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About Access Now

Access Now defends and extends the digital rights of people and communities at risk. As a grassroots-to-global organization, we partner with local actors to bring a human rights agenda to the use, development, and governance of digital technologies, and to intervene where technologies adversely impact our human rights. By combining direct technical support, strategic advocacy, grassroots grantmaking, and convenings such as RightsCon, we fight for human rights in the digital age. As an ECOSOC accredited organization, Access Now routinely engages with the United Nations in support of our mission to extend and defend human rights in the digital age.¹

About ARTICLE 19

ARTICLE 19 is an international human rights organisation which works around the world to protect and promote the right to freedom of expression and information. With an international office in London and regional offices in Tunisia, Senegal, Kenya, Mexico, Netherlands, Brazil and Bangladesh, and other regional programmes and national offices, ARTICLE 19 monitors threats to freedom of expression in different regions of the world, as well as national and global trends, develops long-term strategies to address them and advocates for the implementation of the highest standards of freedom of expression, nationally and globally.²

¹ Access Now, <https://www.accessnow.org/>, 2024.

² ARTICLE 19, <https://www.article19.org/>, 2024.

I. Follow up to the previous review

1. During its Third Universal Periodic Review (UPR) in 2019, Iran received 329 recommendations, of which it supported 143. The country did not support 123 recommendations and only partially supported 45. Merely a week following its review on 8 November, Iran witnessed a large-scale and lethal crackdown by State security forces on the nationwide protests that had engulfed it. State authorities and security forces committed crimes under international law and gross violations of human rights,¹ many of which were subject to UPR recommendations a week earlier. They included those pertaining to the right to life, freedom from torture and ill-treatment, the rights to liberty, freedom of expression, association and peaceful assembly and fair trial rights.
2. Access Now and ARTICLE 19 welcome the opportunity to contribute to Iran's Fourth Universal Periodic Review. The organisations highlight that the majority of the recommendations supported by Iran in its third cycle were general in language and that the country did not accept concrete recommendations which, if implemented, would have allowed for tangible human rights improvements. These included recommendations to ratify key UN human rights conventions;² abolish the death penalty for persons under the age of 18;³ establish a moratorium with a view to abolish the death penalty;⁴ criminalise gender-based domestic violence and marital rape;⁵ repeal laws imposing mandatory *hijab* on women and girls;⁶ and release all persons detained in connection

¹ Report of the independent international fact-finding mission on the Islamic Republic of Iran, A/HRC/55/67. Available online: <https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2F55%2F67&Language=E&DeviceType=Desktop&LangRequested=False>
Detailed findings of the independent international fact-finding mission on the Islamic Republic of Iran, A/HRC/55/CRP.1. Available online: <https://www.ohchr.org/en/hr-bodies/hrc/ffm-iran/index>

² See for example:

Rec 26.6, Ratify the Convention on the Elimination of All Forms of Discrimination against Women, Kenya. (Noted)

Rec 26.13, Accede to the Convention on the Elimination of all Forms of Discrimination against Women, Czechia. (Noted)

³ Rec 26.99, Undertake steps towards introduction of a moratorium on the death penalty, which would allow the Islamic Republic of Iran to consider signature and ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, Poland. (Noted)

Rec 26.104, Take all necessary measures to establish a moratorium on the death penalty by prohibiting its application to persons who were minors at the time of the commission of the crime, Uruguay. (Noted)

⁴ Rec 26.98 Establish an official moratorium on the executions of minors under the age of 18 at the time of the crime, amend its Penal Code and commute the sentences of juveniles, Switzerland. (Noted)

⁵ Rec. 26.251 Adopt and fully implement laws to combat discrimination and violence against women and girls, including domestic violence and marital rape, Finland. (Noted)

Rec 26.253, Criminalize legally gender-based violence, including domestic violence and marital rape, Portugal. (Noted)

⁶ Rec 26.240 Abolish laws requiring women to wear hijabs in public, end legal prohibitions on women's full participation in society, and stop criminalizing women's calls for reform, United States of America. (Noted)

with the exercise of their human rights.⁷

3. The organisations further highlight that Iran has failed to implement many of the recommendations it accepted, including those on ensuring freedom from torture while in detention;⁸ the right of detainees to adequate medical care;⁹ and the right of access to a lawyer of one's choosing.¹⁰ This has been despite the country's repeated statements - when rejecting Special Procedures country mandates - that it supports the UPR as a "non-selective and balanced mechanism".¹¹ The authorities failed to reform laws and institutions that enable human rights violations and impunity. Neither the Constitution nor other domestic laws were reformed for conformity with international law. Instead, regressive legislation was introduced and/or adopted further allowing for human rights violation. The organisations remain deeply alarmed by the ongoing gross violations of human rights and commission of crimes under international law, in particular in the context "Woman, Life, Freedom" and other protests that have engulfed the country since 2017, and the systemic and systematic impunity with which violations continue to be committed.
4. This submission addresses the following themes:
 - Cooperation with international human rights mechanisms;
 - Accountability for human rights violations and crimes under international law; ;
 - Freedom of expression, association and assembly;

⁷ For example:

Rec 26.157, Guarantee the rights to freedom of expression, association and assembly, and release political prisoners, including women's rights activists, labour rights activists, environmentalists, scholars, lawyers and journalists, detained for exercising these rights, Australia. (Noted)

