



Distr.: Limited 6 November 2024

Original: English

Seventy-ninth session Third Committee Agenda item 71 (c) Promotion and protection of human rights: human rights situations and reports of special rapporteurs and representatives

> Albania, Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro, Netherlands (Kingdom of the), New Zealand, North Macedonia, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

Situation of human rights in the Islamic Republic of Iran

The General Assembly,

Guided by the Charter of the United Nations, as well as the Universal Declaration of Human Rights,¹ the International Covenants on Human Rights² and other international human rights instruments,

Recalling its previous resolutions on the situation of human rights in the Islamic Republic of Iran, the most recent of which is resolution 78/220 of 19 December 2023,

Welcoming Human Rights Council resolution 55/19 of 4 April 2024,³ in which the Council decided to extend the mandates of the Independent International Fact-Finding Mission on the Islamic Republic of Iran⁴ and of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran for a period of one year,

1. Takes note of the report of the Secretary-General submitted pursuant to resolution 78/220,⁵ the report of the Independent International Fact-Finding Mission on the Islamic Republic of Iran submitted pursuant to Human Rights Council resolution $S-35/1^6$ and the report of the Special Rapporteur on the situation of human rights in the

⁶ A/HRC/55/67.





¹ Resolution 217 A (III).

² Resolution 2200 A (XXI), annex.

³ See Official Records of the General Assembly, Seventy-ninth Session, Supplement No. 53 (A/79/53), chap. IV.

⁴ Established pursuant to Human Rights Council resolution S-35/1 (see Official Records of the General Assembly, Seventy-eighth Session, Supplement No. 53 (A/78/53), chap. III).

⁵ A/79/509.

Islamic Republic of Iran, submitted pursuant to Human Rights Council resolution 55/19;⁷

2. Welcomes the efforts of the Islamic Republic of Iran to host one of the largest refugee populations in the world, including over 3.7 million Afghan refugees, asylum-seekers and Afghans in refugee-like situations according to figures reported by the Office of the United Nations High Commissioner for Refugees in June 2024, acknowledges efforts to provide them with access to basic services, in particular healthcare, temporary work permits and education for children, acknowledges planned efforts for further protection of certain categories of migrants in vulnerable situations and refugees in the country, including children, pregnant women, older people and sick migrants, and notes with concern the reports of deportation of many undocumented foreign nationals⁸ and of discrimination, violence and limited access to basic economic and social services for Afghan refugees;

3. Also welcomes the engagement of the Islamic Republic of Iran with human rights treaty bodies, including through the submission of periodic reports to the Committee on the Rights of the Child in November 2023 and the Human Rights Committee in October 2023, and the participation in its review before the Committee on the Elimination of Racial Discrimination in August 2024, notes the continued engagement of the Government of the Islamic Republic of Iran with the Office of the United Nations High Commissioner for Human Rights, including through dialogue and the visit of the Deputy High Commissioner for Human Rights to the Islamic Republic of Iran in February 2024, while encouraging enhanced substantive technical cooperation with the Office, and urges the Islamic Republic of Iran to continue its engagement with relevant treaty bodies and its participation in the universal periodic review, including by submitting outstanding periodic reports and fully considering all recommendations received from all relevant human rights treaty bodies;

4. *Takes note of* the outcome in July 2024 of the Iranian presidential elections, stresses the importance of free and fair elections, and encourages the newly elected President to undertake concrete steps to improve the human rights situation in the Islamic Republic of Iran;

5. *Welcomes* the directive of November 2023 on "Referring to international human rights conventions in judicial decisions" that instructs judges to align their decisions with the international human rights obligations of the Islamic Republic of Iran, and calls for its full implementation;

6. Acknowledges cooperation by the Islamic Republic of Iran with select special procedure mandate holders, while noting the limited scope of such cooperation to date and reaffirming the importance of full and unhindered cooperation with all special procedure mandate holders, including the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran;

7. *Notes* the expressed readiness of the Iranian High Council for Human Rights and other Iranian officials to engage in bilateral dialogues on human rights, and calls upon them to increase such dialogues or resume those that have been paused;

8. Acknowledges the reports by the Government of the Islamic Republic of Iran of the revocation of the death penalty in a limited number of cases, notably for *qisas* (retribution in kind) following efforts by the Dispute and Resolution Councils, and instances of the release of prisoners who were detained for non-intentional crimes, while expressing serious concern at the circumstances of the revocations and releases;

⁷ A/79/371.

