

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	893
Land:	Iran
Kilde:	UN Human Rights Council
Titel:	Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General. Situation of human rights in the Islamic Republic of Iran
Udgivet:	14. maj 2021
Optaget på baggrundsmaterialet:	25. oktober 2021



General Assembly

Distr.: General
14 May 2021

Original: English

Human Rights Council

Forty-seventh session

21 June–9 July 2021

Agenda item 2

Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

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 75/191, 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 forty-seventh session. The present report contains information on the patterns and trends in that regard, the progress made in the implementation of resolution 75/191 and recommendations to improve implementation of the resolution.

* Agreement was reached to publish the present report after the standard publication date owing to circumstances beyond the submitter's control.



I. Introduction

1. The present report is submitted pursuant to General Assembly resolution 75/191, 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 forty-seventh session. The present report covers the period from 1 June 2020 to 17 March 2021.

2. The present report contains information from the Government of the Islamic Republic of Iran, non-governmental and media organizations and individuals interviewed by the Office of the United Nations High Commissioner for Human Rights (OHCHR). It also draws on observations of the United Nations human rights mechanisms. The Government of the Islamic Republic of Iran has continued to engage with OHCHR and the United Nations human rights mechanisms during the reporting period. The Secretary-General acknowledges the detailed comments provided by the Government in response to the draft report.

3. The overall situation of human rights in the Islamic Republic of Iran remains of serious concern. Notwithstanding the economic crisis, aggravated by the imposition of sectoral sanctions and the coronavirus disease (COVID-19) pandemic, internal factors involving impediments to the rule of law and weak justice and accountability mechanisms result in impunity, perpetuate existing violations and increase the risk of future violations. The failure to establish a mechanism in accordance with international law for accountability and remedy for violations committed in the context of protests in November 2019 is emblematic. Protesters, human rights defenders, lawyers and civil society actors continue to be subject to intimidation, arbitrary detention and criminal prosecution, including the death penalty.

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

A. Death penalty and arbitrary deprivation of life

4. Arbitrary deprivation of life remains a major concern, including through the imposition of the death penalty in ways that violate international human rights law, through lethal use of force by State agents, and as a result of the deprivation of medical care in detention. According to the Human Rights Committee, a State's failure to ensure accountability for arbitrary deprivation of life could, in and of itself, constitute a separate violation of the right to life.¹

1. Use of the death penalty

5. 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, the imposition of the death penalty in violation of fair trial standards and the lack of official data around executions.² In 2020, at least 267 individuals, including nine women, were executed.³ The authorities announced 91 of the executions. At least 25 executions were for drug-related charges, one was for alcohol consumption and at least 15 executions were for the overbroad charges of *moharebeh* (taking up arms to take lives or property and to create fear in the public), *efsad-e fel-arz* (spreading corruption on Earth) and *baghy* (rebellion against the State). In 2020, executions for drug-related charges remained at the same level as in the previous two years. In the first two months of 2021, at least 12 people, mostly from minority groups, were executed for drug charges.⁴ The Government has asserted that the death penalty is carried out in full compliance with fair trial standards and with full transparency.

¹ General comment No. 31 (2004), para. 18.

² See https://iranhr.net/media/files/Rapport_iran_2021-gb-290321-BD.pdf.

³ Ibid.

⁴ Submission to OHCHR.

6. In 2020, at least 69 individuals of the Kurdish minority were executed.⁵ The Supreme Court upheld the death sentences for ten Kurdish political prisoners on charges involving “acting against national security”, *efsad-e fel-arz*, *moharebeh* and “membership of Salafi groups”. A high number of individuals of the Arab minority remain on death row or subject to enforced disappearance following arrest. Ali Khasraji, Hossein Silawi and Naser Khafajian were executed in secret on 28 February 2021.⁶ The apparent surge in executions of members of minorities, in particular the Baloch minority, is alarming, with at least 21 Baloch prisoners executed between 19 December 2020 and 1 February 2021. An emblematic case is the execution of Javid Dehghan, sentenced to death by Zahedan Revolutionary Court for *moharebeh*, despite reports of forced confession extracted under torture. He was executed on 30 January 2021, despite calls by OHCHR to halt the execution.⁷

7. The death penalty continues to be imposed on protesters. In 2020, at least two protesters were executed and eight have active death penalty cases. Amirhossein Moradi, Mohammad Rajabi and Saeed Tamjidi were sentenced to death in relation to the protests of November 2019. In December 2020, the Supreme Court accepted their request for a retrial.⁸ In July 2020, the Supreme Court upheld the death sentence for Mehdi Salehi Ghaleh Shahrokhi, Mohammad Bastami, Majid Nazari Kondari, Hadi Kiani and Abbas Mohammadi in relation to protests in 2017 and 2018.⁹ The Secretary-General notes with concern the use of unsubstantiated murder charges against protesters to justify the death penalty. Emblematic cases include the execution of Mostafa Salehi and Navid Afkari on 5 August and 12 September 2020, despite global outcry. They were arrested following their participation in protests in 2017 and 2018 and in 2019 respectively. Both faced unsubstantiated charges of murder and *moharebeh*, and were reportedly subjected to torture to force confessions, which were later used as evidence in trials that were considered grossly unfair. Salehi was kept in solitary confinement for more than a year.¹⁰

8. In addition to the imposition of the death penalty for the exercise of the right of peaceful assembly, the Secretary-General is concerned at its imposition for the exercise of the right to freedom of expression. Ruhollah Zam, founder of AmadNews, a website and Telegram channel, was executed on 12 December 2020. He was convicted in June 2020 for, inter alia, *efsad-e fel-arz*, based in part on a forced confession.¹¹

2. Execution of child offenders

9. The Secretary-General has consistently called for a halt to the execution of child offenders.¹² Under international human rights instruments ratified by the Islamic Republic of Iran, the execution of persons who were below 18 years of age at the time of their offence is absolutely prohibited.¹³ The Islamic Penal Code retains the minimum age of criminal responsibility at 9 lunar years for girls and 15 lunar years for boys in cases in which the child is convicted of *qisas* (retribution in kind) or *hudud* crimes (crimes for which punishments are mandated and fixed). While article 91 of the Islamic Penal Code gives judges the discretion to exempt children from the death penalty, continued imposition of death sentences for child offenders shows that this article has failed to have an effective impact. Some child offenders spend more than a decade awaiting their execution, causing great mental anguish. The Government has highlighted the general policy of the authorities to encourage reconciliation and provide financial grants for payment of *diya* (blood money), and the various institutional entities established to facilitate this.

⁵ Ibid.

⁶ Ibid. See also www.amnesty.org/download/Documents/MDE1338642021ENGLISH.pdf.

⁷ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26716.

⁸ Submission to OHCHR. See also www.reuters.com/article/uk-iran-death-sentence-retrial-idUSKBN28F0BO.

⁹ Ibid. See also <https://iranhr.net/en/articles/4350/>.

¹⁰ Ibid. See also <https://iranhr.net/en/articles/4369/>.

¹¹ See <https://cpj.org/data/people/roohollah-zam/> and www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26603&LangID=E.

¹² For example, A/75/287, para. 61, and A/HRC/43/20, para. 66.

¹³ International Covenant on Civil and Political Rights, art. 6, and Convention on the Rights of the Child, art. 37.