Rec 26.159, Abolish provisions of the Penal Code that excessively restrict the rights to freedom of expression, association and peaceful assembly, and release all prisoners of conscience, Czechia. (Noted)

Rec 26.163 Release all detainees who have been imprisoned for exercising their rights of freedom of expression and peaceful assembly as guaranteed under the International Covenant on Civil and Political Rights, Ireland. (Noted)

⁸ Rec, 26.142 Ensure freedom from torture while in detention, Canada. (Supported)

⁹ Rec, 26.147 Ensure the rights of detainees and prisoners, and their right to receive satisfactory medical treatment, Norway. (Supported)

Rec 26.146, Ensure that all individuals in custody receive adequate health care and treatment, including preventive measures, such as screening for medical conditions, free of charge and without discrimination, Malta. (Supported)

Rec 26.145, Ensure that prison conditions comply with the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), in particular by providing adequate health care, Austria. (Supported)

¹⁰ Rec 26.178, Ensure the independence of the judicial system, the rules of fair trial, the right to defence and access to a freely chosen lawyer, Germany. (Supported)

Rec 26.170, Guarantee the right to a fair trial, including the right to choose one's lawyer, including for those accused of offences related to national security, Switzerland. (Supported)

¹¹ The High Council for Human Rights of the Islamic Republic of Iran, *Mid-Term Universal Periodic Review Report on the Islamic Republic of Iran's Human Rights Achievements in light of U.P.R Recommendations*, 2020-2021, p. 5. Available online: <https://www.ohchr.org/sites/default/files/2022-03/UPR-MID-TERM-REPORT-IRAN.pdf>

- Gross violations of human rights and crimes under international law in the context of protests;
- Digital Surveillance and Harassment;
- Access to the internet;
- Freedom of religion and belief ; and
- Discrimination and violence against women.

II. Cooperation with international human rights mechanisms

4. Iran failed to cooperate with international human rights mechanisms. The country supported only three recommendations concerning cooperation with the United Nations High Commissioner for Human Rights and the mandate holders of the Human Rights Council (UNHRC).¹² It did not accept 12 recommendations that called for cooperation with the Special Rapporteur (SR) on Iran through accepting his requests to visit the country and visits by other Special Procedures.¹³ In June 2023, the UN High Commissioner for Human Rights highlighted a “very limited” ... “substantive implementation of the State’s obligations under international human rights law” stating that “Iran does not cooperate with the Special Procedures country mandate, and has received only one Special Procedures mandate holder in the past 17 years.”¹⁴
5. Immediately after the establishment of the Independent Fact Finding Mission on Iran (FFMI) by the UNHRC in November 2022, Iran’s authorities publicly rejected its mandate and announced that they would not cooperate with the Mission.¹⁵ The authorities left unanswered repeated requests by the FFMI to visit the country and did not provide any

¹² Rec 26.43, Continue to cooperate with all mandate holders of the Human Rights Council and provide them with the requisite responses, Egypt. (Supported)

Rec 26.47, Continue the cooperation with the United Nations High Commissioner for Human Rights, Egypt. (Supported)

¹³ Rec, 26.42, Strengthen its cooperation with the Human Rights Council mechanisms, in particular special procedure mandate holders, and accept their visits, Peru. (Noted)

Rec 26.38, Fully cooperate with and grant immediate and unfettered access for the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, Sweden. (Noted)

Rec 26.34, Continue constructive exchanges with the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, and cooperate with all Special Rapporteurs who wish to visit the Islamic Republic of Iran. Albania (Noted)

Rec 26.41, Cooperate fully with the United Nations human rights mechanisms, including by inviting the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran to the country, Germany. (Noted)

Rec 26.40.2, Launch a standing invitation to all special procedures of the Human Rights Council, Moldova. (Noted)

Rec 26.44, Take the necessary steps to implement the commitment extended to special procedures by accepting the pending visit requests, Latvia. (Noted)

¹⁴ Urging greater cooperation, High Commissioner Türk opens Human Rights Council session, 19 June 2023. Available online: <https://www.ohchr.org/en/statements/2023/06/urging-greater-cooperation-high-commissioner-turk-opens-human-rights-council>

¹⁵ The Independent Fact Finding Mission on Iran, Detailed findings of the independent international fact-finding mission on the Islamic Republic of Iran, A/HRC/55/CRP.1, p.22-24. Available online: <https://www.ohchr.org/en/hr-bodies/hrc/ffm-iran/index>

response to over 20 information request letters sent by the FFMI.¹⁶ Similarly, Iran did not respond to 17 of the 56 communications by UN Special Procedures between 17 February 2020 and 24 April 2024.¹⁷

6. Moreover, Iran merely noted all recommendations related to the ratification of international human rights treaties. The country neither ratified the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol,¹⁸ the Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol, the Convention for the Protection of All Persons from Enforced Disappearance (ICPPED) and the first¹⁹ and the second Optional Protocols²⁰ to the International Covenant on Civil and Political Rights (ICCPR),²¹ nor took any steps towards their ratification during this review cycle.²²

Recommendations

- Immediately and fully cooperate with the Independent International Fact Finding Mission on the Islamic Republic of Iran including by allowing the Mission unhindered access to the country;
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- Accept all outstanding visit requests of special procedures, including in particular the UN Special Rapporteur on the situation of human rights in the Islamic Republic of Iran

¹⁶ The Independent Fact Finding Mission on Iran, Detailed findings of the independent international fact-finding mission on the Islamic Republic of Iran, A/HRC/55/CRP.1, Para 24. Available online: <https://www.ohchr.org/en/hr-bodies/hrc/ffm-iran/index>.

