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Iran's Compliance with International Human Rights Standards and Elimination of All Forms of Racial Discrimination
Suggested List of Themes Relating to the Death Penalty

Submitted by The Advocates for Human Rights

a non-governmental organization in special consultative status with ECOSOC since 1996

Iran Human Rights

The World Coalition Against the Death Penalty

and

ECPM (Together Against the Death Penalty)

for the

113th Session of the Committee on the Elimination of Racial Discrimination

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The Advocates for Human Rights (The Advocates) is a volunteer-based non-governmental organization committed to the impartial promotion and protection of international human rights standards and the rule of law. Established in 1983, The Advocates conducts a range of programs to promote human rights in the United States and around the world, including monitoring and fact finding, direct legal representation, education and training, and publications. In 1991, The Advocates adopted a formal commitment to oppose the death penalty worldwide and organized a death penalty project to provide pro bono assistance on post-conviction appeals, as well as education and advocacy to end capital punishment. The Advocates currently holds a seat on the Steering Committee of the World Coalition against the Death Penalty.

Iran Human Rights (IHRNGO) is a non-profit NGO with its base in Oslo, Norway. IHRNGO has active and supporting members in Iran, North America and several European countries. IHRNGO is committed to promote human rights in Iran, through reporting, monitoring and advocacy. Reporting about the death penalty in Iran has been the main focus of IHRNGO in the past 10 years. Because of its sources inside Iran, IHRNGO is able to produce accurate reports about the death penalty in Iran. Besides the death penalty, promoting due process and rule of law, and defending the human rights defenders constitute the core activities of IHRNGO. IHRNGO is a member of the Steering Committee of the World Coalition Against the Death Penalty and a member of Impact Iran.

The World Coalition Against the Death Penalty is a volunteer-based non-government organization committed to strengthen the international dimension of the fight against the death penalty. Established in 2002, its ultimate objective is to obtain the universal abolition of the death penalty. To achieve its goal, the World Coalition advocates for a definitive end to death sentences

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and executions in those countries where the death penalty is in force. In some countries, it is seeking to obtain a reduction in the use of capital punishment as a first step towards abolition.

ECPM (Together Against the Death Penalty) is a French non-governmental organisation that fights against the death penalty worldwide and in all circumstances by uniting and rallying abolitionist forces across the world. The organisation advocates with international bodies and encourages universal abolition through education, information, local partnerships and public awareness campaigns. ECPM is the organiser of the World Congresses against the death penalty and a founding member of the World Coalition Against the Death Penalty. In 2016, ECPM was granted consultative status with ECOSOC.

EXECUTIVE SUMMARY

1. Iran Human Rights (IHRNGO) has confirmed that Iranian authorities have carried out at least 7,284 executions between 2011 and 2023.¹ 2023 marked the second-highest year for executions over that period, with 834 confirmed executions.² IHRNGO has documented that “ethnic minorities in Iran are overrepresented in death penalty statistics.”³

Iran fails to uphold its obligations under the Convention on the Elimination of All Forms of Racial Discrimination

I. Iran disproportionately sentences ethnic minorities to death and executes ethnic minorities.

2. Official government data on executions do not always disclose the ethnicity or nationality of the person sentenced to death.⁴ As the Committee observed in its 2010 Concluding Observations, Iranian authorities do not maintain good data-collection practices based on self-identification of ethnicity.⁵ The 2022 State Party Report reflects hostility toward such data collection.⁶ The State Party Report also asserts that the “Legal Certainty Document” enshrines “the equality of all and their right to a fair trial . . . regardless of their gender, race, color, language, religion, political beliefs, and other characteristics.”⁷
3. In 2023 alone, members of the Baluch ethnic minority group made up 20% of all recorded executions, while they account for just 2-6% of the country’s overall population.⁸ Executions of members of the Baluch ethnic group also accounted for nearly 30% of all executions for drug-related offenses.⁹ Five of the 167 Baluchs executed in 2023 were women.¹⁰ Provinces with large ethnic minority populations—Sistan and Baluchistan, West Azerbaijan, East Azerbaijan, and Kurdistan—account for a disproportionately large number of executions, both

¹ Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 16, https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf.

² Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 16, https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf.

³ Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 88, https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf.

⁴ Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 88, https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf.