10. In 2020, at least four child offenders were executed, with two of the executions taking place during the reporting period. Following 12 years in detention, Mohammad Hassan Rezaiee was executed on 31 December 2020 in a case emblematic of fair trial concerns, including forced confessions.¹⁴ As of March 2021, over 80 child offenders remained on death row, with some, including Arman Abdolali and Ali Arjangi, at risk of execution at the time of finalization of the present report.

3. Excessive use of force in the context of peaceful assemblies and by border officials

11. A high number of deaths result from the excessive use of force by security officials, border officials and law enforcement agents. The situation is aggravated by the many entities that are allowed to bear arms under Iranian law, including the Islamic Revolutionary Guard Corps and the Basij militia that operates under it. There are no official statistics about deaths resulting from the excessive use of force by State actors.

12. Peaceful protests are routinely met with excessive use of force. The lethal use of force in the context of the nationwide demonstrations in 2019, involving the use of live ammunition and violence by security forces against protesters, was documented in the previous report of the Secretary-General.¹⁵ The Human Rights Committee has noted that even where individuals' conduct places them outside the scope of the protection of article 21 of the International Covenant on Civil and Political Rights (on the right of peaceful assembly) – for example, because they are behaving violently – they retain their other rights under the Covenant, subject to the applicable limitations and restrictions.¹⁶ Furthermore, prompt, transparent, independent and impartial investigations into all instances of excessive use of force should be conducted.

13. Also of concern is the excessive use of force against *kolbar* (border couriers), mostly members of minorities, particularly in provinces that are among the poorest in the country. Reports estimate that around 70,000 Iranians, mostly of the Kurdish minority, depend on being a *kolbar* for sustenance, including women, many of them women heads of household. In 2020, approximately 60 *kolbar*, including children, were killed and more than 170 were injured owing to the use of force by border officials.¹⁷ None of these killings has been investigated by the authorities, leading to continued impunity for these crimes.

14. Similarly, *sookhtbar* (fuel couriers) in Sistan va Baluchestan are reportedly subject to the excessive use of force, without any accountability. Victims and their families often drop complaints owing to reprisals. One emblematic case is the killing of 10 *sookhtbar* by the Islamic Revolutionary Guard Corps on 22 February 2021, triggering demonstrations during which security forces fired lethal ammunition at protesters and bystanders, leading to the killing of at least two more people, and serious injuries to others.¹⁸ Verification of the death toll was difficult following disruption of local mobile data networks during the period from 24 to 27 February 2021.¹⁹

4. Arbitrary deprivation of life in detention

15. While there are no official data on the number of deaths in custody, reported cases indicate that some deaths are due to torture, but may also be due to the denial of medical treatment. Reports show torture by members of the police, intelligence and other security forces, without evidence of a system of oversight capable of effectively investigating such violations.²⁰ The Secretary-General calls for an end to the use of torture, in accordance with the absolute prohibition under the Constitution, and consistent with the obligations of the

¹⁴ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26637&LangID=E.

¹⁵ A/75/287, paras. 14–21.

¹⁶ General comment No. 37 (2020), para. 9.

¹⁷ Submission to OHCHR. See also <https://hengaw.net/en/news/statistical-report-on-the-human-rights-situation-in-iranian-kurdistan-during-2020>.

¹⁸ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26852&LangID=E.

¹⁹ See <https://netblocks.org/reports/internet-disruption-registered-in-iran-following-days-of-outages-in-southeast-oy9Yvoy3> and <https://filter.watch/en/2021/03/10/network-monitor-february-2021/>.

²⁰ See www.amnesty.org/download/Documents/MDE1328912020ENGLISH.PDF.

Islamic Republic of Iran under international human rights law and international humanitarian law.

16. On 10 November 2020, Farhad Vosoughi was reportedly tortured to death by security forces at Khorramabad Central Prison.²¹ Vosoughi had been arrested and detained in October 2020, allegedly for participation in a murder. The Government stated that according to the forensic analysis, the cause of death was the presence of toxic substances.

17. Reports show repeated denial of adequate medical care in detention. An alarming number of prisoners, in particular human rights defenders, prisoners of conscience, environmentalists and political prisoners, have become critically ill in prison, or have had serious medical conditions left untreated in detention. Behnam Mahjoubi, a Gonabadi Sufi sentenced to imprisonment following his participation in a protest in 2018, was reported to have been repeatedly denied medical care despite his underlying psychosocial condition and a medical attestation that he was unable to withstand imprisonment. Mahjoubi was on two occasions transferred to a psychiatric hospital and given medication without his consent. On 12 February 2021, he was given large doses of unknown drugs while in prison, leaving him in a state of coma. His condition was kept secret until the authorities confirmed his death on 22 February 2021.²² He was immediately buried, despite demands for an autopsy. The Government rejected allegations of denial of medical care in detention in all cases raised in the present report.

18. The spread of COVID-19 in overcrowded prisons lacking basic sanitary facilities and lacking sleeping accommodation represents a supplementary risk to prisoners' lives.²³ Acknowledging the authorities' temporary release schemes in February and March 2020 to prevent the spread of COVID-19 in prisons, the Secretary-General reiterates his concerns that some categories of prisoners were excluded, including political prisoners and human rights defenders.²⁴ Among the prisoners who have contracted COVID-19 is Salem Zand, a Baloch political prisoner who died in August 2020 in Zahedan Central Prison.²⁵

B. Access to justice and accountability

1. Impediments to accountability

19. Available information suggests that measures taken by State authorities to prevent human rights violations, or afford effective remedy, are largely non-existent or at best insufficient. Impunity exists in cases of recent violations, and of past violations that have not been investigated or prosecuted. The climate of impunity is compounded by a lack of due process, threat of reprisals and pressure against lawyers.

20. The Secretary-General notes that the acts and conduct described in the present report, if established, could amount to both State responsibility and individual criminal responsibility. The Islamic Republic of Iran, as the primary duty bearer of international human rights obligations, would be responsible for acts attributable to it in violation of its international obligations. There are serious concerns that the judiciary fails to perform its role regarding other State actors, and that the human rights violations and crimes appear to be part of a policy to silence and discourage perceived or real political opposition.²⁶

21. Reports indicate a general mistrust with regard to submitting complaints about violations, due to fear of reprisals and obstacles to holding public servants accountable. The low conviction rate of public officials acts as a disincentive for people to seek justice through official channels. The practice of paying compensation while not pursuing investigation and prosecution further perpetuates impunity, owing to an absence of individual accountability.

²¹ See <https://hengaw.net/en/news/a-kurdish-prisoner-tortured-to-death-in-khorramabad-prison>.

²² See <https://twitter.com/UNHumanRights/status/1363892878330707971>.

²³ See A/HRC/43/61 and www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26345&LangID=E.

²⁴ A/75/287, paras. 31–36.

²⁵ Submission to OHCHR.

²⁶ Ibid.

While compensation of the victim is a crucial element to redress violations, it cannot replace the judicial process of bringing a perpetrator to justice.

2. Torture and due process

22. The Secretary-General is alarmed at the number of documented cases of torture and ill-treatment of children, women and men. Testimonies, photos, audio files and forensic evidence show a pattern of physical and mental coercion to force a confession in the absence of other evidence. Between 2009 and 2019, State media broadcast forced confessions from at least 355 individuals.²⁷ The heavy reliance of the justice system on confessions during investigations seems to be a major incentive for torture, reportedly undertaken by a range of actors, including the police, police intelligence, the Ministry of Intelligence, the Islamic Revolutionary Guard Corps and security forces. While domestic law invalidates the use of forced confessions in courts, testimonies show that judges often refuse to investigate torture allegations and rely on forced confessions as evidence for conviction. An emblematic case is the death sentence against Navid Afkari. An audio file from his trial subsequently made public shows that the judge disregarded Afkari's torture allegations and the written testimony of an eyewitness to the violence.²⁸ The Government rejected all references to allegations of torture in the present report.