¹⁷ For more information, see: <https://spcommreports.ohchr.org/TmSearch/Mandates?m=24>

¹⁸ Rec 26.9.2, Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol, Estonia. (Noted)

¹⁹ Rec 26.13, Accede to the Optional Protocol to the International Covenant on Civil and Political Rights, Czechia. (Noted)

²⁰ Rec 26.99, Undertake steps towards introduction of a moratorium on the death penalty, which would allow the Islamic Republic of Iran to consider signature and ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, Poland. (Noted)

26.104, Take all necessary measures to establish a moratorium on the death penalty by prohibiting its application to persons who were minors at the time of the commission of the crime, Uruguay. (Noted)

²¹ Rec 26.16, Ratify the Convention on the Elimination of All Forms of Discrimination against Women and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and incorporate their provisions in its legal framework, Luxembourg. (Noted)

Rec 26.14, Redouble efforts on gender equality, by ratifying the Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol in order to guarantee equality between men and women, Spain. (Noted)

²² Rec 147.149, Abolish the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, Estonia. (Noted)

Rec 147.146, Establish a moratorium on executions and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, Ireland. (Noted)

Rec 147.22.4, Accede to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Uruguay. (Noted)

without any hindrance or restrictions on duration or scope and ensure they are allowed to meet victims and human rights defenders without any risk of reprisal;

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- Respond in a timely and meaningful manner to the Special Procedures' communications;
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- Ratify the first and second Optional Protocols to the ICCPR, the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol, the Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol, and the Convention for the Protection of All Persons from Enforced Disappearance.
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III. Accountability for human rights violations and crimes under international law

7. Iran did not accept recommendations to investigate human rights violations and crimes under international law including those committed in the context of protests.²³ Similarly, recommendations to ratify the Rome Statute of the International Criminal Court were rejected.²⁴

Refusal to investigate

8. The authorities have systematically refused to carry out investigations into human rights violations and crimes, including those committed in the context of protests in 2017/18, 2019, 2021, and 2022 such as extra-judicial killings, torture and ill-treatment and enforced disappearances. In 2022, the Special Rapporteur on Iran reflected on "the structural impediments for accountability" and the "lack of any progress or political will to conduct investigations, let alone ensure accountability." He stressed that within Iran's current

²³ Rec 26.139, Immediately end the use of torture, and credibly investigate and prosecute all allegations of torture, including the deaths in custody of Kavous Seyed-Emami and Mohammad Raji, and prosecute those found responsible, United States of America. (Noted)

Rec 26.140, Immediately investigate all allegations involving the torture and other ill-treatment of those arrested or detained during the demonstrations in December 2017, and hold those responsible to account, Australia. (Noted)

Rec 26.273, Investigate sexual exploitation of children aged under 18, including through forced, early and temporary marriage, and develop a national plan to protect children at risk, United Kingdom. (Noted)

Rec 26.272, Promote all necessary measures to repeal all legal provisions that authorize, tolerate or contribute to the sexual abuse of girls, and investigate and punish these kinds of acts, Argentina. (noted)

²⁴ Rec 26.28, Ratify and fully align national legislation with the Rome Statute of the International Criminal Court, as well as ratify core human rights conventions, such as the Convention on the Elimination of All Forms of Discrimination against Women, Slovenia. (Noted)

Rec 26.32, Ratify the Rome Statute of the International Criminal Court and fully align national legislation with all its obligations under the Rome Statute, Latvia. (Noted)

"system of governance, it is clear that obtaining accountability for human rights violations becomes arbitrary at best and impossible at worst".²⁵ In its report, the FFMI "found no evidence of effective domestic remedies for victims of human rights violations" stating that "the authorities had failed to investigate allegations of human rights violations, or to prosecute or punish those responsible, and had deliberately and systematically obstructed any efforts by the victims and their families to obtain redress and establish the truth."²⁶

Persecution of those seeking truth, justice and accountability

9. Authorities systematically concealed the truth about violations and subjected those seeking accountability to sustained harassment, including through arrests, detentions, torture and ill-treatment, judicial prosecutions, heavy punishments, and dismissal from work.²⁷ They denied families of victims killed during the 2019 and 2022 protests the right to give their loved ones a dignified burial, hold funerals and mourn their loss and threatened them with secret burials, harming or killing their surviving relatives, and arrest, if they continued to speak up.²⁸ Numerous family members of victims were arrested and prosecuted during this cycle.²⁹
10. In December 2023, Mahsa Yazdani, the mother of Mohammad Javad Zahedi, a 16-year-old child killed in September 2022 during the protests in Sari, Mazandaran, was summoned to serve a 13-year prison sentence for "insulting sanctities", "inciting people to disrupt public order", "insulting the Supreme Leader" and "propaganda against the system". She was convicted in connection with her activism seeking truth and justice for

²⁵ Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, Javaid Rehman, A/HRC/49/74, 13 January 2022, Para 58. Available online:

<https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2F49%2F74&Language=E&DeviceType=Desktop&LangRequested=False>

²⁶ Report of the independent international fact-finding mission on the Islamic Republic of Iran, A/HRC/55/67, Para 116. Available online:

<https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2F55%2F67&Language=E&DeviceType=Desktop&LangRequested=False>

²⁷ Detailed findings of the independent international fact-finding mission on the Islamic Republic of Iran, A/HRC/55/CRP.1, Section X.C, Groups Targeted for Seeking truth, justice and accountability, para 1515-1545. Available online: <https://www.ohchr.org/en/hr-bodies/hrc/ffm-iran/index>.