⁵ Committee on the Elimination of Racial Discrimination, *Concluding observations of the Committee on the Elimination of Racial Discrimination: Islamic Republic of Iran, 77th Session (2-27 August 2010)*, U.N. Doc. CERD/C/IRN/CO/18-19 (20 Sept. 2010), ¶ 6.

⁶ Committee on the Elimination of Racial Discrimination, *Combined twentieth to twenty-seventh reports submitted by the Islamic Republic of Iran under article 9 of the Convention, due in 2014*, (22 Mar. 2022), U.N. Doc. CERD/C/IRN/20-27, ¶ 23.

⁷ Committee on the Elimination of Racial Discrimination, *Combined twentieth to twenty-seventh reports submitted by the Islamic Republic of Iran under article 9 of the Convention, due in 2014*, (22 Mar. 2022), U.N. Doc. CERD/C/IRN/20-27, ¶ 41.

⁸ Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 89, https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf.

⁹ Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 89, https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf.

¹⁰ Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 85, 89, https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf.

on a raw numerical basis and per capita.¹¹ Moreover, these figures do not account for executions of ethnic minorities taking place outside those provinces.¹² IHRNGO has documented that executions “of Baluch prisoners are in many cases carried out in prisons outside the Baluchistan region.”¹³ And as mentioned above, official information about executions does not always include ethnicity, so executions of ethnic minorities are likely underreported.¹⁴

4. IHRNGO also reports that provinces with larger populations of ethnic minorities experience “poor socio-economic conditions,” and as a result local courts in those provinces “act more lawlessly and arbitrarily.”¹⁵ The Committee in 2010 expressed concern “that language barriers may create an obstacle in access to justice for ethnic minorities in” Iran.¹⁶ These factors undoubtedly intersect, particularly in capital cases, to violate the due process and fair trial rights of ethnic minorities, despite the State Party Report’s assertions that “courts and lawyers in all provinces are familiar with the languages of the ethnicities,” and “the facts on the ground” dispute the Committee’s observation that “the provinces with an ethnic majority are the poorest.”¹⁷

II. Iran targets ethnic minorities for political executions.

5. The Committee in 2010 expressed “concern at the limited enjoyment of political . . . rights by, inter alios, Arab, Azeri, Balochi, Kurdish communities and some communities of non-citizens, in particular with regard to . . . freedom of expression . . .”¹⁸ The State Party Report’s response to this recommendation focuses primarily on economic, social, and cultural rights,¹⁹ but elsewhere the report asserts that there have been many large gatherings of people exercising

¹¹ Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 88, https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf.

¹² Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 88, https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf.

¹³ Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 88, https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf.

¹⁴ Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 88, https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf.

¹⁵ Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 89, https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf.

¹⁶ Committee on the Elimination of Racial Discrimination, *Concluding observations of the Committee on the Elimination of Racial Discrimination: Islamic Republic of Iran, 77th Session (2-27 August 2010)*, U.N. Doc. CERD/C/IRN/CO/18-19 (20 Sept. 2010), ¶ 13.

¹⁷ Committee on the Elimination of Racial Discrimination, *Combined twentieth to twenty-seventh reports submitted by the Islamic Republic of Iran under article 9 of the Convention, due in 2014*, (22 Mar. 2022), U.N. Doc. CERD/C/IRN/20-27, ¶ 139-40.

¹⁸ Committee on the Elimination of Racial Discrimination, *Concluding observations of the Committee on the Elimination of Racial Discrimination: Islamic Republic of Iran, 77th Session (2-27 August 2010)*, U.N. Doc. CERD/C/IRN/CO/18-19 (20 Sept. 2010), ¶ 15.

¹⁹ Committee on the Elimination of Racial Discrimination, *Combined twentieth to twenty-seventh reports submitted by the Islamic Republic of Iran under article 9 of the Convention, due in 2014*, (22 Mar. 2022), U.N. Doc. CERD/C/IRN/20-27, ¶ 139.

their right to peaceful assembly, during which “the rights of citizens have been observed regardless of ethnic, racial, or regional affiliations.”²⁰