23. Also of concern are forced transfers of political prisoners and human rights defenders to psychiatric hospitals. Testimonies show the non-consensual injection of prisoners with unspecified drugs and electric shocks.²⁹ The Islamic Republic of Iran is not a State party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

24. Solitary confinement, by the Islamic Revolutionary Guard Corps and the Ministry of Intelligence operating under the authority of the Supreme Leader and the President respectively, without any independent oversight, remains a grave concern. In some cases, individuals have been held in solitary confinement for more than a year. Testimonies show the systematic use of prolonged periods of solitary confinement without access to medical care, reportedly to isolate and weaken detainees during the investigation phase to force confessions, or as a form of punishment following conviction. Habib and Vahid Afkari have been held in solitary confinement since 5 September 2020, prior to the execution of their brother, Navid Afkari. The use of prolonged solitary confinement may amount to a breach of article 7 of the International Covenant on Civil and Political Rights.³⁰ Its indefinite and prolonged use is also prohibited under the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules). In March 2021, civil society actors filed a lawsuit calling for an end to the use of solitary confinement.³¹

25. Long pretrial detention is common. Under article 242 of the Code of Criminal Procedure, pretrial detention for up to two years in certain cases. Students Ali Younesi and Amirhossein Moradi have remained in pretrial detention since their arrest in April 2020, including periods of solitary confinement.³² In November 2020, the Working Group on Arbitrary Detention expressed concern that the high number of cases in which it had found the Islamic Republic of Iran in violation of its international human rights obligations indicated widespread or systemic arbitrary detention.³³

²⁷ See <https://justice4iran.org/15120/>.

²⁸ See <https://iranhumanrights.org/2020/09/witness-to-the-torture-of-executed-champion-wrestler-navid-afkari-held-incommunicado-and-https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=25566>.

²⁹ See www.amnesty.org/download/Documents/MDE1328912020ENGLISH.PDF and www.iranhumanrights.org/2018/11/forced-psychiatric-hospitalization-cannot-become-new-means-of-silencing-dissent-in-iran.

³⁰ Human Rights Committee, general comment No. 20 (1992), para. 6.

³¹ See <https://iranhumanrights.org/2021/03/lawsuit-by-civil-rights-activists-reignites-debate-on-solitary-confinement-in-irans-prisons>.

³² Submission to OHCHR. See also www.hrw.org/news/2020/06/06/iran-free-students-long-solitary.

³³ See A/HRC/WGAD/2020/83.

26. Lack of effective legal representation remains a due process concern. Lawyers' ability to provide defence is often hindered, including through non-provision of essential documents and information about court dates, limitations to client visits and harassment. Under article 48 of the Code of Criminal Procedure, the right of those accused of crimes against national security to freely choose their lawyer is restricted to a list of lawyers pre-approved by the judiciary.³⁴ In practice, individuals arrested on national security charges are often denied any access to a lawyer during the investigation phase. The Government asserted that the judiciary has proposed an amendment to article 48 to delete the reference to the pre-approved list.

3. Detention and sentences of 2019 protesters

27. The Secretary-General is concerned at prosecutions in connection with the protests of November 2019, with at least 500 people subjected to criminal investigations. Detainees were reportedly subjected to inhuman treatment and torture to confess to association with opposition groups or foreign Governments.³⁵ Accounts from court proceedings indicate that hearings were brief, and were held behind closed doors and, in several cases, without lawyers present. Protesters have been sentenced to imprisonment based on national security charges, such as the sentencing of three young individuals to 10 and 20 years' imprisonment by Dezful Revolutionary Court.³⁶ Prosecutions before the revolutionary courts are particularly concerning given the use of charges involving *moharebeh*, a capital offence.³⁷

28. Most detained protesters were denied furlough despite the COVID-19 outbreak, as temporary release schemes excluded those convicted of national security offences with prison sentences of more than five years, or set exorbitant bails for those sentenced to less than five years. The Secretary-General welcomes the judiciary's pardoning, announced in November 2020, of 157 individuals convicted on national security charges, but regrets that reports indicate that very few individuals convicted for participation in the November 2019 protests were among those pardoned.³⁸

29. Some detained protesters were also denied medical care. In one example, Siamak Moghimi was sentenced to five years' imprisonment on national security charges, despite pleas to the court that he was unable to withstand imprisonment owing to his psychosocial disability, which has severely worsened in prison.³⁹

4. Lawyers and human rights defenders

30. While welcoming the temporary release of Nasrin Sotoudeh on 17 March 2021, the Secretary-General remains concerned at her conviction, connected to the exercise of her profession as a lawyer for human rights defenders.⁴⁰ It is also of concern that her family has been targeted. In February 2021, the bank account of Ms. Sotoudeh's husband, Reza Khandan, himself previously detained for defending human rights, was frozen without justification given. Prior to this, Ms. Sotoudeh's daughter was summoned.⁴¹ The Government noted that Ms. Sotoudeh had been granted furlough on three occasions and had access to medical care and visits. Also of concern is the sentencing to 18 months imprisonment of Farangis Mazloun on charges related to her advocacy against the detention conditions of her son, human rights defender and long-term prisoner Soheil Arabi. Arabi was acquitted of new national security charges, but remains in detention, with reports that he has been denied urgently needed medical treatment.⁴²

³⁴ A/74/273, para. 12.

³⁵ See www.amnesty.org/download/Documents/MDE1328912020ENGLISH.PDF.

³⁶ Submission to OHCHR. See also www.hra-news.org/2021/hranews/a-28261 (in Persian).

³⁷ Submission to OHCHR.

³⁸ See www.irna.ir/news/84105136 (in Persian).

³⁹ See www.en-hrana.org/after-attempting-suicide-a-report-on-the-latest-situation-of-siamak-moghimi-in-great-tehran-penitentiary.

⁴⁰ See A/74/273.

⁴¹ See www.iranhumanrights.org/2019/01/iran-sentences-men-who-supported-womens-protests-against-compulsory-hijab-to-six-years-prison.

⁴² See www.frontlinedefenders.org/en/case/soheil-arabi-acquitted-new-charge.

