

**Human Rights Council****Thirty-fifth special session**

24 November 2022

Albania,* Australia,* Austria,* Belgium,* Canada,* Costa Rica,* Estonia,* Finland, France, Germany, Iceland,* Lithuania, Luxembourg, Netherlands, New Zealand,* Portugal,* Ukraine, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

S-35/... Deteriorating situation of human rights in the Islamic Republic of Iran

The Human Rights Council,

Guided by the Charter of the United Nations, the provisions of the Universal Declaration of Human Rights, the International Covenants on Human Rights and other relevant international human rights instruments,

Recalling all resolutions adopted by the General Assembly and the Human Rights Council on the situation of human rights in the Islamic Republic of Iran, including Assembly resolution 76/178 of 16 December 2021 and Council resolution 49/24 of 1 April 2022,

Noting the concern about the situation of human rights in the Islamic Republic of Iran expressed by the United Nations High Commissioner for Human Rights, special procedure mandate holders of the Human Rights Council, United Nations entities and the Special Representative of the Secretary-General on Violence against Children, including in the joint call made on 26 October 2022 by a group of special procedure mandate holders,

Stressing the need for accountability for human rights violations, which is critical for the prevention of further violations, and recalling the obligation of the Islamic Republic of Iran to ensure prompt, effective, independent, transparent and impartial investigations into all reported human rights violations,

Reaffirming the human rights of women and girls in the Islamic Republic of Iran and the State's obligations under international human rights law in that regard,

Deeply concerned about allegations of pervasive human rights violations in the Islamic Republic of Iran, including reports of women and girls being arbitrarily arrested and detained, beaten and sexually assaulted for exercising their human rights and fundamental freedoms,

Deeply concerned also about reports of the arbitrary arrest of minors for participating in protests and their incarceration in "psychological centres" and the "preventative" detention of civil society activists to restrict their ability to participate in or organize peaceful protests,

Concerned about reports of restrictions on communications affecting landline and mobile telephone usage, including Internet shutdowns and the blocking of social media

* State not a member of the Human Rights Council.



platforms, which undermine the exercise of human rights, including the right to freedom of opinion and expression,

1. *Strongly deplores* the reported deaths of at least 304 people, including 41 children, who were participating in the protests following the death in custody on 16 September 2022 of Jina Mahsa Amini, a young woman arrested for allegedly violating the compulsory veiling law, and the reported arbitrary arrests of many people participating in the protests;

2. *Urges* the Government of the Islamic Republic of Iran to promote, protect and fulfil human rights and to take all measures necessary to prevent extrajudicial killings, enforced disappearances, sexual and gender-based violence, arbitrary arrests and detentions, and torture and other cruel, inhuman or degrading treatment or punishment, including against peaceful protesters;

3. *Calls upon* the Government of the Islamic Republic of Iran to end the persistent discrimination against women and girls in public and private life and in law and in practice and to uphold all human rights, including the right to freedom of expression and opinion and the right to freedom of religion or belief;

4. *Also calls upon* the Government of the Islamic Republic of Iran to guarantee that victims and survivors have access to justice and redress, including reparations, and that perpetrators are held fully accountable, in compliance with fair trial guarantees under international human rights law;

5. *Reiterates* the urgent need for the Government of the Islamic Republic of Iran to fully restore Internet access, and underlines the importance of maintaining free, open, interoperable, reliable and secure access to the Internet;

6. *Urges* the authorities of the Islamic Republic of Iran to cooperate fully with the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, in particular by granting free, full and unhindered access to the territory of the country, including unhindered access to all places of detention, and to extend full cooperation to the thematic special procedures of the Human Rights Council and to United Nations treaty bodies;

7. *Decides* to establish an independent international fact-finding mission, to be appointed by the President of the Human Rights Council, with the following mandate:

(a) Thoroughly and independently investigate alleged human rights violations in the Islamic Republic of Iran related to the protests that began on 16 September 2022, including the gender dimensions of such violations;

(b) Establish the facts and circumstances surrounding the alleged violations;

(c) Collect, consolidate and analyse evidence of such violations and preserve evidence, including in view of cooperation, in any future legal proceedings, with national, regional or international courts or tribunals that have, or may in the future have, jurisdiction;

(d) Engage with all relevant stakeholders, including the Government of the Islamic Republic of Iran, the Office of the United Nations High Commissioner for Human Rights, the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, relevant United Nations entities, international human rights organizations and civil society;

8. *Requests* the independent international fact-finding mission to present an oral update to the Human Rights Council during an interactive dialogue at its fifty-third session and to present to the Council a comprehensive report on its findings, including on possible gender dimensions, during an interactive dialogue at its fifty-fifth session;

9. *Calls upon* the Government of the Islamic Republic of Iran to cooperate fully with the independent international fact-finding mission, to grant unhindered access to the country without any delay and to provide the members of the fact-finding mission with all information necessary to allow for the proper fulfilment of their mandate;

10. *Requests* the immediate operationalization of the mandate, requests the Secretary-General to provide all the resources and expertise necessary to enable the fact-

finding mission to fulfil its mandate, and requests the Office of the High Commissioner to provide such administrative, technical and logistical support as is required to implement the provisions of the present resolution.