6. Iran sentences people to death based on political affiliation, and a majority of people sentenced to death in this category are ethnic Kurds and members of other ethnic minority groups.²¹ Between 2010 and 2023, Iran executed at least 154 people for being affiliated with banned political and armed groups.²² Nearly half were Kurdish, 29% were Baluch, and 16% were Arab, primarily Sunni Muslims.²³
7. IHRNGO’s statistics reveal that authorities step up executions in response to or in anticipation of political turmoil.²⁴ For example, in 2023 there were two surges in executions—one on the eve of International Workers’ Day on 1 May and National Teacher’s Day on 2 May, a period “when nationwide protests usually take place.”²⁵ The second spike “started after the start of the war in Gaza on 7 October.”²⁶ Authorities often sentence political dissidents, protesters, and people with connections to foreign opposition groups to death for the vaguely defined crimes of *efsad-fil-arz* (corruption on earth), *baghy* (armed rebellion), or *moharebeh* (enmity against God).²⁷ Among the at least 39 people executed on these charges in 2023 were 8 Kurdish people, 7 Baluch people, and 3 Arabs.²⁸
8. IHRNGO has documented that courts sometimes subject protesters to group show-trials lacking fair trial protections.²⁹ Authorities also rely on forced confessions extracted through torture and other ill-treatment in prosecuting protesters, and they sometimes broadcast these torture-tainted confessions on state media at the time of the execution,³⁰ despite the State

²⁰ Committee on the Elimination of Racial Discrimination, *Combined twentieth to twenty-seventh reports submitted by the Islamic Republic of Iran under article 9 of the Convention, due in 2014*, (22 Mar. 2022), U.N. Doc. CERD/C/IRN/20-27, ¶ 93.

²¹ Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 88, https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf.

²² Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 88, https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf.

²³ Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 88, https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf.

²⁴ Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 17, https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf.

²⁵ Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 17, https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf.

²⁶ Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 17, https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf.

²⁷ Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 29-30, https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf.

²⁸ Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 46, https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf.

²⁹ Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 39, https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf.

³⁰ Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 39, 47, https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf.

party's assertion that there are protections for "the dignity and privacy of citizens in the media."³¹

9. IHRNGO posits that Iranian authorities may "use more violence to create fear due to higher opposition amongst the population" in predominantly Kurdish and Baluch regions, labeling protesters "separatists" and deploying violence under the pretext of fighting terrorism.³² For example, in the wake of the killing of Jina (Mahsa) Amini, those regions had "the longest-lasting protests, and almost half of all protesters killed on the streets were from Baluchistan, Kurdistan and other Kurdish towns in other provinces."³³ The Committee observed in 2010 that the media deploy stereotyped and demeaning portrayals of ethnic minorities and their communities and expressed concern that government officials make "statements of racial discrimination and incitement to hatred."³⁴ The State Party Report asserts that certain laws bar the media from sowing discord between ethnic groups.³⁵ As of late, however, government propaganda seems to have had the effect of numbing the population to the execution of people from predominantly Kurdish and Baluch regions.³⁶
10. IHRNGO has documented cases of several protesters and political prisoners who are members of ethnic minority groups currently at risk of execution, including 7 Arab men, 6 Kurdish men, 1 Baluch man, and 1 Bakhtiari man.³⁷

III. Foreign nationals disproportionately face the death penalty in Iran.

11. In its 2010 Concluding Observations, the Committee expressed "its concern at reports of discriminatory treatment of foreign nationals in the Iranian justice system."³⁸ The Committee recommended that Iran "intensify its efforts to ensure due process and transparency for all persons in the justice system, including foreign nationals."³⁹ The State Party Report asserts that "[i]n the fight against terrorism, [factors such as nationality or ethnicity] have no effect on

³¹ Committee on the Elimination of Racial Discrimination, *Combined twentieth to twenty-seventh reports submitted by the Islamic Republic of Iran under article 9 of the Convention, due in 2014*, (22 Mar. 2022), U.N. Doc. CERD/C/IRN/20-27, ¶ 133.

³² Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 88-89, https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf.

³³ Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 88, https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf.

³⁴ Committee on the Elimination of Racial Discrimination, *Concluding observations of the Committee on the Elimination of Racial Discrimination: Islamic Republic of Iran, 77th Session* (2-27 August 2010), U.N. Doc. CERD/C/IRN/CO/18-19 (20 Sept. 2010), ¶ 10.

³⁵ Committee on the Elimination of Racial Discrimination, *Combined twentieth to twenty-seventh reports submitted by the Islamic Republic of Iran under article 9 of the Convention, due in 2014*, (22 Mar. 2022), U.N. Doc. CERD/C/IRN/20-27, ¶¶ 78, 80, 84.

³⁶ Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 89, https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf.

³⁷ Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 116-19, https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf.