31. The targeting of relatives and new charges brought against human rights defenders and lawyers to prolong their arbitrary detention are disturbing developments. The Secretary-General welcomes the release in October 2020 of Narges Mohammadi.⁴³ However, Mohammadi has reportedly been summoned to court three times since December 2020 on a new charge of “disturbing prison order”. Women’s rights defenders Atena Daemi and Golrokh Iraee have received new prison sentences, keeping Ms. Daemi in prison and returning Ms. Iraee after having been released. Another worrying trend is the punitive transfer of prisoners of conscience, including at least 15 detained women’s rights defenders, to remote prisons.⁴⁴

32. The Secretary-General notes the ruling of 9 March 2021 by the appeals court in Tehran reducing the prison sentence of Saba Kord Afshari to seven and a half years for protesting against compulsory veiling laws, but remains concerned that she is being arbitrarily detained. Ms. Kord Afshari has reportedly been denied medical treatment, physically assaulted by prison guards and forcibly transferred to Qarchak Prison. Ms. Kord Afshari’s mother, Raheleh Ahmadi, remains arbitrarily detained for protesting against veiling laws.⁴⁵ The Secretary-General notes the reduction of the sentences of Yasaman Aryani, Monireh Arabshahi and Mojgan Keshavarz, imprisoned for peacefully advocating women’s rights, but remains concerned at their imprisonment, their transfers to different prisons in 2020, their reported health issues and their denial of visitation rights.⁴⁶

33. The targeting of lawyers continued during the reporting period. In February 2021, Hoda Amid’s eight-years prison sentence was upheld for “collaboration with the hostile Government of the United States of America against the Islamic Republic on women and family issues”, after she had convened workshops on women’s rights with sociologist Najmeh Vahedi. Ms. Vahedi’s seven-year prison sentence was upheld in the same case.⁴⁷ Reza Eslami was imprisoned on similar charges for participating in a workshop on the rule of law. In February 2021, a revolutionary court sentenced him to seven years’ imprisonment for cooperation with an “enemy State” through his participation in a law training course in Czechia.⁴⁸ The Secretary-General notes that lawyers Mohammad Najafi and Payam Derafshan have been granted temporary release, but he remains concerned that they have been sentenced to imprisonment for their work.

34. Prisoners of conscience, political activists, human rights defenders and lawyers are disproportionately excluded from temporary release.⁴⁹ Some political prisoners have been in prison for years without a single day of furlough. For example, Maryam Akbari Monfared, who was sentenced to 15 years’ imprisonment for participating in protests in 2009, has been imprisoned for the past 12 years. Harassment against her increased after she filed a formal complaint, seeking official investigation into the 1988 executions of political prisoners, including her siblings.⁵⁰ Similarly, Zeinab Jalalian, a Kurdish political prisoner serving a life sentence for *moharebeh*, has been held in prison since 2008 without furlough.⁵¹

5. Environmentalists

35. Seven environmentalists from the Persian Wildlife Heritage Foundation remain detained on espionage charges, despite an official committee finding no evidence of espionage.⁵² With the exception of one of the environmentalists, they have been denied

⁴³ See www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=26376&LangID=E.

⁴⁴ See <https://iranhumanrights.org/2021/03/iranian-courts-are-unlawfully-banishing-political-prisoners-into-prison-exile/>.

⁴⁵ See www.frontlinedefenders.org/en/case/prison-sentence-saba-kord-afshari-reduced-7-years-and-6-months.

⁴⁶ Submission to OHCHR. See also www.iranhr.net/media/files/HRD_Report_Iran_Human_Rights_Eng.pdf, pp. 44–46.

⁴⁷ Submission to OHCHR. See also www.frontlinedefenders.org/sites/default/files/iran_-_ua-_najmeh_vahedi_hoda_amid_16_feb_2021_en.pdf.

⁴⁸ Submission to OHCHR. See also www.hra-news.org/2021/hranews/a-28731 (in Persian).

⁴⁹ A/HRC/43/61, paras. 58–59.

⁵⁰ See <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=22861> and <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=23162>.

⁵¹ A/HRC/WGAD/2016/1.

⁵² See www.irna.ir/news/82927394 (in Persian) and www.ensafnews.com/216369 (in Persian).

furlough since their arrest in January and February 2018. The Secretary-General reiterates his concern that one of the environmentalists, Niloufar Bayani, was convicted in part owing to her work for the United Nations. Ms. Bayani is facing a new defamation case after claiming ill-treatment, torture and sexual harassment during her interrogation.⁵³

6. Dual and foreign nationals

36. The Secretary-General remains concerned at the use of espionage charges against dual and foreign nationals. Iranian-Swedish citizen Ahmadreza Djalali remains at risk of imminent execution and is in a critical health condition. Mr. Djalali has been held in solitary confinement since November 2020, when he was taken from his cell in preparation for his execution.⁵⁴ The Secretary-General notes the release of British-Iranian citizen Nazanin Zaghari-Ratcliffe in March 2021 at the end of her sentence, but is concerned that she was summoned to court a week later on new charges.⁵⁵ Austrian-Iranian citizen Massud Mossaheb's 10-year prison term was upheld in July 2020, a decision partially based on a forced confession subsequently broadcast on State television. Mr. Mossaheb has been denied proper medical treatment for several serious ailments.⁵⁶ Similar reports of inadequate medical treatment concern Austrian-Iranian citizen Kamran Ghaderi and British-American-Iranian citizen Morad Tahbaz.⁵⁷ American-Iranian citizen Baquer Namazi remains on medical release but is prohibited from leaving the country. His son Siamak Namazi remains imprisoned. British-Iranian citizen Anoosheh Ashoori, sentenced in September 2018 to 10 years' imprisonment on national security charges, was reportedly forced to sign confessions under torture and prolonged solitary confinement. In February 2021, Mr. Ashoori's access to a phone was cut, denying him contact with his family.⁵⁸

7. Women and girls

37. The Secretary-General welcomes the finalization of the bill on "preserving the dignity and protection of women against violence", presented to parliament on 13 January 2021.⁵⁹ The bill criminalizes violence and sexual misconduct against women and mandates different State agencies to undertake a range of preventive and protective measures. However, the bill fails to provide effective protection and to ensure access to remedies.⁶⁰ It does not criminalize child marriage or marital rape, nor does it repeal discriminatory provisions against women in the Civil Code and the Islamic Penal Code, including the narrow definition of sexual violence and assault. Victims express reluctance to file complaints owing to high evidentiary requirements for proving coercion or the risk of prosecution for extramarital sexual relations, or because they disagree with the imposition of the death penalty on the perpetrator.⁶¹

38. The legal age of marriage for girls and boys under the Civil Code remains 13 and 15 years respectively, and girls of a younger age may under some conditions also enter into a marriage contract.⁶² The marriages of more than 16,000 girls aged 10 to 14 years were officially registered between March and September 2020, and official numbers indicate 710 births registered to mothers under the age of 15 years and more than 34,000 births to mothers aged 15 to 19 years over the same period.⁶³ The Government stated that training for judges has led to the non-issuance of marriage permits in cases where the parties insist and refer to the courts.

⁵³ See <https://iranhumanrights.org/2020/02/conservationist-niloufar-bayani-iran-torture-and-sexual-threats-detailed-in-letters-by-jailed-former-un-environment-consultant/>.

⁵⁴ See www.amnesty.org/en/documents/mde13/3504/2021/en.

⁵⁵ See www.bbc.com/news/uk-56390394.

⁵⁶ See www.amnesty.org/download/Documents/MDE1333012020ENGLISH.pdf.

⁵⁷ See <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=25846>.

⁵⁸ See www.theguardian.com/world/2021/feb/19/briton-held-in-iran-completely-shut-off-after-losing-phone-access.

⁵⁹ See <http://women.gov.ir/fa/news/14159/> (in Persian).

⁶⁰ See <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=25651>.

⁶¹ See www.hrw.org/news/2020/09/09/iran-having-its-metoo-moment.

⁶² See Civil Code, art. 1041.

⁶³ See <https://cutt.ly/gx2c1nN> (in Persian) and www.amar.org.ir/Portals/0/News/1399/gozareshavf2-99.pdf (in Persian).