⁸ See A/79/509.

9. Condemns in the strongest terms the alarming increase in the application of the death penalty by the Islamic Republic of Iran in violation of its international obligations, including executions undertaken against persons on the basis of forced confessions and without fair trial and due process; reiterates the concern that a significant number of offences carrying the death penalty do not qualify as the most serious crimes, including drug-related offences, as well as other actions provided under the penal code of the Islamic Republic of Iran, including adultery, same-sex relations, apostasy, blasphemy and convictions for drinking alcohol, as well as crimes that are overly broad or vaguely defined,⁹ which is in violation of the International Covenant on Civil and Political Rights; ¹⁰ expresses serious concern at the disproportionate application of the death penalty to persons belonging to minorities, particularly ethnic and religious minorities, who are targeted for death sentences relating to their alleged involvement in political or religious groups, and at the continued execution of women, which has reached the highest number of reported executions of women since 2013; expresses concern at the use of the death penalty by the Islamic Republic of Iran as a tool of political repression, including against those exercising their rights to freedom of opinion and expression and peaceful assembly; expresses further concern at the continuing disregard for protections under Iranian law or internationally recognized safeguards relating to the imposition of the death penalty, including executions undertaken in secrecy or without prior notification of the prisoner's family members or legal counsel, as required by Iranian law; and calls upon the Government of the Islamic Republic of Iran to abolish, in law and in practice, public executions, which are contrary to the 2008 directive seeking to end this practice issued by the former head of the judiciary, and to consider establishing a moratorium on executions;

10. *Expresses serious concern* at the continued imposition of the death penalty by the Islamic Republic of Iran against minors, and urges the Islamic Republic of Iran to cease the imposition of the death penalty against persons who at the time of their alleged offence were under the age of 18, in violation of the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child,¹¹ and to commute the sentences for all child offenders on death row;

11. *Calls upon* the Islamic Republic of Iran to ensure, in law and in practice, that no one is subjected to torture or other cruel, inhuman or degrading treatment or punishment, which may include sexual and gender-based violence in all its forms, amputations, and punishments that are grossly disproportionate to the nature of the offence, in conformity with amendments to the Penal Code, the constitutional guarantees of the Islamic Republic of Iran and international obligations and standards, including but not limited to the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), ¹² and to ensure that all allegations of torture or other cruel, inhuman or degrading treatment or punishment are promptly and impartially investigated and perpetrators held accountable;

12. Urges the Islamic Republic of Iran to cease the widespread and systematic use of arbitrary arrests and detention, including the frequent use of this practice to target dual and foreign nationals, who in some cases reside overseas and may be prosecuted upon return, and the practices of enforced disappearance and incommunicado detention for similar purposes, to release those who have been arbitrarily detained and to account for the fate or whereabouts of those subjected to enforced disappearance and to hold those responsible to account, and to uphold, in law and in practice, procedural guarantees and other legal protections to ensure a fair trial, including timely access to legal representation of one's choice from the time of

⁹ See A/HRC/55/62 and A/HRC/55/67.

¹⁰ See resolution 2200 A (XXI), annex.

¹¹ United Nations, Treaty Series, vol. 1577, No. 27531.

