur is keen for her reports and public statements to be translated into Persian and calls on Member States and other actors for their support. She also envisages being able to make available subtitles capturing her interactive dialogue with the Islamic Republic of Iran and other Member States at the Human Rights Council and the General Assembly, which are captured on UN WebTV in the official United Nations languages.

14. Based on reports by her predecessors on freedom of expression and assembly, Iranian people continue to experience reprisals and intimidation for reporting human rights violations in the Islamic Republic of Iran. This presents a significant barrier to implementing a survivor- or victim-centred approach for this mandate. Civil society groups are engaged in working on the human rights situation in the Islamic Republic of Iran, both inside and outside the country. The Special Rapporteur views civil society groups as vital in providing a secure platform for rights holders to speak the truth about their experience and for advocating positive change. Accordingly, the Special Rapporteur is open to engagement with civil society as well as academics and

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<sup>9</sup> Manual of Operations of Special Procedures of the Human Rights Council, para. 5.

<sup>10</sup> Updated set of principles for the protection and promotion of human rights through action to combat impunity (E/CN.4/2005/102/Add.1). See also [www.ohchr.org/en/prevention-and-early-warning/preventing-human-rights-violations](http://www.ohchr.org/en/prevention-and-early-warning/preventing-human-rights-violations).

<sup>11</sup> Other languages used in the Islamic Republic of Iran include Kurdish, Turkish, Balochi, Arabic and Turkmen.

experts who can contribute to the assessment of the human rights situation in the Islamic Republic of Iran.

15. One of the principal functions of the Special Rapporteur is advocacy “to activate and mobilize the international and national communities, and the [Human Rights Council] to address particular human rights issues and to encourage cooperation among Governments, civil society and intergovernmental organizations”.<sup>12</sup> This mandate concerns the Islamic Republic of Iran and its people, but as the quote makes clear, other actors can also play a part in realizing the purpose of the mandate. Article 1 of the Charter also confirms the importance of international cooperation in advancing human rights. Bolstering the human rights situation in any country requires coordinated and concerted effort and requires a network made up of the many strands comprising domestic and international civil society, the media, business and Member States. In addition, in an interconnected world, the impact of the human rights situation in one country has consequences – regionally and thematically. On this basis, the Special Rapporteur asks for the cooperation and support of Member States. She calls on members of the Human Rights Council and members of the General Assembly to encourage the Islamic Republic of Iran and other countries to support her efforts to advance the mandate assigned to her by the Council. She looks forward to engaging with Member States about her work, irrespective of their stance on this mandate.

16. In addition, the Special Rapporteur intends to work in close coordination with the independent international fact-finding mission on the Islamic Republic of Iran, relevant treaty bodies, the universal periodic review process, United Nations agencies, other thematic and country mandate-holders, and the Office of the United Nations High Commissioner for Human Rights. She envisages a form of cross-pollination between these entities, and the sharing of findings and recommendations concerning the Islamic Republic of Iran, that will help to maintain engagement with the country situation. The Special Rapporteur stresses that she acts in an independent capacity: she has the freedom and the duty to assess the human rights questions that she is called upon to examine under her mandate “free from any kind of extraneous influence, incitement, pressure, threat or interference”.<sup>13</sup> While noting that Special Rapporteurs are appointed by the Human Rights Council, they are also independent from the United Nations.

17. Lastly, the Special Rapporteur is deeply honoured to have been appointed the seventh holder of this important mandate.<sup>14</sup> She will endeavour to ensure detailed, composed and insightful assessment and advocacy on the human rights situation in the Islamic Republic of Iran. The Special Rapporteur’s knowledge of human rights is enriched by her expertise in social science methodology. Her expertise in obtaining and analysing sensitive data, including interviews, is key in applying a victim-/survivor-centred approach. This interdisciplinary, data-driven understanding of human rights could bring a fresh perspective to the mandate. The Special Rapporteur’s intercultural competence enables her to judge issues with deep regard for context and nuance; her legal expertise enables her to make judgements based on human rights standards. She pledges to approach all violations objectively, drawing on credible sources to guide her assessments. She commits to serving this mandate

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<sup>12</sup> Manual of Operations of Special Procedures of the Human Rights Council, para. 5.