39. Compulsory veiling laws remain of concern, which are enforced by the police, the Basij militia and the “morality police”. Appearing in public without a hijab is punishable by imprisonment. In May 2020, the police cyber unit announced that appearing on social media without a hijab constituted a breach of the law.⁶⁴ Since March 2019, the police have also used text messaging to summon drivers and passengers who remove their hijab in cars, with owners of more than 300,000 vehicles summoned in the first four months of the plan’s implementation.⁶⁵

8. Situation of minorities

40. In addition to the violations described elsewhere in the present report, in January 2021 more than 100 Kurdish civil society activists were arrested and arbitrarily detained, with some forcibly disappeared.⁶⁶

41. Also of concern is the criminalization of the advocacy of minority rights. The prosecution of Zara Mohammadi and of Anisa Jafari-Mehr for teaching the Kurdish language and culture is emblematic. In February 2021, Ms. Mohammadi’s sentencing to imprisonment was upheld, but reduced to five years. Ms. Jafari-Mehr was arrested by security forces at her home in November 2020 and transferred to an unknown location. She was summoned to court on 18 February 2021.⁶⁷ In July 2020, the Supreme Court upheld the 15-year prison sentence against Abbas Lisani, on overbroad national security charges, following Mr. Lisani’s defence of the right of the Turkic-languages minority in the Islamic Republic of Iran to education in their mother tongue and protesting against Government policies.⁶⁸

C. Rights to freedom of expression, association and peaceful assembly

1. Civil society organizations

42. The Secretary-General notes with concern the court decision of 3 March 2021, dissolving Imam Ali’s Popular Students Relief Society, a prominent non-governmental organization working on poverty alleviation. Founded in 1999, the Society has more than 12,000 volunteers providing essential support to marginalized groups and children. The case against it was brought by the Ministry of the Interior following a series of measures, including the closure of its offices, a discrediting campaign by State media, and the arrest of its founder, Sharmin Meymandinejad, and board members.⁶⁹ Mr. Meymandinejad was held in solitary confinement for over four months before being released on bail on 27 October 2020. The court decision claims that the Society “deviated” from its original mission and insulted religious beliefs by “questioning Islamic rulings such as *qisas*” and “promoting falsehood by publishing statements against the Islamic Republic of Iran”.⁷⁰ The Secretary-General urges the Government to reverse the decision to dissolve Imam Ali’s Popular Students Relief Society and allow it to operate without interference.⁷¹ The Special Rapporteur on the rights to freedom of peaceful assembly and of association has noted that the suspension and the involuntarily dissolution of an association are the severest types of restrictions on freedom of association.⁷²

43. There are continued reports of interference with the independence of bar associations. On 14 November 2020, a directive by the judiciary established the General Office for the Supervision of Lawyers, giving new discretion to the judiciary in contravention of Iranian law on the independence of the bar association. The directive expands the scope of

⁶⁴ See <https://faratitr.ir/fa/news/5774/> (in Persian) and <http://yrcnews.ir/NSite/FullStory/News/?Serv=3240&SGR=5373&Id=234838> (in Persian).

⁶⁵ See [www.tasnimnews.com/fa/news/1398/04/27/2056803](http://tasnimnews.com/fa/news/1398/04/27/2056803) (in Persian).

⁶⁶ Submission to OHCHR. See also www.hrw.org/news/2021/02/03/joint-letter-urgent-international-action-needed-secure-release-kurdish-activists.

⁶⁷ Submission to OHCHR. See also <https://cpj.org/data/people/anisa-jafari-mehr/>.

⁶⁸ Submission to OHCHR. See also <https://iranhr.net/en/articles/4355/>.

⁶⁹ See www.kayhan.ir/fa/news/191280 (in Persian) and <http://kayhan.ir/fa/news/158067> (in Persian).

⁷⁰ See www.hrw.org/news/2021/03/10/iran-joint-statement-court-ordered-dissolution-prominent-charity-group.

⁷¹ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26141&LangID=E.

⁷² A/HRC/20/27, para. 75.

disciplinary violations and authorizes investigation into issues such as lawyers observing hijab on social media. The self-regulation of bar associations had already been diminished by earlier regulations, including the judiciary's attempt to replace the existing by-law of bar associations.⁷³

2. Restrictions on peaceful assembly and labour rights

44. The Secretary-General remains concerned about the criminalization of the exercise of the right to peaceful assembly and at the violent dispersal of peaceful protests. Between 1 June 2020 and 31 January 2021, security forces used force to disperse at least 39 such protests.⁷⁴

45. Labour rights defenders continue to be harassed, arrested, imprisoned and flogged. Since August 2020, more than 20,000 workers participated in labour strikes in 50 oil and petrochemical plants, demanding the implementation of the law on the classification of jobs.⁷⁵ Related action has continued, with protests in January and February 2021. Those involved have been monitored by security personnel, and some have not had their contracts renewed or have been threatened with dismissal, arrest and criminal charges.

46. Nurses remain in a precarious situation, with short-term contracts and low and delayed salaries. On 13 August 2020, 10 nurses were arrested and released the same day after protesting against their work conditions in Mashhad.⁷⁶

47. Haft Tappeh sugar cane company workers started new strikes in June 2020. The Secretary-General notes some positive developments in this long-running dispute, including a parliamentary investigation involving an audience with labour rights defenders, and the pardoning of some Haft Tappeh workers convicted for labour rights activism. However, since strikes recommenced, workers have continued to be harassed, detained and prosecuted. In February 2021, Ali Nejati was summoned to begin serving a five-year prison sentence for a conviction for which he had previously been pardoned.⁷⁷ Sepideh Qoliyan, a freelance labour affairs reporter convicted for reporting on a rally by Haft Tappeh workers, began serving a five-year sentence in June 2020 after refusing to sign a letter of apology.⁷⁸

48. Other labour rights defenders continue to be arbitrarily detained, including teacher Esmail Abdi, imprisoned since 2016 for defending labour rights. His suspended sentence of 10 years' imprisonment was reimposed in May 2020.⁷⁹ Jafar Azimzadeh, one of the leaders of the Free Union of Iranian Workers, received a new sentence of 13 months' imprisonment in August 2020.⁸⁰ As in Mr. Abdi's case, the new prison term is reportedly an attempt to keep Mr. Azimzadeh imprisoned after he had been pardoned earlier in 2020. Mr. Abdi and Mr. Azimzadeh have reportedly been denied medical care in prison.⁸¹ Arash Johari was arrested in October 2020, reportedly held in solitary confinement, and in January 2021 sentenced to 16 years' imprisonment on national security charges.⁸² In November 2020, a sentence of 74 lashes was enforced against Davood Rafiei, for protesting against his unjustified dismissal.⁸³

3. Journalist and media freedom

49. Reports estimate that at least 15 journalists were in detention as at 1 December 2020.⁸⁴ On 20 January 2021, Reza Taleshian Jelodarzadeh, editor-in-chief of *Nour-e Azadi* magazine,

⁷³ See <https://rc.majlis.ir/fa/law/show/92825> (in Persian), and A/HRC/34/65, paras. 34–36.

⁷⁴ Submission to OHCHR.

⁷⁵ Ibid.

⁷⁶ Ibid.

⁷⁷ Ibid. See also <https://iranhumanrights.org/2021/03/traditional-new-year-furloughs-and-other-privileges-denied-to-irans-political-prisoners/>.

⁷⁸ See <https://iranhumanrights.org/2020/06/sepideh-qoliyan-refuses-to-beg-for-pardon-goes-back-to-prison/>.

⁷⁹ See www.iranhumanrights.org/2020/06/prominent-teachers-rights-activist-facing-additional-years-in-prison.