¹² Resolution 70/175, annex.

arrest through all stages of trials and appeals, full access to the content of the case file, being informed promptly and in detail, in a language that the accused speaks and understands, of the charges faced, and being provided consideration of bail and other reasonable terms for release from custody pending trial, and respect the prohibition of torture and other cruel, inhuman or degrading treatment or punishment, and calls upon the Islamic Republic of Iran to ensure that it meets its obligations under article 36 of the Vienna Convention on Consular Relations¹³ in relation to communication with and access to nationals of sending States who are in prison, custody or detention;

13. *Calls upon* the Islamic Republic of Iran to address the poor conditions in prisons, urges an end to the practice of deliberately denying prisoners access to adequate medical treatment and supplies, safe drinking water, sanitation and hygiene, contact with family members, or making such access contingent upon confession or subject to reprisal, as well as the use of sexual and gender-based violence, including rape, against prisoners, also calls upon the Islamic Republic of Iran to establish credible and independent prison oversight authorities to investigate all deaths in detention and complaints or allegations of abuse or human rights violations, and urges the relevant authorities to conduct prompt, effective, independent, transparent and impartial investigations and ensure accountability;

14. Condemns the intensified, targeted repression of women and girls by the Islamic Republic of Iran, both online and offline, and the lack of accountability and justice measures for human rights violations perpetrated against women and girls, and strongly urges the Islamic Republic of Iran to eliminate, in law and in practice, all forms of systemic discrimination and violence against women and girls, in public and private life, including sexual and gender-based violence, verbal and physical harassment, and related human rights violations against women and girls, and to ensure that grievances are taken seriously and investigations into alleged human rights violations and abuses are conducted promptly, effectively, independently, transparently and impartially in conformity with international law; acknowledges the bill to protect women against violence, and calls for its revision to ensure alignment with international human rights law and subsequent implementation, and for the Islamic Republic of Iran to take gender-responsive measures to prevent and ensure protection for women and girls against sexual and gender-based violence in all its forms, including sexual assault and intimate partner violence, to ensure women's and girls' equal protection and access to justice, including by preventing and prohibiting so-called honour killings, female genital mutilation and child, early and forced marriage, which is inherently destructive to the life of the girl child and has increased in the Islamic Republic of Iran in recent years, as recommended by the Committee on the Rights of the Child and the Human Rights Committee, and to promote, support and enable women's and girls' full, equal and meaningful participation and leadership in political and other decision-making processes, and, while recognizing the high enrolment of girls and women in all levels of education in the Islamic Republic of Iran, to lift restrictions on women's and girls' equal access to free, equitable primary and secondary education and on equal access to higher education, and to take appropriate prevention and protection measures to protect schools and students, including girls, and remove legal, regulatory and cultural barriers to women's free, equal and meaningful participation and leadership in the labour market and in all aspects of economic, cultural, social and political life, including unrestricted participation in and attendance at sporting events; and expresses grave concern that the bill on youth and protection of the family undermines the right to the enjoyment of the highest attainable standard of physical and mental health for women and girls;

¹³ United Nations, *Treaty Series*, vol. 596, No. 8638.

15. *Expresses serious concern* at the discriminatory compulsory veiling laws and policies of the Islamic Republic of Iran, which fundamentally undermine the human rights of women and girls; expresses concern at the escalation in the enforcement of these laws and policies, including through increased threats of violence, mobilization by State institutions and the private sector to monitor and enforce compliance, including through, inter alia, arbitrary arrest, detention and persecution of women and girls perceived or found to be non-compliant with the State's discriminatory laws and policies, as well as the use of surveillance technology to monitor and fine women and girls, the exclusion of women and girls from public spaces, the discrimination against women in the labour market, restrictions on access to services, and suppression of online and offline activism, all of which intensify the repression of women and girls; reiterates concern at Iranian security forces escalating pre-existing patterns of physical violence against women and girls who are perceived as failing to comply with hijab and chastity laws, which impose even greater restrictive and punitive measures on women and girls, further undermining their human rights, including the rights to freedom of movement, opinion and expression, and religion or belief, as well as economic, social and cultural rights; expresses further concern at ongoing consideration of the draft bill to support the family by promoting the culture of chastity and hijab; and reaffirms calls for all such laws and policies to be repealed;