Joint Civil Society Statement, Iran: Authorities violate prohibition of torture by harassing witnesses, 7 April 2022. Available online at: <https://www.article19.org/resources/iran-authorities-torture-harassment-witnesses/>.

Center for Human Rights in Iran, Iran: Families of Detained and Killed Protesters Beaten, Threatened to Stay Silent, 25 January 2023. Available online at: <https://iranhumanrights.org/2023/01/iran-families-of-detained-and-killed-protesters-beaten-threatened-to-stay-silent/>

²⁸ Amnesty International, *Iran: Harassment of families of victims unlawfully killed during protests must end*, 21 August 2023. Available online: <https://www.amnesty.org/en/documents/mde13/7084/2023/en/>

Detailed findings of the independent international fact-finding mission on the Islamic Republic of Iran, A/HRC/55/CRP.1, Section X.C.1.

²⁹ Joint Civil Society Statement, *Iran: Authorities violate prohibition of torture by harassing witnesses*, 7 April 2022. Available online: <https://www.article19.org/resources/iran-authorities-torture-harassment-witnesses/>

her son.³⁰

11. Iran accepted to ensure that lawyers are not subject to intimidation and arbitrary arrest³¹ but did not support recommendations calling for an end to their harassment and the release of those detained.³² Persecution of lawyers continued and they faced heightened risk of severe reprisals in connection with their professional work. Authorities summoned, arrested, detained, tortured, convicted, sentenced, and disbarred lawyers in connection with their work representing victims of human rights violations, including protesters and families of those killed during protests.³³
12. At least 159 lawyers were subjected to various forms of harassment, including summons, and criminal investigations following the protests that started in September 2022. At least, 57 of them were arrested and detained.³⁴ Authorities conducted mass summoning of lawyers in relation to their professional work and/or expressions of solidarity with victims of human rights violations.³⁵
13. On 2 October 2023, Khosrow Ali-Kordi, the lawyer of the family of Abolfazl Adinehzadeh, a 16-year-old child who was killed by security forces during protests in October 2022 in Mashhad, Khorasan Razavi province,³⁶ was arrested, charged and convicted of "propaganda against the system". In November 2023, he was sentenced to one year in prison, two years in internal exile, a two-year prohibition on leaving the country, two

³⁰ Shargh Newspaper, "13 year in prison and no responses on case review", 21 November 2023. Available online: <https://www.bing.com/ck/a?!&p=1f47942cb3956133JmltdHM9MTcyMDC0MjQwMCZpZ3VpZD0zNGYyWWViYS03MmYyLTlyZmJUtMDxNiI1YTQ1NzNjYTtyZTcmaW5zaWQ9NTlyNQ&ptn=3&ver=2&hsh=3&fclid=34f0aeaa-72f2-6325-0316-ba4573ca62e7&psq=%d9%85%d9%87%d8%b3%d8%a7+%db%8c%d8%b2%d8%af%d8%a7%d9%86%db%8c+%d8%b4%d8%b1%d9%82&u=a1aHR0cHM6Ly93d3cuc2hhcmdoZGFpbHkuY29tLyVEOCVBOCVCFOCVBRSVEOCVCNC0IRdglQjIERDklODgJRdglQjIIRDklIODYRDglQTcIRDKlOUIRDKlODctMTAwLzkwnJQ4Mi0IRDglQjIIRDglQTcIRDKlODQ0U4UFEJUQU4JUE4JUQU4JUJLSVEOCVBOCVCQIU4Qy0IRDGlCMYIE0IRDKlODgIRdglQjIERTglQjTgtUQ5JTg1JUQU4JUE3JUQU5JTg2JUQU4JUEGJUQU5JTg2LSVEOCVBOCVCFOCVBMSVEOCVCMSVEOCVCMyVEQIU4Qy0IRDglQkUlIRdglQjIERDKlODYIRDglQjIUY1RDklODc&nb=1>

³¹ Rec 26.16, Take steps to encourage freedom of expression, ensuring that human rights defenders, lawyers and journalists are not subjected to intimidation or arbitrary arrest in connection with their work, New Zealand. (Supported)

³² Rec 26.327, End all forms of harassment, including judicial harassment, against human rights defenders, including human rights lawyers and journalists. Greece. (Noted)

Rec 26.157, Guarantee the rights to freedom of expression, association and assembly, and release political prisoners, including women's rights activists, labour rights activists, environmentalists, scholars, lawyers and journalists, detained for exercising these rights, Australia. (Noted)

³³ Detailed findings of the independent international fact-finding mission on the Islamic Republic of Iran, A/HRC/55/CRP.1, Section X.C. Groups Targeted for Seeking truth, justice and accountability, para 1546-1584.