⁸⁰ Submission to OHCHR. See also <https://iranhumanrights.org/2020/08/new-conviction-against-imprisoned-labor-leader-upheld-to-keep-him-behind-bars/>.

⁸¹ Submission to OHCHR.

⁸² Ibid. See also www.amnesty.org.uk/urgent-actions/british-iranian-labour-activist-detained.

⁸³ Zamaneh Media, "Labour rights in Iran: quarterly report No. 15", October–December 2020, p. 12.

⁸⁴ See <https://cpj.org/reports/2020/12/record-number-journalists-jailed-imprisoned/>.

was arrested and sent to prison for a three-year sentence for “disturbing public opinion” and “spreading anti-establishment propaganda”, in part owing to social media posts.⁸⁵ Mahmoud Mahmoudi, a Kurdish journalist and editor of *Aigrin Roj Weekly*, was arrested in January 2021 and detained in an undisclosed location. He had recently signed a letter against the mass arrest of Kurdish activists.⁸⁶ Kayvan Samimi, editor of *Iran-e Farda* magazine, was arrested in December 2020 to commence his three-year sentence on national security-related charges after attending a May Day rally.⁸⁷ In February 2021, photojournalist Nooshin Jafari was taken to prison to serve a four-year sentence for “insulting the sacred” and “propaganda against the state”.⁸⁸ Journalist Mohammad Mosaed left the country after being sentenced to nearly five years’ imprisonment on national security charges, stemming from his social media posts and investigative reporting.⁸⁹ In February 2021, Arash Ganji’s 11-year prison sentence on national security-related charges was upheld for translating a book concerning the Kurdish-populated region of the north of the Syrian Arab Republic.⁹⁰ Mr. Ganji’s sentence follows the detention of three further members of the Iranian Writers’ Association in October 2020 to commence prison terms for their work against censorship.⁹¹ In addition, threats continued to be reported against journalists working for overseas-based Persian-language news services and their families.

4. Freedom of expression online

50. Between 1 June 2020 and 31 January 2021, more than 57 individuals were arrested and detained for online activities and postings on Instagram, Telegram and other social media platforms, including on charges of “insulting the Prophet of Islam”, “connection with opposition groups” and “insulting the police”.⁹² In October 2020, it was reported that Mohammad Javad Shakuri Moghadam, chief executive officer of Aparat, a video-sharing platform, was sentenced to 10 years’ imprisonment for “encouraging corruption” over a video posted by a user containing interviews of children being asked “how they were born”. Seven others accused in the case were each sentenced to 11 years’ imprisonment.⁹³ In November 2020, intelligence agents arrested Abbas Saedi, writer and activist behind the Telegram channel “Shakhabit”, after violently raiding his house.⁹⁴

51. Shutdowns and disruption of Internet and telecommunications services continued, in particular in connection with protests.⁹⁵ Cases include the shutdowns during online protests against the death penalty, Internet disruptions following anti-Government protests in Behbahan in July 2020, shutdowns in Tehran in the context of crowds commemorating the death of singer Mohammad Reza Shajarian in October 2020, and disruptions to mobile data access during the lethal use of force in Sistan va Baluchestan in February 2021.⁹⁶ Internet shutdowns violate the right to freedom of expression and can under no circumstance be justified.⁹⁷

⁸⁵ See <https://cpj.org/2021/02/iran-arrests-journalist-reza-aleshian-jelodarzadeh/>.

⁸⁶ Ibid.

⁸⁷ See <https://cpj.org/2020/12/iranian-journalist-kayvan-samimi-begins-3-year-prison-sentence-over-protest-coverage/>.

⁸⁸ See <https://cpj.org/2021/02/iranian-journalist-nooshin-jafari-begins-4-year-jail-term-on-propaganda-and-insult-charges/>.

⁸⁹ See <https://cpj.org/2021/01/deportation-for-iranian-journalist-mohammad-mosaed-not-on-the-table-in-turkey-official-says/>.

⁹⁰ See <https://iranhumanrights.org/2021/03/for-translating-a-book-about-syria-arash-ganji-must-serve-5-years-in-iranian-prison/>.

⁹¹ See <https://iranhumanrights.org/2020/12/iranian-authorities-go-after-more-members-of-writers-association/>.

⁹² Submission to OHCHR.

⁹³ See www.rferl.org/a/iranian-youtube-ceo-sentenced-to-10-years-over-video-uploaded-by-user/30913476.html.

⁹⁴ Submission to OHCHR.

⁹⁵ See www.accessnow.org/iran-blackout-2021-internet-shutdowns-sistan-baluchistan and <https://iran-shutdown.amnesty.org/>.

⁹⁶ See <https://netblocks.org/reports/internet-disrupted-in-iran-as-thousands-gather-to-mourn-singer-shajarian-Q8okW38n>.

⁹⁷ See Human Rights Council resolution 32/13. See also Human Rights Committee, general comment No. 37 (2020), para. 34.

52. In addition, censorship of online content through the blocking and filtering of websites and social media platforms continued based on orders by the Supreme Council of Cyberspace, the judiciary or the Supreme National Security Council. Websites belonging to Telegram, Twitter, Facebook and YouTube remain blocked and inaccessible without the use of circumvention tools. In January 2021, the authorities held that the messaging application Signal contained “criminal content”, and reportedly ordered operators to block it.⁹⁸

D. Right to an adequate standard of living, right to health and the impact of sanctions

1. Poverty and the economic situation

53. Between December 2019 and December 2020, the annual rate of individual economic activity fell by 2.9 per cent with close to 1.5 million people leaving the job market, the vast majority of them women. Prior to this, the rate of women’s participation in the job market was a fifth of that of men.⁹⁹ In January 2021, the authorities confirmed that in 2020, one million people had lost their jobs owing to the economic consequences of the pandemic.¹⁰⁰ The official inflation rate has risen continuously, reaching 48.2 per cent in February 2021.¹⁰¹ The average food prices increased by 59.9 per cent between January 2020 and January 2021. Price increases have contributed to pushing increasing segments of the population below the poverty line.¹⁰² In December 2020, it was announced that 35 per cent of the population lived below the poverty line.¹⁰³ In February 2021, pensioners and retired government employees in a dozen cities protested against their insufficient State pension, which left them below the poverty line.¹⁰⁴

54. As the economic situation worsened, unemployed workers in different cities gathered under the slogan “Hungry workers”.¹⁰⁵ In January 2021, domestic media reported an increase of more than 4.2 per cent in deaths by suicide between March and December 2020. The situation is particularly dire in minority provinces, including Khuzestan and Sistan va Baluchestan. A series of suicides was also observed among children living in poverty.¹⁰⁶

55. The Secretary-General reiterates his concerns at the impact of the economic crisis on living conditions.¹⁰⁷ Challenges include resource constraints associated with the imposition of sanctions, notably on oil exports and the financial sector, and the broader effects of COVID-19 on wider economic activity. In June 2020, the Government distributed new financial assistance packages to three million vulnerable households for a period of four months.¹⁰⁸ Cash subsidies ranged from 2 million to 6 million rials for one-person to five-person households.¹⁰⁹ Overall, 4.4 per cent of the gross domestic product was allocated to loans for affected businesses and vulnerable households.¹¹⁰

⁹⁸ See www.rferl.org/a/iran-reportedly-orders-operators-to-block-signal-messaging-app/31068217.html.

⁹⁹ See www.amar.org.ir/Portals/0/News/1399/bikari%2099-3.pdf (in Persian).

¹⁰⁰ See www.ilna.news/fa/tiny/news-976322 (in Persian).