<sup>13</sup> Code of Conduct for Special Procedure Mandate Holders of the Human Rights Council (Council resolution 5/2, annex), art. 3 (a).

<sup>14</sup> The previous mandate holders were Javaid Rehman (2018–2024), Asma Jahangir (2016–2018), Ahmed Shaheed (2011–2016), Maurice Copithorne (1995–2002), Reynaldo Galindo Pohl (1993–1995) and Andrés Aguilar (1984–1986).

with unwavering intellectual objectivity and dedication, embodying principles of independence, impartiality and integrity.

### III. Priorities for the mandate

18. The pressing human rights issues that have been raised repeatedly by the previous Special Rapporteur predominantly overlap with issues highlighted by other predecessors,<sup>15</sup> dating back 40 years to the report by Andrés Aguilar in 1984<sup>16</sup> – indicating limited improvement. They include deficits in the administration of justice such as the independence of the judiciary and the lack of accountability and impunity for human rights violations; practices that amount to torture, cruel or degrading treatment of detainees; the imposition of the death penalty in the absence of proper judicial safeguards; the persecution of religious and ethnic minorities; the status of women; and the harassment and intimidation of human rights defenders and civil society actors. Some improvements have been identified, such as the amendments to the Islamic Penal Code in 2013 and the revisions to the Law on Combating Illicit Drugs in 2017. However, despite this progress, shortfalls have also been underlined by predecessors (see, for example, [A/HRC/34/65](#) and [A/73/398](#)). Informed by the work of her predecessors as well as findings and recommendations by treaty bodies and the universal periodic review, the Special Rapporteur identifies three priority areas – transparency, gender, and the right to life – which will be studied throughout her mandate.

#### A. Data, transparency and the right to truth

19. It is important to understand the continuing nature of human rights violations that have long been identified. However, it is difficult to determine the degree to which human rights protection of the Iranian people has improved, remains unchanged or has deteriorated. This is primarily due to the lack of publicly available, demonstrably rigorously collected official data, exacerbated by the denial of access to the country since the re-establishment of the mandate in 2011. The last visit was conducted by Maurice Copithorne in 1996 (see [E/CN.4/1996/59](#)). The Special Rapporteur notes that five country visits were carried out during the period after the mandate was terminated and before its re-establishment (2003–2010).<sup>17</sup> After the re-establishment of the mandate, the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights has been the only mandate holder to conduct a country visit, in 2022 (see [A/HRC/51/33/Add.1](#)). However, these visits were carried out under other special procedures and not by the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran. Accordingly, in September 2024, the Special Rapporteur sent a reminder for a country visit to the Islamic Republic of Iran, reiterating previous unanswered requests made by her predecessors.

<sup>15</sup> See [https://ap.ohchr.org/documents/dpage\\_e.aspx?m=183](https://ap.ohchr.org/documents/dpage_e.aspx?m=183).

<sup>16</sup> Andrés Aguilar was appointed as the first Special Representative on the situation of human rights in the Islamic Republic of Iran by the Commission on Human Rights in 1984; he resigned in 1986 (see [E/CN.4/1985/20](#)).

<sup>17</sup> Between 2003 and 2005, visits were made by the Working Group on Arbitrary Detention, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, the Special Rapporteur on the human rights of migrants, the Special Rapporteur on violence against women and girls, its causes and consequences, and the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context (see <https://spinternet.ohchr.org/ViewCountryVisits.aspx?visitType=all&country=IRN&Lang=en>).