³⁴ Detailed findings of the independent international fact-finding mission on the Islamic Republic of Iran, A/HRC/55/CRP.1, Section X.C. Groups Targeted for Seeking truth, justice and accountability, para 1561.

35 HRANA, *Report Highlights 129 Instances of Security and Judicial Encounters with Attorneys in the Last Ten Months*, 24 May 2023. Available online: <https://www.en-hrana.org/report-highlights-129-instances-of-security-and-judicial-encounters-with-attorneys-in-the-last-ten-months/>

Detailed findings of the independent international fact-finding mission on the Islamic Republic of Iran, A/HRC/55/CRP.1, Para 1572-1575.

36 Amnesty International, *Iran: At least 23 children killed with impunity during brutal crackdown on youthful protests*, 13 October 2022. Available online: <https://www.amnesty.org/en/latest/news/2022/10/iran-at-least-23-children-killed-with-impunity-during-brutal-crackdown-on-youthful-protests/>

years of prohibition from online activities, and two years of disqualifications from practicing. His conviction solely arose from his work representing families of victims and media interviews he had given in this relation.³⁷

Recommendations

- Ratify the Rome Statute of the International Criminal Court;
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- Ensure that prompt, independent, transparent, impartial and thorough investigations are conducted into human rights violations and crimes under international law, including those committed in the context of protests in 2017- 2018, 2019, 2021, and 2022 and where sufficient admissible evidence of crimes exists, prosecute those suspected of criminal responsibility before civilian courts in proceedings that conform to international fair trial standards without recourse to the death penalty;
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- Make public all available information and records regarding the number of those killed during the protests in 2017-18, 2019, 2021, and 2022; their identities; the location, and the cause and circumstances of their deaths;
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- Immediately cease the harassment of those seeking truth, justice and reparation including families of victims, lawyers, and human rights defenders and unconditionally release all persons detained in connection with their activism.
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IV. Freedom of expression, association and assembly

³⁷ Detailed findings of the independent international fact-finding mission on the Islamic Republic of Iran, A/HRC/55/CRP.1, Para 1567.

HRANA, *Lawyer Khosrow Alikurdi Receives One-Year Prison Sentence*, 23 January 2024. Available online: <https://www.en-hrana.org/lawyer-khosrow-alikurdi-receives-one-year-prison-sentence/>

14. During the last UPR, Iran received 20 recommendations concerning freedom of expression,³⁸ only three of which were accepted.³⁹ Only two recommendations to guarantee freedom of association, and one to ensure the right to assembly were accepted.⁴⁰ Iran did not accept recommendations to repeal provisions of the Islamic Penal Code (IPC) that unduly restrict the right to freedom of association and peaceful assembly or to release all persons detained for exercising this right.⁴¹ Constitutional provisions which subject the rights to freedom of expression,⁴² association⁴³ and assembly⁴⁴ to vague and broad qualifications, namely respect for the fundamentals of Islam, remained unamended. Similarly, numerous vaguely worded and broadly defined provisions of the 2013 Islamic Penal Code (IPC), which allow for criminalisation of protected speech and the exercise of human rights,⁴⁵ in some cases making them

³⁸ Examples include:

Rec 26.169, Guarantee freedom of peaceful assembly, expression and the press, by removing the restrictions to access local and international news sites, and by releasing persons detained for having exercised or defended these rights, France. (Noted)

Rec 26.165, Guarantee freedom of opinion, expression and assembly and cease arresting human rights defenders peacefully exercising these rights, Italy. (Noted)

Rec 26.325, Fully guarantee the rights of freedom of expression and to peaceful assembly and association, by creating an enabling environment, especially for women human rights defenders and human rights lawyers, Belgium. (Noted)

Rec 26.168, Cease the censorship of the media, as well as the arbitrary detention and intimidation of journalists, Norway. (Noted)

³⁹ Rec 26.162, Continue to enact and fully implement legislation that seeks to promote and protect the rights to freedom of the media, speech and religion, Ghana. (Supported)

Rec 26.167, Take steps to encourage freedom of expression, ensuring that human rights defenders, lawyers and journalists are not subjected to intimidation or arbitrary arrest in connection with their work, New Zealand. (Supported)

Rec 26.326, Protect human rights defenders and media workers and fully guarantee the right to freedom of expression and association, Slovenia. (Supported)

⁴⁰ Rec 26.326, Protect human rights defenders and media workers and fully guarantee the right to freedom of expression and association, Slovenia. (Supported)

Rec 26.325, Fully guarantee the rights of freedom of expression and to peaceful assembly and association, by creating an enabling environment, especially for women human rights defenders and human rights lawyers, Belgium. (Supported)

⁴¹ Examples include:

Rec 26.166, Repeal or amend articles 186, 498, 610, 638 and 639 of the Islamic Penal Code, which criminalize rights regarding freedom of expression and the broad and vague definitions of which are arbitrarily misused to silence human rights defenders, including through imprisonment and corporal punishment, Netherlands. (Noted)

Rec 26.159, Abolish provisions of the Penal Code that excessively restrict the rights to freedom of expression, association and peaceful assembly, and release all prisoners of conscience, Czechia. (Noted)

Rec 26.161, Implement its international obligations to ensure the protection of human rights defenders, lawyers and others exercising their rights to freedom of opinion and expression, assembly and association in compliance with international human rights law, and to ensure that all investigations, prosecutions and trials against human rights defenders meet international standards, Finland. (Noted)

Rec 26.155, Release all persons detained for exercising their rights to freedom of expression, association and peaceful assembly, and repeal or amend laws and other provisions criminalizing or restricting the exercise of those rights, Switzerland. (Noted)

⁴² Article 24 of the Constitution guarantees freedom of expression for the publications and the press "except when it is detrimental to the fundamental principles of Islam or the rights of the public".