¹⁰¹ See <https://cutt.ly/gx9yRg4> (in Persian).

¹⁰² See

www.amar.org.ir/Portals/0/News/1399/dahake.pdf www.amar.org.ir/Portals/0/News/1399/dahake.pdf (in Persian).

¹⁰³ See <https://cutt.ly/fx9yJBj>.

¹⁰⁴ See <https://iranhumanrights.org/2021/01/suffering-iranian-retirees-joining-nationwide-protests-against-chronic-state-failures-swo>.

¹⁰⁵ See www.ilna.news/fa/tiny/news-1009290 (in Persian) and www.rouyad24.ir/0010Kr (in Persian).

¹⁰⁶ Ibid.

¹⁰⁷ A/74/273, paras. 59–65, and A/HRC/43/20, paras. 44–58.

¹⁰⁸ See www.irna.ir/news/83718476 (in Persian).

¹⁰⁹ See www.amar.org.ir/news/ID/12946 (in Persian).

¹¹⁰ See www.imf.org/en/Topics/imf-and-covid19/Policy-Responses-to-COVID-19 and www.isna.ir/news/99072921467 (in Persian).

2. Right to health

56. As the Secretary-General has highlighted in previous reports, sanctions and banking restrictions have had an adverse effect on the health sector, including shortages of pharmaceutical and medical items.¹¹¹ The COVID-19 pandemic has aggravated the challenges in the health system. As at 1 October 2020, the health sector had received only 27 per cent of the \$1.1 billion allocated from the national development fund.¹¹² Health-care workers had not received wages for months, working extra shifts and with limited protective equipment.¹¹³ As of March 2021, more than 550 doctors, nurses and other health-care workers had reportedly died of COVID-19.¹¹⁴

57. Sanctions have affected the Government's access to foreign currency reserves to purchase medical supplies and the import of those products, such as insulin.¹¹⁵ The country produces approximately 97 per cent of medicines used domestically, but has limited foreign currency available to purchase material for production.¹¹⁶ Foreign medication required for the treatment of life-threatening or rare conditions remains scarce.¹¹⁷

58. The Secretary-General and the United Nations High Commissioner for Human Rights have appealed for waivers on sanctions that could undermine countries' capacity to respond to the COVID-19 pandemic.¹¹⁸ There are concerns that complex regulatory processes, limited access to non-sanctioned banking services, shortages of foreign currency and overcompliance by potentially affected third parties have jeopardized trade of medical products and equipment.¹¹⁹

59. Domestic criticism of the Government's response to the COVID-19 pandemic increased in the light of the high mortality rate, with even State media reporting one death every three minutes by October 2020.¹²⁰ Health experts have raised concerns at the inconsistency in official COVID-19 figures and the lack of transparency.¹²¹ On 8 January 2021, the Supreme Leader banned the import of vaccines produced in the United States of America and the United Kingdom of Great Britain and Northern Ireland, leading to criticism about the politicization of the vaccination campaign.¹²² On 9 February 2021, the Government launched its own COVID-19 vaccination campaign.¹²³

3. Right to adequate housing and forced evictions

60. Access to housing is increasingly difficult. Average housing prices in the summer of 2020 increased by 101 per cent and rent by 43.8 per cent compared to the previous year.¹²⁴ Lack of affordable housing has over time contributed to the growth of an informal housing sector and the expansion of settlements deemed illegal, particularly in minority-populated areas.¹²⁵ According to official numbers, 19 million Iranians live in informal settlements, including slums and structures built on land with limited access to water and electricity.

¹¹¹ A/74/273, para. 59, and A/HRC/43/20, para. 58. See also www.irna.ir/news/84057232 (in Persian).

¹¹² See www.tasnimnews.com/fa/news/1399/07/08/2359073 (in Persian).

¹¹³ Ibid.

¹¹⁴ Submission to OHCHR.

¹¹⁵ See <https://khabaronline.ir/news/1444878> (in Persian).

¹¹⁶ See <https://ifpnews.com/iran-producing-97-of-medicines-it-needs-domestically>.

¹¹⁷ See www.mehrnews.com/news/4688345 (in Persian).

¹¹⁸ See www.un.org/en/coronavirus/war-needs-war-time-plan-fight-it, www.un.org/sg/en/content/sg/note-correspondents/2020-03-24/note-correspondents-letter-the-secretary-general-g-20-members and www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=25744&LangID=E.

¹¹⁹ A/74/273, para. 63, and A/HRC/43/20, para. 50.

¹²⁰ See <https://covid19.who.int/table>, www.reuters.com/article/us-health-coronavirus-iran/iran-reports-covid-19-death-every-three-minutes-speaker-tests-positive-idUSKBN27D1KZ, www.tabnak.ir/fa/news/1005282 (in Persian) and <https://hamshahrionline.ir/x6zbY> (in Persian).

¹²¹ Submission to OHCHR. See also <https://cpj.org/2020/08/iran-shuts-down-economic-newspaper-over-covid-19-reporting/>.

¹²² See www.hrw.org/news/2021/01/12/iran-khameneis-reckless-ban-covid-19-vaccine#.

¹²³ See <https://cutt.ly/xx9akpk> (in Persian).

¹²⁴ See <https://amar.org.ir/Portals/0/News/1399/nashriye99-2mas.pdf> (in Persian).

¹²⁵ E/C.12/IRN/CO/2, para. 23.

Official reports found that in October 2020, 40 per cent of the urban population lived in some form of inadequate housing.¹²⁶ The Government described existing housing macro policies implementing the constitutional right to housing, despite challenges represented by COVID-19 and sanctions.

61. Municipal officials estimated that the number of homeless people in shelters in Tehran would increase from 490,000 to 700,000 between March 2020 and March 2021.¹²⁷ The proportion of women in these shelters had increased by 20 per cent between March and October 2020 compared with the same period the previous year, reaching more than 27,100 women.¹²⁸ Shelters were already under strain, and the COVID-19 outbreak has laid bare pre-existing and vast structural inequalities in the right to housing.

62. Obstacles to the realization of the right to adequate housing include lack of effective financial infrastructure and poorly regulated institutions, including credit institutions, in combination with limited supply of affordable housing.¹²⁹ Development projects tend to prioritize premium properties over low- and middle-income housing. For lower-income groups, affordability is the main obstacle to access to housing.¹³⁰ The Government noted its regulations and incentives in providing housing to veterans and their families, victims of natural disasters and persons with disabilities.

63. Lack of security of tenure, identified as a component of the right to adequate housing,¹³¹ represents another obstacle, in particular in view of forced evictions. Owing to a lack of formal ownership titles, many inhabitants live under constant threat of eviction. Current developments show that even formal ownership titles do not protect against forced evictions and confiscations.¹³²

64. Since the outbreak of COVID-19, the demolition of suburban housing of marginalized residents continued, despite recommendations by the United Nations to halt forced evictions during the pandemic.¹³³ In June 2020, the houses of informal settlers in Chahardangeh, Tehran Province, were demolished. The demolition of the remaining residences in the area was temporarily halted.¹³⁴ In November 2020, in the outskirts of Bandar Abbas, Hormozgan Province, Tayebbeh Ramezanzadeh set herself on fire after municipal officials demolished her residence.¹³⁵ In September 2020, farmers in six villages, totalling 60 families, in Sardasht, Azarbayjan-e Gharbi Province, received an eviction order following a decision by the Supreme National Security Council.¹³⁶

65. Forced evictions were often carried out in connection with development projects. No alternative housing or compensation were offered, causing involuntary displacement. Demolitions have disproportionately targeted the land and property of minorities, without their participation in the decision-making process. In August 2020, security forces raided the village of Abolfazl, Khuzestan Province, following a demolition order issued by the judiciary. The raid resulted in dozens of injuries as the security forces reportedly fired indiscriminately and threw tear-gas canisters at people resisting the confiscation and demolition. At least 130 people were arrested by the security forces, with 60 people reportedly released on high bail sums, and some pressured to sign a pledge in detention accepting the demolition of their homes. The demolition order claimed that ownership belonged to the Mostazafan Foundation. The Foundation, classified as a non-profit charitable organization, is exempt from taxation and from public oversight, with an estimated worth of

¹²⁶ See <https://cutt.ly/Cx9sJbK> (in Persian) and <https://cutt.ly/7x9s9vK> (in Persian).