20. The silencing of victims of human rights abuses, their families and human rights groups through real or threatened reprisals further impedes the availability of information concerning respect for rights or rights violations. The right of access to information is enshrined in article 20 of the Universal Declaration of Human Rights and article 19 (2) of the International Covenant on Civil and Political Rights.<sup>18</sup> The right of access to information is also closely linked to the right to truth<sup>19</sup> about violations for victims, their families and wider society. The Special Rapporteur is keen to examine the impact of (non-)transparency on the respect for human rights throughout her mandate.

## B. Gendered approach and intersectionality

21. In the paragraphs above, the Special Rapporteur has pointed to the lack of obvious improvements over the years. In one area, the treatment of women, the situation has actually worsened, marked by the “Woman, Life, Freedom” movement and the State’s response to it.<sup>20</sup> Since the emergence of the movement, the State’s use of lethal and excessive force against women and the arbitrary detention of women have made headlines. Since taking up the mandate, the Special Rapporteur, together with other experts, has called on the Islamic Republic of Iran to release human rights defenders and to provide access to timely and appropriate healthcare for incarcerated human rights defenders, including women’s rights activists.<sup>21</sup> The denial of medical care should not be used to punish and silence prisoners. Such deprivations may amount to torture and inhuman treatment, freedom from which is an absolute right not liable to exceptions and derogations.<sup>22</sup>

22. The Bill to Support the Family by Promoting the Culture of Chastity and Hijab requires the mandatory veiling of women and girls. Though the latest version of the bill has not been made public at the time of writing, based on information received, the approved bill further reinforces mandatory public veiling of women and girls, punishable by penalties for non-compliance, including monetary fines, limiting access to social services and restrictions on online activity.<sup>23</sup> Repeat offenders could face imprisonment.

<sup>18</sup> The Human Rights Committee noted: “To give effect to the right of access to information, States parties should proactively put in the public domain government information of public interest. States parties should make every effort to ensure easy, prompt, effective and practical access to such information” (see Human Rights Committee, general comment No. 34 (2011), para. 19).

<sup>19</sup> See International Covenant on Civil and Political Rights, art. 2; and International Convention for the Protection of All Persons from Enforced Disappearance, art. 24. See also the updated set of principles for the protection and promotion of human rights through action to combat impunity, principles 2–5 (E/CN.4/2005/102/Add.1); E/CN.4/2004/88; and E/CN.4/2006/91.

<sup>20</sup> Such worsening has been evidenced by the incarceration of women activists, some facing the death penalty, and by the intensified enforcement of, and legislative bills to further reinforce, compulsory veiling of women, as already pointed out in the present report.

<sup>21</sup> Office of the United Nations High Commissioner for Human Rights (OHCHR), “Iran: Narges Mohammadi and other detainees with life-threatening conditions need urgent medical treatment, say experts”, 20 August 2024.

<sup>22</sup> The healthcare of prisoners, as well as the obligation not to expose any prisoner to ill-treatment, is the responsibility of the State. This responsibility is enshrined in the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, to which the Islamic Republic of Iran is a party. Prisoners have the right to equivalent healthcare available in the community and must be given prompt access to medical attention in urgent cases.

<sup>23</sup> See, for example, [www.sharghdaily.com/](http://www.sharghdaily.com/) بخش-زنان-943237/226-خبر-مهم-درباره-آخرین-وضعیت-لایحه-حجاب (accessed on 23 September 2024).

23. In order to fairly reflect the position of the Islamic Republic of Iran, the Special Rapporteur quotes from comments provided by the Islamic Republic on the mandatory public veiling of women and girls:

The rule of hijab and Islamic covering in Islam is intended to ensure the safety of women and to enable their broader participation in society. First, the hijab and Islamic dress code for women serve as a form of protection against harassment. According to the noble teachings of Islam, the hijab is a means of showing respect for women and safeguarding their well-being. Second, the hijab is a social norm that protects the stability and integrity of the family, consistent with the values upheld by many other religions. Third, from an Islamic perspective, the hijab serves as a secure mechanism that facilitates the healthy participation of women and girls in all areas of social life. Furthermore, many Muslim women have *chosen* the hijab as a symbol of autonomy and empowerment, as well as a means to exercise control over their body and identity.<sup>24</sup>