³⁸ Committee on the Elimination of Racial Discrimination, *Concluding observations of the Committee on the Elimination of Racial Discrimination: Islamic Republic of Iran, 77th Session* (2-27 August 2010), U.N. Doc. CERD/C/IRN/CO/18-19 (20 Sept. 2010), ¶ 13.

³⁹ Committee on the Elimination of Racial Discrimination, *Concluding observations of the Committee on the Elimination of Racial Discrimination: Islamic Republic of Iran, 77th Session* (2-27 August 2010), U.N. Doc. CERD/C/IRN/CO/18-19 (20 Sept. 2010), ¶ 13.

the judiciary and the administration of justice, and no different punishments are issued and applied accordingly.”⁴⁰ The report further asserts that foreign nationals have the right to have an interpreter under article 200 of the Code of Criminal Procedure, and that “no case of abuse of rights in the courts due to lack of familiarity with the language of the tribunal has been reported.”⁴¹

12. Iranian authorities are increasingly carrying out executions of Afghan nationals.⁴² In 2021, the first executions of Afghan nationals took place in September, soon after the Taliban takeover in August of that year, with a total of five executions in 2021.⁴³ In 2022, Iranian authorities executed 16 Afghan nationals, including one woman and one juvenile offender.⁴⁴ In 2023 the figure rose to 25.⁴⁵ Two of those Afghan nationals were sentenced to death under the vaguely defined political crimes of *efsad-fil-arz*, *baghy*, or *moharebeh*, discussed in paragraph 7 above.⁴⁶ IHRNGO has evidence suggesting that Afghan nationals are disproportionately represented on death rows in Iran, but authorities typically do not announce executions of Afghan nationals and Afghans under sentence of death do not usually have lawyers or a network of supporters who can raise awareness about their cases.⁴⁷ Hence, the number of Afghan nationals under sentence of death may be even greater than the figures IHRNGO has been able to verify.⁴⁸

IV. Women belonging to ethnic minority groups may face double discrimination when they are in conflict with the law.

13. The Committee expressed concern in its 2010 Concluding Observations that “women of minority origin may be at risk of facing double discrimination.”⁴⁹ The State Party Report describes various measures to promote women’s empowerment and combat “any possible

⁴⁰ Committee on the Elimination of Racial Discrimination, *Combined twentieth to twenty-seventh reports submitted by the Islamic Republic of Iran under article 9 of the Convention, due in 2014*, (22 Mar. 2022), U.N. Doc. CERD/C/IRN/20-27, ¶ 28.

⁴¹ Committee on the Elimination of Racial Discrimination, *Combined twentieth to twenty-seventh reports submitted by the Islamic Republic of Iran under article 9 of the Convention, due in 2014*, (22 Mar. 2022), U.N. Doc. CERD/C/IRN/20-27, ¶ 140.

⁴² Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 90, https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf.

⁴³ Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 90, https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf.

⁴⁴ Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 90, https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf.

⁴⁵ Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 90, https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf.

⁴⁶ Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 46, https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf.

⁴⁷ Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 90, https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf.

⁴⁸ Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 90, https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf.

⁴⁹ Committee on the Elimination of Racial Discrimination, *Concluding observations of the Committee on the Elimination of Racial Discrimination: Islamic Republic of Iran*, 77th Session (2-27 August 2010), U.N. Doc. CERD/C/IRN/CO/18-19 (20 Sept. 2010), ¶ 9.

double discrimination against vulnerable women,”⁵⁰ but makes no mention of efforts to combat double discrimination against women in conflict with the law.⁵¹ As mentioned in paragraphs 3 and 11, Iranian authorities executed at least 5 Baluch women in 2023 and executed at least one Afghan national woman in 2022. IHRNGO’s overall statistics show that Iranian authorities executed at least 210 women between 2010 and 2023, including 22 women in 2023.⁵²

14. According to a groundbreaking study by the Cornell Center on the Death Penalty Worldwide, “Iranian human rights lawyers estimate that there are dozens of women on death row in Iran.”⁵³ Iran is one of the world’s two leading executioners of women.⁵⁴ Civil society reports suggest that most women on death row in Iran have been sentenced to death for killing their abusive husbands.⁵⁵ Indeed, IHRNGO reports that at least 6 of the 22 women known to have been executed in 2023 had been sentenced to death for killing their husbands.⁵⁶ The Cornell Center reports that “[i]n many cases, these women were married at a young age, without the right to divorce their assailants.”⁵⁷ At least two of the women executed in 2023 had been child brides.⁵⁸ On a global scale, many women under sentence of death are victims of gender-based violence.⁵⁹ In many countries that retain the death penalty, however, courts fail to take into account a defendant’s experience as a survivor of gender-based violence when making sentencing decisions.⁶⁰
15. Drug trafficking is the second most common offense for which women in Iran are sentenced to death, and in many cases these women have come from disadvantaged socio-economic backgrounds, had no previous criminal history, and were found with only small quantities of narcotics.⁶¹ At least three of the women executed in 2023 had been sentenced to death for drug-related offenses.⁶²