¹²⁷ See <https://cutt.ly/Mx9icj5> (in Persian).

¹²⁸ See <https://cutt.ly/Hx9iT61> (in Persian).

¹²⁹ See <http://uploads.habitat3.org/hb3/IR-IRAN-National-Habitat-3-Report-2016.pdf>.

¹³⁰ Submission to OHCHR.

¹³¹ Committee on Economic, Social and Cultural Rights, general comment No. 4 (1991), para. 8 (a).

¹³² Submission to OHCHR.

¹³³ A/HRC/46/43, para. 17.

¹³⁴ See <https://eghtesaad24.ir/000Jwr> (in Persian).

¹³⁵ Submission to OHCHR. See also www.isna.ir/news/99082920557 (in Persian).

¹³⁶ Submission to OHCHR.

approximately \$6.6 billion in 2017.¹³⁷ The Government asserted that the residents had been provided with alternative housing.

66. In Sistan va Baluchestan, property belonging to the population in the area, mostly of the Baloch minority, was destroyed, leaving residents displaced and without compensation or shelter. Demolitions in the reporting period include the destruction of a home despite ownership papers, the confiscation of agricultural land and repeated demolitions in and around Zahedan.¹³⁸

67. Demolitions and confiscations of property belonging to the Baha'i religious minority escalated during the reporting period, including a series of court proceedings in which their property was deemed "illegitimate". In August 2020, Branch 54 of the Special Court for Article 49 of the Constitution ruled that property belonging to Baha'is in the village of Ivel, Mazandaran Province, could be confiscated.¹³⁹ In October 2020, Mazandaran Court of Appeal, ruled that the land ownership of 27 members of the Baha'i community was illegal, allowing the forcible confiscation and sale of the land.¹⁴⁰ On 22 November 2020, intelligence agents raided shops and homes of Baha'is in seven cities across the country, without prior notice. The basis for the warrants was accusations of membership of "a perverse sect" and action against national security.¹⁴¹

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

A. Human rights treaty bodies

68. The Government has reiterated its commitment to engaging with international human rights mechanisms and to submitting its outstanding periodic reports. The Secretary-General notes that the reports under the International Convention on the Elimination of All Forms of Racial Discrimination, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights have been overdue since 2013, 2014 and 2018 respectively. The Secretary-General encourages the Government to submit its overdue reports and encourages compliance with the recommendations of the treaty bodies.

B. Special procedures

69. In March 2021, in its resolution 46/18, the Human Rights Council extended the mandate of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran. The Secretary-General encourages the Government to pursue constructive dialogue with the Special Rapporteur and to invite him to visit the country.

70. In December 2019, the Government invited the Special Rapporteur on the right to food, the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health and the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights to visit the Islamic Republic of Iran.

71. Between 1 June 2020 and 18 January 2021, special procedure mandate holders issued 17 communications regarding the situation of human rights in the Islamic Republic of Iran. A total of 15 public statements were issued between 1 June 2020 and 18 March 2021. The

¹³⁷ See <https://financialtribune.com/articles/economy-domestic-economy/77642/mostazafan-foundation-puts-last-year-s-revenues-at-66b>.

¹³⁸ Submission to OHCHR.

¹³⁹ Ibid. See also <https://opa.bahai.ca/areas-focus/situation-iran-yemen/ivel/>.

¹⁴⁰ Submission to OHCHR.

¹⁴¹ Ibid. See also www.bic.org/news/home-raids-across-iran-indicate-alarming-increase-human-rights-violations-against-bahais-says-bahai-international-community.

Government has replied to 12 communications. The Government noted its efforts in providing speedy and substantive responses to communications.

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

72. The Secretary-General welcomes the dialogue between the Government and OHCHR, and encourages the Government to continue and enhance its engagement with OHCHR in technical cooperation. The Executive Office of the Secretary-General and OHCHR raised concerns on several occasions with the Government about the situation of child offenders at imminent risk of execution and about the detention of dual and foreign nationals. The Government reiterated its commitment to pursuing its engagement with OHCHR.

IV. Recommendations

73. On the basis of the present report, the Secretary-General:

(a) Urges the Government to abolish the death penalty and introduce an immediate moratorium on its use and to prohibit the execution of child offenders in all circumstances and commute their sentences;

(b) Urges the Government to ensure that international fair trial standards are met, notably by ensuring that all defendants, including those accused of crimes against national security, are given access to legal counsel of their choosing during the preliminary investigative stage and all subsequent stages of the judicial process;

(c) Urges the Government to release immediately all persons detained arbitrarily for legitimately exercising their rights to freedom of opinion and expression, association and peaceful assembly, and to ensure that security measures in relation to future protests are in accordance with international standards, including the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials;

(d) Urges the Government to ensure a prompt, transparent and effective investigation by an independent and impartial body into the use of excessive and lethal force during protests and into deaths in custody and reports of torture and other ill-treatment, and to prosecute and hold accountable public officials, including law enforcement officials, found responsible for issuing or carrying out the relevant orders;

(e) Urges the Government to guarantee the right to freedom of opinion and expression, and to ensure that any limitation to those rights offline and online is in accordance with the established criteria for permissible restrictions under international human rights law;

(f) Urges the Government to ensure that human rights defenders, lawyers, journalists, writers, labour rights activists, artists and environmentalists are able to engage in their respective activities safely and freely, without fear of reprisal, harassment, arrest, detention or prosecution, and to extend the policy of temporary release of prisoners in the context of the COVID-19 pandemic to all detainees who pose no threat to public safety;

(g) Urges the Government to take further steps to eliminate all forms of discrimination against women and girls, to take effective measures to protect them from other human rights violations, in accordance with international standards, and to advance their equal participation in public life;

(h) Urges the Government to protect the rights of all persons belonging to ethnic and religious minorities, and to address all forms of discrimination against them immediately;

(i) Notes the economic and financial challenges experienced by the Islamic Republic of Iran and urges States that have imposed sanctions on it to take appropriate steps to ensure that measures such as humanitarian exemptions are given prompt,

broad and practical effect in order to minimize the adverse consequences of the sanctions;

(j) Calls upon the Government 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 conventions of the International Labour Organization;

(k) Encourages the Islamic Republic of Iran to submit outstanding periodic reports to the treaty bodies, and calls upon the Government to implement the recommendations of the treaty bodies and the special procedure mandate holders and to cooperate with the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran;

(l) Encourages the Government to continue to engage with OHCHR in following up on all recommendations made in the reports of the Secretary-General and those of international human rights mechanisms.