24. The Islamic Republic of Iran also notes that:

The Chastity and Hijab Bill has been drafted to regulate actions aimed at upholding this norm, with the purpose of preserving societal health, dignity, moral values, and the ethical security of individuals, particularly women. The obligations set forth therein, in accordance with the principle of non-discrimination, apply equally to both men and women.<sup>25</sup>

25. The Special Rapporteur is of the view that a rights-based approach would suggest that, while the wearing of a hijab can be encouraged as a reflection of the right to freedom of religion or belief, it should not be made compulsory by law with penalties for those who do not comply. Here, the Special Rapporteur refers to the statement made by the Islamic Republic of Iran about choice in the quote in paragraph 23. Women who do not wish to wear a hijab have the right to participate in the community. They have the right to have their safety and autonomy preserved whether a hijab is worn or not. It is unclear how the principle of non-discrimination assists the argument in favour of requiring women to wear the hijab.

26. Based on events that occurred since taking up the mandate on 1 August 2024 and informed by findings and recommendations by various United Nations mechanisms, the Special Rapporteur will apply a gendered lens throughout her mandate. The published and ongoing work by the independent international fact-finding mission<sup>26</sup> is essential in uncovering the human rights violations associated with the protests in September 2022. Given the broader remit of the mandate, which is to examine all human rights, the Special Rapporteur can apply a holistic approach and examine the treatment of women regarding civil, political, social, cultural and economic rights, reinforcing the interdependence of human rights. The Special Rapporteur adds that women's rights are not just about women: evidence shows that upholding women's rights is crucial for economic and social development and a crucial indicator of peace and development.<sup>27</sup>

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<sup>24</sup> Response from the Islamic Republic of Iran received on 16 September 2024. Emphasis in italics added by the Special Rapporteur.

<sup>25</sup> Response from the Islamic Republic of Iran received on 16 September 2024.

<sup>26</sup> See [www.ohchr.org/en/hr-bodies/hrc/ffm-iran/index](http://www.ohchr.org/en/hr-bodies/hrc/ffm-iran/index).

<sup>27</sup> Amjad Naveed and others, "Economic development through women's economic rights: a panel data analysis", *International Economics and Economic Policy*, vol. 20, No. 2 (May 2023); Population Reference Bureau, "The effect of girls' education on health outcomes: fact sheet", 15 August 2011; and Mary Caprioli, "Gendered conflict", *Journal of Peace Research*, vol. 37, No. 1 (2000).

27. A gendered perspective will be complemented by the adoption of an intersectional approach, and the Special Rapporteur will highlight the disproportionate impact of the abuse of women's rights on ethnic, religious, sexual and gender minorities wherever applicable. In sum, the Special Rapporteur will apply a gendered approach in assessing the human rights of all Iranians. This priority is informed by two additional considerations: the Islamic Republic of Iran is one of the handful of countries yet to ratify the Convention on the Elimination of All Forms of Discrimination against Women;<sup>28</sup> and according to the Global Gender Gap Index 2023, the Islamic Republic of Iran ranked 143rd out of 146 countries.<sup>29</sup>

### C. Right to life

28. The mandate requires full account to be taken of all human rights.<sup>30</sup> Without challenging the indivisibility of human rights, one right stands out for this mandate: the right to life. Simply put, without it, the other rights cannot be fulfilled. The Special Rapporteur expresses serious concern at the alarming increase in the number of executions. In August 2024 alone, at least 93 individuals were executed with only a fraction officially reported by the Islamic Republic of Iran.<sup>31</sup> Nearly half (41) the executions appear to have been carried out for drug offences. The International Covenant on Civil and Political Rights, to which the country is a party, restricts the application of the death penalty to “most serious crimes”, understood as intentional killing.<sup>32</sup> Countries that retain the death penalty must ensure that individuals are not subjected to torture or to cruel, inhuman or degrading treatment or punishment throughout the criminal justice process. Their right to fair trial and equality before the law and the courts must be respected in all criminal proceedings. Numerous individuals are facing the death penalty for a range of offences, among which are broadly defined security offences such as armed rebellion, spreading corruption on earth, waging war against God and apostasy. These do not and cannot qualify as “the most serious crimes” under the Covenant. These vague charges have been applied against dissidents of the Government on several occasions, in clear breach of international standards.