16. Also expresses serious concern at the widespread restrictions on the rights to freedom of peaceful assembly and association and freedom of opinion and expression, both online and offline, and calls upon the Islamic Republic of Iran to immediately and unconditionally release persons arbitrarily detained for the exercise of their human rights and fundamental freedoms, including human rights defenders, journalists and all those who remain under detention for taking part in peaceful protests;

17. Condemns the measures used by the Islamic Republic of Iran to repress protests, including the protests that began in September 2022, notably the use of mass arrests and arbitrary detention, disproportionate force, including the use of force resulting in the death, torture and other cruel, inhuman or degrading treatment or punishment during arrest, physical violence and psychological abuse in detention, including sexual and gender-based violence, and the imposition and administration of the death penalty against those connected to the protests, calls for urgent repeal of provisions of the Law on the Use of Firearms by Armed Forces in Necessary Incidents which contravene international law and calls upon the Islamic Republic of Iran to uphold the human rights of those involved in peaceful protests, to rescind unduly harsh sentences, including those involving the death penalty and long-term internal exile, and emphasizes commitments made by judicial authorities to review cases of those arrested, and to end reprisals against human rights defenders, including women human rights defenders, the families of protesters, journalists and other media workers covering protests, lawyers who represent or seek to represent protesters, and those who cooperate or attempt to cooperate with the United Nations human rights mechanisms, and re-emphasizes the importance of prompt, independent, impartial, effective and transparent investigations into all instances of human rights violations and of holding those responsible to account;

18. Urges the Government of the Islamic Republic of Iran to address violations of the rights to social security and to just and favourable conditions of work, and to address wage arrears, denial of employee protections and benefits, unjustified dismissals and low worker wages, and to increase wages and pensions to ensure an adequate living standard;

19. *Strongly urges* the Islamic Republic of Iran to end violations of the rights to freedom of opinion and expression, both online and offline, which includes the freedom to seek, receive and impart information, and to freedom of peaceful assembly

and of association, including through Internet disruption practices such as full and partial Internet shutdowns, blocking of social media platforms and applications, shutting down networks and throttling access to the Internet, applications and services on mobile data, online censorship to intentionally prevent or disrupt access to or the dissemination of information online, the use of digital technologies to harass and delegitimize the work of human rights defenders, arbitrary or unlawful surveillance of online and digital contexts, and other widespread restrictions on Internet access or dissemination of information online, and calls upon the Islamic Republic of Iran to withdraw the bill on protecting the rights of users in cyberspace as its implementation undermines the rights of individuals online;

20. *Expresses concern* at the use of harassment and intimidation to silence individuals who oppose the Government of the Islamic Republic of Iran, including human rights defenders and their families, such as through arbitrary arrest and detention; and also expresses concern at the harassment and intimidation of victims, survivors and family members who seek accountability for human rights violations, including in relation to long-standing human rights violations such as enforced disappearances, and in relation to the 2022 protests;

21. *Encourages* the Government of the Islamic Republic of Iran to cooperate with all relevant authorities on investigations into allegations of harassment and intimidation of some families of the victims of the downing of Ukraine International Airlines flight 752, and calls upon the Government to ensure accountability for the downing in accordance with its obligations under applicable international law;

22. Reiterates its call upon the Islamic Republic of Iran, including the judicial and security branches, to create and maintain, in law and in practice, a safe and enabling environment, both online and offline, in which an independent, diverse and pluralistic civil society can operate free from hindrance, insecurity and reprisals, to end its harassment, intimidation and persecution, including abductions, arrests and executions, of all individuals, including, but not limited to, political opponents, human rights defenders and their families, whether they be Iranians, dual nationals or foreign nationals, and wherever it may occur, and expresses further concern at instances of repression of journalists, media workers and their families in the Islamic Republic of Iran who face harassment, arbitrary detention and lengthy prison sentences, and urges the Government of the Islamic Republic of Iran to halt threats and intimidation against journalists and media workers who are critical of the Government, and to investigate and prosecute those responsible for reprisals;