⁴³ Article 26 of the Constitution protects freedom of association so long as it does not violate the "criteria of Islam".

⁴⁴ Article 27 protects freedom of assembly so long as it is not "detrimental to the fundamental principles of Islam".

⁴⁵ These include provisions criminalising: "insulting" the authorities (Articles 514, and 609); "spreading propaganda against the system" (Article 500); "gathering and colluding to commit crimes against the security" (Article 610); "spreading lies with intent to disturb the public opinion" (Article 698); "forming of and/or membership in a group or association with the intent to undermine the country's security" (Articles 498 and 499); "insulting the "sacred values of Islam" and of religious leaders (Article 513)

punishable by death,⁴⁶ remained in force.

15. In January 2021, a supplementary provision, Article 499 *bis*,⁴⁷ was added to the IPC. It imposes heavy punishments on anyone who 'insults' legally recognised religions, Islamic branches, and Iranian ethnicities with the intention to cause 'violence or tension' in society or with the knowledge that their conduct will result in 'violence or tension'. The provision is vague, fails to define key concepts, restricts protected speech in breach of international law, and is likely to be used against already persecuted ethnic and religious minorities.⁴⁸
16. A draft Bill on Discretionary Punishments, which, if enacted, will replace the existing Book Five of the IPC, was introduced. It includes a wide range of provisions which would further erode human rights. Some provisions continue to criminalise conduct that is currently criminalised under the existing IPC including "insulting" the authorities and "spreading propaganda". However, in some cases, the bill has expanded the scope of criminalised conduct or has proposed heavier punishments. The draft bill has further introduced "offences", such as "insulting the flag and the national anthem", which are not currently stipulated under the existing IPC. Alarming, it contains provisions that further open the hands of State authorities to crackdown on peaceful protests. Most notably, under Article 60 of the bill, participation in and leading demonstrations, strikes and other similar acts of protests may result in the harsh punishment of up to 15 years in prison if the authorities deem that such protests to have been "armed" or "contravened the principles of Islam."⁴⁹
17. Iran received several recommendations concerning the safety of journalists, protesters, human rights defenders (HRDs), political dissidents and others, calling on Iran to create a

⁴⁶ For instance, Article 262 criminalises anyone who insults the Prophet of Islam or other prophets and Imams, making it punishable by the death penalty. Additionally, Article 286 criminalises "sowing corruption on earth", which includes a set of ill-defined acts such as "spreading lies", if these actions "cause severe disruption in the public order of the state and insecurity." The offence is punishable by the death penalty.

⁴⁷ Article 499 *bis* 42 states that 'anyone who insults Iranian ethnicities or divine religions or Islamic schools of thought recognised under the Constitutions with the intent to cause violence or tensions in the society or with the knowledge that such [consequences] will follow' will be subjected to harsh punishments. The prescribed punishment in cases where the outlawed conduct 'leads to violence or tensions' is an imprisonment sentence of between two and five years and/or a monetary fine. If no 'violence and tension' is caused, an imprisonment sentence of between six months and two years and/or a monetary fine can be imposed. Conduct that falls under Hudud punishments is excluded from the terms of this provision.

⁴⁸ ARTICLE 19, *Iran: New Penal Code Provisions as tools for further attacks on the rights to freedom of expression, religion, and belief*, 6 July 2022. Available online: <https://www.article19.org/wp-content/uploads/2022/07/Iran-Legal-analysis-Iran-New-Penal-Code-provisions-as-tools-for-further-attacks-on-the-rights-to-freedom-of-expression-religion-and-belief-06.07.22-1.pdf>

⁴⁹ ARTICLE 19, *Iran: Draconian legislative actions in the wake of the 2022 uprising*, 3 May 2023. Available online: <https://www.article19.org/resources/iran-legislative-initiatives-post-september-2022-uprisings/>

safe and enabling environment for civil society and HRDs, especially women HRDs.⁵⁰ Since the review, the authorities have continued to systematically repress any expression of dissent, both online and offline, arbitrarily arresting and detaining thousands of people for exercising their human rights. Among them are peaceful protesters, journalists and media workers, bloggers, artists, writers and HRDs including trade unionists, minority rights activists lawyers, women's rights defenders and student activists.⁵¹ In doing so, they have resorted to the country's legislative arsenal, including the IPC and have instrumentalized the Judiciary, which lacks independence and acts as the State's arms for repression.