29. The Special Rapporteur takes the view that when the State bears significant responsibility for the arbitrary deprivation of life, it is likely that the State is failing to respect other rights – civil, political, social, cultural and economic rights (see [A/HRC/35/23](#)). In other words, investigating the violations to the right to life will inevitably lead to the examination of other rights violations – the likely explanatory factors culminating in lethal violence.<sup>33</sup> The Special Rapporteur endorses the analysis by Agnès Callamard, the former Special Rapporteur on extrajudicial, summary or arbitrary executions, on her reconceptualizing of the right to life so as to reflect States' complicity in killing and its negligence of positive measures to protect life (see [A/HRC/35/23](#)).<sup>34</sup> This means that the Special Rapporteur will be focusing not only on the use of the death penalty, but also on the lethal use of force by State agencies, deaths in custody, laws that condone or excuse the killings, and practices that fail to properly investigate potential unlawful deaths.

<sup>28</sup> OHCHR, Status of Ratification Interactive dashboard. Available at <https://indicators.ohchr.org>.

<sup>29</sup> World Economic Forum, *Global Gender Gap Report 2023* (Geneva, 2022), p. 11.

<sup>30</sup> Manual of Operations of Special Procedures of the Human Rights Council, para. 4.

<sup>31</sup> OHCHR, “Iran: UN experts alarmed by surge in executions, demand moratorium on death penalty”, 2 September 2024.

<sup>32</sup> Human Rights Committee, general comment No. 36 (2018).

<sup>33</sup> Johan Galtung, “Violence, peace, and peace research”, *Journal of Peace Research*, vol. 6, No. 3 (1969).

<sup>34</sup> See also Human Rights Committee, general comment No. 6 (1982), para 5.

30. The Special Rapporteur stresses the importance of justice and accountability.<sup>35</sup> To fully realize the preventive potential of accountability, “victims and affected communities require justice to be rendered, their present and future needs to be addressed, and their harms and grievances to be acknowledged and redressed”.<sup>36</sup> This includes not only justice through international criminal law but also truth-seeking through proper investigation and examination of the root causes of human rights violations and concrete steps to prevent recurrences.

#### **D. Thematic approach**

31. In addition to the three priority areas that will be examined throughout the mandate, the Special Rapporteur is keen to apply a thematic approach in her reports to the Human Rights Council and to the General Assembly. This means that various human rights protections and violations will be reported under various themes, rather than providing an update on rights one by one. A thematic approach differs from, but complements, the approach taken by the Secretary-General, the High Commissioner for Human Rights, the universal periodic review and the treaty bodies.<sup>37</sup>

32. The Special Rapporteur is keen to focus on distinct topics such as the integrity of the justice system – with the aim of ensuring that domestic laws do not violate international human rights standards – and the building of a legitimate system that has the infrastructure to prevent or correct miscarriages of justice. They include due process guarantees, policing, sentencing and the pretrial and post-trial treatment of detainees.