23. Calls upon the Islamic Republic of Iran to release women human rights defenders imprisoned for exercising their rights, including the rights to freedom of peaceful assembly and association and the freedom of opinion and expression, and to recognize the risks, violence and persecution experienced by women human rights defenders and take appropriate, robust and practical steps to protect women human rights defenders and guarantee their full enjoyment of all their human rights, recalls the positive, important and legitimate role of human rights defenders, including women human rights defenders, in addition to lawyers, journalists, media workers, artists and cultural practitioners in promoting and protecting human rights and strengthening understanding, tolerance and peace, and strongly urges the Islamic Republic of Iran to create and support a safe, enabling, accessible and inclusive environment online and offline for their participation in all relevant activities;

24. Also calls upon the Islamic Republic of Iran to eliminate, in law and in practice, all forms of discrimination and other human rights violations against persons belonging to ethnic, linguistic or other minorities, including but not limited to Ahwazi Arabs, Azerbaijani Turks, Baluchis and Kurds, and their defenders, and expresses particular concern at the higher proportion of casualties among protesters in minority-

populated cities and provinces, and at the disproportionate imposition of the death penalty on persons belonging to minorities, in particular the Baluchi and Kurdish minorities;

25. Expresses serious concern about ongoing severe limitations and increasing restrictions on the right to freedom of thought, conscience, religion or belief, restrictions on the establishment of places of worship, undue restrictions on burials carried out in accordance with religious tenets, attacks against places of worship and burial and other human rights violations, including but not limited to the increased harassment, intimidation, persecution, arbitrary arrest and detention of, and incitement to hatred that leads to violence against, persons belonging to recognized and unrecognized religious minorities, including Christians (particularly converts from Islam), Gonabadi Dervishes, Jews, Sufi Muslims, Sunni Muslims, Yarsanis, Zoroastrians, and, in particular, Baha'is, who have been subjected to a continued increase in and the cumulative impacts of long-standing persecution, including attacks, harassment and targeting, who face increasing restrictions and systemic persecution by the Government of the Islamic Republic of Iran on account of their faith and have been reportedly subjected to mass arrests and lengthy prison sentences, as well as the arrest of prominent members and increased confiscation and destruction of property, and calls upon the Government to cease monitoring individuals on account of their religious identity, to release all religious practitioners imprisoned for their membership in or activities on behalf of a minority religious group, to cease the desecration of cemeteries and to ensure that everyone has the right to freedom of thought, conscience and religion or belief, including the freedom to have, to change or to adopt a religion or belief of their choice, in accordance with its obligations under the International Covenant on Civil and Political Rights;

26. *Calls upon* the Islamic Republic of Iran to eliminate, in law and in practice, all forms of discrimination on the basis of thought, conscience, religion or belief, including restrictions contained in article 499 bis and article 500 bis of the Islamic Penal Code, the continuing enforcement of which has significantly escalated discrimination and violence, as well as economic restrictions, such as the closure, destruction or confiscation of businesses, land and properties, the cancellation of licences and the denial of employment in certain public and private sectors, including government or military positions and elected office, the denial of and restrictions on access to education, including for members of the Baha'i and other religious minorities, and other human rights violations against persons belonging to recognized and unrecognized religious minorities, condemns without reservation antisemitism and any denial of the Holocaust, and calls upon the Islamic Republic of Iran to end ongoing systemic impunity for those who commit crimes against persons belonging to recognized religious minorities;

27. *Expresses serious concern* at the lack of accountability of the Government of the Islamic Republic of Iran in response to long-standing human rights violations involving the Iranian judiciary and security agencies, including ongoing enforced disappearances, extrajudicial executions and the destruction of evidence and grave sites, whereby the lack of accountability of authorities enables ongoing systemic impunity for human rights violations;

28. *Expresses particular concern* at the failure of the Islamic Republic of Iran to conduct prompt, effective, independent, transparent and impartial investigations that align with international standards in response to all allegations of human rights violations, including disproportionate use of force, arbitrary arrest and detention, and torture and other cruel, inhuman or degrading treatment or punishment, including sexual and gender-based violence, and the failure to respect fair trial guarantees and due process, and the use of torture, including to extract confessions, and enforced disappearances as experienced by human rights defenders, peaceful protesters, political prisoners, and dual or foreign nationals, among others; and reaffirms the call for the