⁵⁰ Committee on the Elimination of Racial Discrimination, *Combined twentieth to twenty-seventh reports submitted by the Islamic Republic of Iran under article 9 of the Convention, due in 2014*, (22 Mar. 2022), U.N. Doc. CERD/C/IRN/20-27, ¶ 58.

⁵¹ See Committee on the Elimination of Racial Discrimination, *Combined twentieth to twenty-seventh reports submitted by the Islamic Republic of Iran under article 9 of the Convention, due in 2014*, (22 Mar. 2022), U.N. Doc. CERD/C/IRN/20-27, ¶¶ 58-67.

⁵² Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 85, https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf.

⁵³ *Judged for More Than Her Crime: A Global Overview of Women Facing the Death Penalty*, Cornell Center on the Death Penalty Worldwide, Sept. 2018, at 10, <https://www.deathpenaltyworldwide.org/wpcontent/uploads/2019/12/Judged-More-Than-Her-Crime.pdf> (last visited Dec. 29, 2022).

⁵⁴ *Ibid.*

⁵⁵ *Id.* at 11.

⁵⁶ Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 85, https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf.

⁵⁷ *Ibid.*

⁵⁸ Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 85, https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf.

⁵⁹ *Judged for More Than Her Crime: A Global Overview of Women Facing the Death Penalty*, Cornell Center on the Death Penalty Worldwide, Sept. 2018, at 11, <https://www.deathpenaltyworldwide.org/wpcontent/uploads/2019/12/Judged-More-Than-Her-Crime.pdf> (last visited Dec. 29, 2022).

⁶⁰ *Ibid.*

⁶¹ *Id.* at 12.

⁶² Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 85, https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf.

16. Women in Iran are also at risk of being sentenced to death for sexual morality offenses such as adultery.⁶³ According to the Cornell Center, “[i]n Iran, married rape victims are at risk of execution for adultery.”⁶⁴ In one case, “a woman forced by her abusive husband into prostitution was convicted as an accomplice to murder when one of her male clients killed her husband. She was . . . sentenced to death by stoning for adultery. The male client, in contrast, was sentenced to a jail term of eight years.”⁶⁵ Women in Iran also can face the death penalty for terrorism-related offenses.⁶⁶ IHRNGO reports that in 2023 Iran executed one woman for alleged espionage for Israel.⁶⁷
17. Global trends show that women sentenced to death face intersectional discrimination. According to the Cornell study, most women on death row come from backgrounds of severe socio-economic deprivation and many are illiterate, which can reinforce unequal access to effective legal representation.⁶⁸ This intersectional discrimination exacerbates the risk that a woman charged with a capital crime will be subjected to an unfair trial.
18. The Cornell study found that many women in criminal legal systems throughout the world, and the vast majority of women on death row, are from poor and marginalized communities.⁶⁹ Most women who are detained are unable to afford a lawyer, and are more likely to be illiterate and unaware of their legal rights.⁷⁰ Illiteracy and lack of education among poor women leave them more vulnerable to discrimination, coercion, and exploitation.⁷¹
19. Research by the Cornell Center shows that women are more likely to receive a death sentence when the adjudicating authority perceives that they are violating entrenched gender norms, being cast as the “female fatale” or the “witch.” Women are often put on trial not only for acts they performed but also for allegedly being “a bad wife, a bad mother, and a bad woman.”⁷² One Iranian lawyer told Cornell researchers that “courts trying women capital defendants judge their whole lives, and not just the offense with which they are charged (particularly in cases where the defendant is accused of killing her spouse).”⁷³

⁶³ *Judged for More Than Her Crime: A Global Overview of Women Facing the Death Penalty*, Cornell Center on the Death Penalty Worldwide, Sept. 2018, at 13, <https://www.deathpenaltyworldwide.org/wpcontent/uploads/2019/12/Judged-More-Than-Her-Crime.pdf> (last visited Dec. 29, 2022).