33. Drug policy and its impact on the human rights situation is another important area for this mandate, especially because of the high number of individuals executed for drug offences. Over 60 years have passed since the initiation of the Single Convention on Narcotic Drugs. It is widely accepted among drug policy experts that the global war on illicit drugs has failed, with devastating consequences for individuals and societies around the world.<sup>38</sup> Various countries have moved away from a drug policy based on criminal punishment to a harm reduction approach. In 2015, the United Nations Office on Drugs and Crime (UNODC) acknowledged that international drug policy based on criminal punishment has created a “lucrative and violent black market”.<sup>39</sup> In March 2023, UNODC signed an agreement with the Islamic Republic of Iran to support the country in its drug enforcement and criminal justice policies.<sup>40</sup> This could be an opportunity to review the country’s drug policy in a holistic manner, and the Special Rapporteur offers her expertise in exploring and developing drug policy consistent with a rights-based approach, in collaboration with UNODC. The Special Rapporteur notes that there are various other United Nations

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<sup>35</sup> Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law (General Assembly resolution 60/147).

<sup>36</sup> OHCHR, “The role of UN-created accountability mechanisms in the global flight against impunity: what’s next?”, 20 January 2021.

<sup>37</sup> See [www.ohchr.org/en/countries/iran](http://www.ohchr.org/en/countries/iran).

<sup>38</sup> Global Commission on Drug Policy, “War on drugs: report of the Global Commission on Drug Policy”, 2011, pp. 2, 4 and 17.

<sup>39</sup> United Nations Development Programme, “Perspectives on the development dimensions of drug control policy”, March 2015, p. 4.

<sup>40</sup> United Nations Office on Drugs and Crime, “UNODC and Iran enhance cooperation in the field of drugs and crime”, 15 March 2023.

entities that work with the Islamic Republic of Iran.<sup>41</sup> She stresses the importance of such collaborations and projects to comply with human rights standards.

34. The Special Rapporteur welcomes proposals on topics and themes that cut across various human rights issues. She will be putting out a public call for input for future reports presented to the Human Rights Council and the General Assembly.

#### **IV. Conclusions and recommendations**

35. **In conclusion, the Special Rapporteur is keen to approach this mandate with an open mind – to learn, investigate and apply her human rights expertise with objectivity and impartiality. She is committed to making recommendations so that human rights protection is not only theoretical but also real and effective. She invites all stakeholders to provide their input and cooperation. She stresses the point made above that for this mandate to have any meaningful impact on the human rights situation in the Islamic Republic of Iran, it needs the cooperation of the State and its people and the support of all other stakeholders identified in the report. The Special Rapporteur looks forward to engaging with the duty bearer, rights holders and all other stakeholders.**

36. **In the report, the Special Rapporteur has stressed her wish to enter into a robust and meaningful dialogue with the Islamic Republic of Iran. She has reiterated her commitment to independence as demanded of all mandate holders. She has called on the Islamic Republic of Iran to extend an invitation to her for a country visit.**

37. **She has asserted her willingness to receive and evaluate reports from the Iranian people and civil society, and when necessary forward matters of concern to the Islamic Republic of Iran for response.**

38. **The Special Rapporteur has attempted to situate the rights to religious observance and cultural participation within the broader body of human rights. She has indicated that respect for these rights must be balanced with the general requirement to respect all rights, in particular non-derogable rights. Potentially competing or conflicting rights must be assessed, and Human Rights Council resolution 55/19 must seek to maximize the observance of all relevant rights.**

39. **Three priorities have been identified for the current term: transparency, gender and the right to life. All issues will be approached through the adoption of a gendered perspective complemented by an intersectional approach.**

40. **The Special Rapporteur makes the following recommendations based on her report.**

41. **The Special Rapporteur appeals to the Islamic Republic of Iran:**

(a) **To engage with the Special Rapporteur in direct communications so that she can assess and advise on the measures that should be taken to prevent, investigate or redress human rights violations. This includes granting her unhindered access to the country and to rigorously collected official data;**

(b) **To view her expertise and her independent assessment of the human rights situations in the country as an asset – or, at the very least, view genuine engagement with the Special Rapporteur as a necessary step in imagining a future without the need for this mandate;**

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<sup>41</sup> For a list of United Nations entities working together with the Islamic Republic of Iran, see <https://iran.un.org/en/about/our-team>.