18. Iran was one of the biggest jailers of journalists during the review period.⁵² According to the Committee to Protect Journalists, by September 2023, roughly 100 journalists had been arrested for covering the "Woman, Life, Freedom" protests.⁵³ Among them were Elaheh Mohammadi, Niloufar Hamed, and Nazila Maroufian, women journalists who were arrested and convicted in connection with reporting on the death in custody of Jina Mahsa Amini, a young Kurdish-Iranian woman arrested by the so called "morality police" in September 2022 for not adhering to degrading mandatory *hijab* laws.⁵⁴
19. Repression of journalists and media workers was not confined to Iran's borders. Authorities increasingly engaged in transnational repression of dissent. Journalists based abroad received serious threats, including to their lives and personal safety, leading to

⁵⁰ Rec 26.329, Create a safe and enabling environment for civil society and human rights defenders, especially women human rights defenders, Norway. (Supported)

Rec 26.157, Guarantee the rights to freedom of expression, association and assembly, and release political prisoners, including women's rights activists, labour rights activists, environmentalists, scholars, lawyers and journalists, detained for exercising these rights, Australia. (Noted)

Rec 26.161, Implement its international obligations to ensure the protection of human rights defenders, lawyers and others exercising their rights to freedom of opinion and expression, assembly and association in compliance with international human rights law, and to ensure that all investigations, prosecutions and trials against human rights defenders meet international standards, Finland. (Noted)

Rec 26.327, End all forms of harassment, including judicial harassment, against human rights defenders, including human rights lawyers and journalists, Greece. (Noted)

⁵¹ ARTICLE 19, *Iran: State must end campaign of silencing voices for change*, 31 August 2023. Available online:

<https://www.article19.org/resources/iran-state-must-end-campaign-of-silencing-voices-for-change/>

Article 19, *Iran: Security forces arrest son, brother of Baluch activist to silence her*, 23 June 2023. Available online:

<https://www.article19.org/resources/iran-security-forces-arrests-son-brother-of-baluch-activist-to-silence-her/>

⁵² Reporters Without Borders, Iran country page. Available online: <https://rsf.org/en/country/iran>

⁵³ The Committee to Protect Journalists, *Iran's journalists in dire straits one year after protest crackdown*, 14 September 2023.

Available online: <https://cpj.org/2023/09/irans-journalists-in-dire-straits-one-year-after-protest-crackdown/>

⁵⁴ ARTICLE 19, *Iran: State must end campaign of silencing voices for change*, 31 August 2023. Available online:

<https://www.article19.org/resources/iran-state-must-end-campaign-of-silencing-voices-for-change/>

Detailed findings of the independent international fact-finding mission on the Islamic Republic of Iran, A/HRC/55/CRP.1, Para 1469-1470 & 246.

police involvement in some countries.⁵⁵ Authorities harassed family members of journalists working with media outlets such as BBC Persian, IranWire, and Voice of America, including by summoning, arresting, and detaining them.⁵⁶ On 12 December 2020, authorities executed dissident journalist, Rouhollah Zam, on the charge of “spreading corruption on earth” (*efsad fel arz*) after he was abducted by Iran’s Revolutionary Guards during a visit to Iraq in October 2019 and was forcibly returned to Iran.⁵⁷

20. Human rights defenders were similarly targeted for systematic state repression. Authorities arrested, detained, tortured and sentenced to harsh punishments hundreds of HRDs.⁵⁸ Narges Mohammadi, the 2023 Nobel Peace Prize laureate, remained imprisoned. Authorities have repeatedly charged and sentenced her with new charges in connection with her ongoing human rights work. In May 2024, she reported that authorities have brought new charges against her after she spoke up about sexual violence against women prisoners by state officials in prison.⁵⁹ Authorities also subjected family members of HRDs outside Iran to harassment, including through arrests and criminal prosecutions.⁶⁰

21. Iran maintained laws that imposed the death penalty for acts falling under protected human rights, and sentenced to death and/or executed individuals in connection with their exercise of the rights to freedom of expression, association and assembly including protesters, artists and activists.

⁵⁵ ARTICLE 19, *UK: Islamic Republic's oppression beyond borders risks journalists' lives*, 21 February 2023. Available online:

<https://www.article19.org/resources/uk-islamic-republics-oppression-beyond-borders-journalists-lives/>

ARTICLE 19, *Iran: Foiled plot to kidnap activist a sign of increasingly brazen transnational repression*, 14 July 2021. Available online:

<https://www.article19.org/resources/iran-foiled-plot-to-kidnap-activist-a-sign-of-increasingly-brazen-transnational-repression/>

ARTICLE 19, *UK: Attack on Iranian journalist prompts safety fears*, 3 April 2024. Available online:

<https://www.article19.org/resources/uk-attack-on-iranian-journalist-prompts-safety-fears/>

OHCHR, *Violence and threats against journalists reporting on Iran from abroad must stop*, warn UN experts, 30 May 2024. Available

online: <https://www.ohchr.org/en/press-releases/2024/05/violence-and-threats-against-journalists-reporting-iran-abroad-must-stop>

⁵⁶ Detailed findings of the independent international fact-finding mission on the Islamic Republic of Iran, A/HRC/55/CRP.1, para 1479-1480.

⁵⁷ OHCHR, *Iran: UN experts condemn execution of Ruhollah Zam*, 14 December 2020. Available online:

<https://www.ohchr.org/en/press-releases/2020/12/iran-un-experts-condemn-execution-ruhollah-zam>

Amnesty International, *Iran: Execution of journalist Rouhollah Zam a 'deadly blow' to freedom of expression*, 12 December 2020.