Government of the Islamic Republic of Iran to end ongoing systemic impunity for all human rights violations, to launch a comprehensive accountability process, including legal reforms, and to ensure the availability of effective remedies for victims, survivors and all those seeking accountability, truth and justice for human rights violations;

29. *Calls upon* the Islamic Republic of Iran to implement its obligations under those human rights treaties to which it is already a party, to withdraw any reservations that are imprecise or could be considered incompatible with the object and purpose of the treaty, to act upon the concluding observations concerning the Islamic Republic of Iran adopted by the bodies of the international human rights treaties to which it is a party and to consider ratifying or acceding to the international human rights treaties to which it is not already a party;

30. *Also calls upon* the Islamic Republic of Iran to deepen its engagement with international human rights mechanisms by:

(a) Cooperating fully with the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, including by accepting the repeated requests made by the Special Rapporteur to visit the country in order to carry out the mandate, and to take under consideration the conclusions and recommendations presented to the Government of the Islamic Republic of Iran in reports by United Nations special procedures;

(b) Cooperating fully with the Independent International Fact-Finding Mission on the Islamic Republic of Iran, including by allowing unhindered access to the country and to gather information critical to carrying out the mandate;

(c) Increasing cooperation with other special procedures, including by facilitating long-standing requests for access to the country from thematic special procedure mandate holders, whose access to its territory has been restricted or denied, despite the standing invitation issued by the Islamic Republic of Iran, without imposing undue conditions upon those visits;

(d) Continuing to enhance its cooperation with the treaty bodies, including by submitting reports under the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination,¹⁴ the Convention on the Rights of the Child, the Convention on the Rights of Persons with Disabilities¹⁵ and the International Covenant on Economic, Social and Cultural Rights¹⁶ and the implementation of the recommendations from treaty bodies;

(e) Continuing to enhance its cooperation with all relevant United Nations bodies to improve the promotion and protection of human rights in the Islamic Republic of Iran;

(f) Implementing all accepted universal periodic review recommendations from its first cycle, in 2010, its second cycle, in 2014, and its third cycle, in 2019, with the full and genuine participation of independent civil society and other stakeholders in the implementation process;

(g) Building upon the engagement of the Islamic Republic of Iran with the universal periodic review process by continuing to explore cooperation on human rights and justice reform with the United Nations, including the Office of the United Nations High Commissioner for Human Rights;

¹⁴ Ibid., vol. 660, No. 9464.

¹⁵ Ibid., vol. 2515, No. 44910.

¹⁶ See resolution 2200 A (XXI), annex.

(h) Following through on its long-standing commitment to establish an independent national human rights institution in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles),¹⁷ made in the context of its first, second and third universal periodic reviews by the Human Rights Council, with due regard for the recommendation of the Committee on Economic, Social and Cultural Rights;

31. *Further calls upon* the Islamic Republic of Iran to ensure that its national laws are consistent with its obligations under international human rights law and that they are implemented in accordance with its international obligations;

32. *Calls upon* the Islamic Republic of Iran to address the substantive concerns highlighted in the reports of the Secretary-General, 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, as well as the specific calls to action found in previous resolutions of the General Assembly and the Human Rights Council, and to respect fully its human rights obligations in law and in practice;

33. *Strongly encourages* the relevant thematic special procedure mandate holders to pay particular attention to, with a view to investigating and reporting on, the human rights situation in the Islamic Republic of Iran;

34. *Requests* the Secretary-General to report to the General Assembly at its eightieth session on the progress made in the implementation of the present resolution, including options and recommendations to improve its implementation, and to submit an interim report to the Human Rights Council at its fifty-ninth session;

35. *Decides* to continue its examination of the situation of human rights in the Islamic Republic of Iran at its eightieth session under the item entitled "Promotion and protection of human rights".

¹⁷ General Assembly resolution 48/134, annex.