(c) To repeal all laws that impose mandatory dress codes.<sup>42</sup> Women should be able exercise choice: women who do not wish to wear a hijab have the right to participate in the community; they have the right to have their safety and autonomy preserved whether a hijab is worn or not;

(d) To ensure that the death penalty is not imposed in violation of the International Covenant on Civil and Political Rights, including in violation of fair procedures. To give due consideration to establishing a moratorium on the death penalty with a view to complete abolition;<sup>43</sup>

(e) To ensure that human rights defenders and activists – exercising their rights to freedom of opinion, expression, association and peaceful assembly – as well as journalists, lawyers and their families, are not threatened with or subjected to intimidation, harassment, arbitrary arrest, deprivation of liberty or life or other arbitrary sanctions;<sup>44</sup>

(f) To provide access to timely and appropriate healthcare for prisoners. The denial of medical care may amount to torture and inhuman treatment, freedom from which is an absolute right not liable to exceptions and derogations;

(g) 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 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, the Second Optional Protocol to the International Covenant on Civil and Political Rights and the Rome Statute of the International Criminal Court.<sup>45</sup>

42. The Special Rapporteur invites Member States:

(a) To encourage the Islamic Republic of Iran to fully cooperate with the Special Rapporteur and allow her unhindered access to the country, which has not been granted since the re-establishment of the mandate in 2011;

(b) To support and call for reports and public statements by the Special Rapporteur to be translated into Persian;

(c) To assist with advocacy: to activate and mobilize the international and national communities and to address human rights issues in the Islamic Republic of Iran, informed by public statements, communications and reports published by the Special Rapporteur;<sup>46</sup>

(d) To make proposals on topics and themes that cut across various human rights issues in the Islamic Republic of Iran.

43. The Special Rapporteur invites Member 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

<sup>42</sup> The Special Rapporteur echoes the recommendations made by the Secretary-General concerning the situation of human rights in the Islamic Republic of Iran (see [A/HRC/53/23](#)).

<sup>43</sup> The Special Rapporteur echoes the recommendations made by the Human Rights Committee (see [CCPR/C/IRN/CO/4](#)).

<sup>44</sup> The Special Rapporteur echoes the recommendations made by the Secretary-General concerning the situation of human rights in the Islamic Republic of Iran (see [A/HRC/53/23](#)).

<sup>45</sup> View the ratification status by country or by treaty in United Nations Treaty Body database, available at [https://tbinternet.ohchr.org/\\_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=81&Lang=EN](https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=81&Lang=EN); and the States Parties to the Rome Statute, available at <https://asp.icc-cpi.int/states-parties>.

<sup>46</sup> Manual of Operations of Special Procedures of the Human Rights Council, para. 5.

implemented to minimize the adverse consequences of sanctions on human rights.

44. **The Special Rapporteur invites victims, victims' families, civil society, the media and experts, including academics:**

(a) **To continue to speak out and advocate for human rights protection for all Iranians, by sending matters of human rights concern to the Special Rapporteur (e.g. urgent actions or letters of allegations) and to share stories of their inspiring work in promoting human rights;**

(b) **To make proposals on topics and themes that cut across various human rights issues in the Islamic Republic of Iran and to send submissions following calls for input by the Special Rapporteur;**

(c) **To engage in dialogue with the Special Rapporteur by sharing the new laws, policies, practices and research concerning the human rights situation of the Islamic Republic of Iran;**

(d) **To amplify the findings of the Special Rapporteur in order to activate and mobilize the international and national communities.<sup>47</sup>**

45. **The Special Rapporteur invites United Nations entities<sup>48</sup> to ensure that all technical cooperation, training and projects are carried out with a human rights-based approach.**

46. **The Special Rapporteur invites the special procedures of the Human Rights Council to join public statements concerning the human rights situation of the Islamic Republic of Iran and to refer to the human rights situation of the country in their thematic reports, where appropriate.**

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<sup>47</sup> Ibid.

<sup>48</sup> See <https://iran.un.org/en/about/our-team>.