⁶⁴ *Ibid.*

⁶⁵ *Ibid.*

⁶⁶ *Ibid.*

⁶⁷ Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 85, https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf.

⁶⁸ *Judged for More Than Her Crime: A Global Overview of Women Facing the Death Penalty*, Cornell Center on the Death Penalty Worldwide, Sept. 2018, at 3, <https://www.deathpenaltyworldwide.org/wpcontent/uploads/2019/12/Judged-More-Than-Her-Crime.pdf> (last visited Dec. 29, 2022).

⁶⁹ Cornell Center on the Death Penalty Worldwide, *Judged for More Than Her Crime: A Global Overview of Women Facing the Death Penalty*, Sept. 2018, at 18, available at <https://www.deathpenaltyworldwide.org/wp-content/uploads/2019/12/Judged-More-Than-Her-Crime.pdf> (last visited Dec. 29, 2022).

⁷⁰ Cornell Center on the Death Penalty Worldwide, *Judged for More Than Her Crime: A Global Overview of Women Facing the Death Penalty*, Sept. 2018, at 18, available at <https://www.deathpenaltyworldwide.org/wp-content/uploads/2019/12/Judged-More-Than-Her-Crime.pdf> (last visited Dec. 29, 2022).

⁷¹ Cornell Center on the Death Penalty Worldwide, *Judged for More Than Her Crime: A Global Overview of Women Facing the Death Penalty*, Sept. 2018, at 18, available at <https://www.deathpenaltyworldwide.org/wp-content/uploads/2019/12/Judged-More-Than-Her-Crime.pdf> (last visited Dec. 29, 2022).

⁷² *Ibid.*

⁷³ *Id.* at 7.

V. Suggested questions and themes for the Government of Iran:

20. The coauthors suggest the following questions and themes for the Committee's List of Themes:

- Provide an update on efforts to document the demographic composition of the population of the State party, both for the overall population and particularly regarding people in conflict with the law, including people arrested, charged, prosecuted, and sentenced, particularly people sentenced to death or executed, in particular minority groups, foreign nationals, and women. Describe the systems in place to collect and maintain such data from people who are arrested or charged with crimes.
- Respond to civil society reports that provinces with significant ethnic minority populations account for a larger number of executions, both on a numerical basis and per capita.
- Provide data about people sentenced to death and executed over the last five years, disaggregated by ethnicity, nationality, gender, crime of conviction, relationship to any victim or codefendant, age of any dependent children, court of conviction, and whether the defendant had legal representation or interpretation during legal proceedings.
- Describe efforts to implement the Committee's general recommendation No. 31 (2005) on the prevention of racial discrimination in the administration and functioning of the criminal justice system, particularly pertaining to ethnic minorities in conflict with the law.
- Describe measures taken to ensure that the death penalty is not available as a potential punishment for any offense that does not include an intentional killing by the defendant.
- Describe measures taken to combat stereotyping and racial discrimination on state media regarding people in conflict with the law, particularly regarding protesters and people charged with political offenses.
- Provide information about protections afforded to foreign nationals in conflict with the law, particularly regarding access to counsel, the right to consular notification, and access to interpretation, as well as the extent to which foreign nationals charged with capital crimes exercise those rights, and explain the reported increase in executions of Afghan nationals since September 2021.
- Describe safeguards in place to ensure that sentencing authorities take into account a woman's experiences with child marriage and other forms of gender-based violence, particularly at the hands of her spouse, in determining whether to sentence her to death for killing her spouse.
- Describe the safeguards in the criminal legal system to guard against double discrimination against vulnerable women in conflict with the law.
- How does the State party ensure that judges, prosecutors, defense counsel, police, and other individuals in positions of power within the criminal legal system are knowledgeable about gender-based discrimination, domestic violence, and tactics

of coercive control that may lead women to commit death-eligible offenses? Specifically, what training programs regarding gender-based violence and tactics of coercive control are available for judges and other actors within the criminal legal system?

- Describe any steps the State party has taken to build support for abolition of the death penalty among lawmakers and the general public and, in the interim, to institute a de jure moratorium on executions.
- What measures has the State party taken to consult and expand its dialogue with civil society organizations working in the area of human rights protection, particularly combatting racial discrimination in the context of the criminal legal system?