Available online: <https://www.amnesty.org/en/latest/news/2020/12/iran-execution-of-journalist-ruhollah-zam-a-deadly-blow-to-freedom-of-expression-2/>

⁵⁸ Iran Human Rights, *Report: Human Rights Defenders in Iran 2023*, 15 December 2023. Available online:

<https://www.iranhr.net/en/reports/36/>

Iran Human Rights, *Targeted Crackdown on Human Rights Defenders in 2022 Iran Nationwide Protests*, 22 December 2022. Available

online: <https://www.iranhr.net/en/reports/30/>

⁵⁹ OHCHR, *Iran must end harassment of Narges Mohammadi and release all women human rights defenders: Independent Experts*, 27

June 2024. Available online: <https://www.article19.org/resources/iran-security-forces-arrests-son-brother-of-baluch-activist-to-silence-her/>

⁶⁰ ARTICLE 19, *Iran: Security forces arrest son, brother of Baluch activist to silence her*, 23 June 2023. Available online:

<https://www.article19.org/resources/iran-security-forces-arrests-son-brother-of-baluch-activist-to-silence-her/>

22. In May 2023, authorities executed two men, Yousef Mehrdad and Sadrollah Fazeli Zare on the charges of “insulting the Prophet of Islam”, “burning the Quran and insulting Islamic sanctities” in connection with their expression on Telegram channels. The charges stemmed solely from the exercise of their protected rights.⁶¹
23. In July 2024, a Revolutionary Court convicted Sharifeh Mohammadi, a labour rights activist and HRD, on the charge of “*baghi*” (armed rebellion) and sentenced her to death. The conviction was on the basis of her alleged membership in the Labor Unions Assistance Coordination Committee (LUACC), a legal association in Iran, and her alleged membership in the banned Komala Party of Iranian Kurdistan.⁶²
24. In April 2024, a Revolutionary Court sentenced Toomaj Salehi, a rapper, to death after convicting him of “corruption on earth” The charges stemmed from his participation in the “Woman, Life, Freedom” protests and his critical social media posts condemning oppression and executions and calling for human rights and freedom.⁶³ His death sentence was overturned in June 2024 and a retrial was ordered.⁶⁴

Recommendations

- Reform domestic legislation, including the Islamic Penal Code and the Press Law to bring them in compliance with international human rights law including by repealing all provisions that unduly restrict the rights to freedom of expression, association and assembly and criminalise protected rights;

⁶¹ OHCHR, *Iran: UN experts condemn recent executions, urge moratorium on death penalty*, 9 May 2023. Available online:

<https://www.ohchr.org/en/press-releases/2023/05/iran-un-experts-condemn-recent-executions-urge-moratorium-death-penalty>

⁶² Center for Human Rights in Iran, *Death Sentence for Female Labor Activist Highlights Lethal Repression in Iran*, 8 July 2024.

Available online: <https://iranhumanrights.org/2024/07/death-sentence-for-female-labor-activist-highlights-lethal-repression-in-iran/>

Frontline Defenders, *Death Sentence against Woman Human Rights Defender Sharifeh Mohammadi*. Available online:

<https://www.frontlinedefenders.org/en/case/death-sentence-against-woman-human-rights-defender-sharifeh-mohammadi>

⁶³ Amnesty International, *Iran: Execution Risk for Tortured Dissident Rapper: Toomaj Salehi*, 16 May 2024. Available online:

<https://www.amnesty.org/en/documents/mde13/8055/2024/en/>

⁶⁴ ISNA, *Toomaj Salehi's death sentence overturned*, 22 June 2024. Available online:

<https://www.bing.com/ck/a?!&&p=f6076a4c70064595JmldtHM9MTcyMDY1NjAwMCZpZ3VpZD0zNGYwYWVlYS03MmYyLTZmYjU0MjY0MTQ1NzNjYTYyZTcmaW5zaWQ9NTlwNw&ptn=3&ver=2&hsh=3&fclid=34f0aeea-72f2-6325-0316-ba4573ca62e7&psq=%d9%86%d9%82%d8%b6+%d8%ad%da%a9%d9%85+%d8%a7%d8%b9%d8%af%d8%a7%d9%85+%d8%aa%d9%88%d9%85%d8%a7%d8%ac+%d8%b5%d8%a7%d9%84%d8%ad%db%8c&u=a1aHR0cHM6Ly93d3cuaXNuYS5pci9uZXdzLzE0MDMwNDAYMDA5MTcvJUQ4JUFBJURBUe5JUQ5JTg1LSVEOCVBnyVEOCVOCVBRiVEOCVBnyVEOSU4NS0IRDglQUEIRDklODglRDklODUIRDglQTRDglQUtJUQ4JUI1JUQ4JUE3JUQ5JTg0JUQ4JUFBJURCJTThDLSVEOSU4NiVEOSU4MiVEOCVCNI0IRDglQjQIRDglQUY&ntb=1>

- Immediately and unconditionally release all persons detained for having exercised their constitutionally-protected rights to freedom of expression, assembly, and association;
-
- Immediately cease the transnational harassment of journalists, human rights defenders and dissidents based outside of the country
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V. Gross violations of human rights and crimes under international law in the context of protests

25. Iran's authorities violently suppressed protesters who took to the streets against political repression, corruption, high inflation, and worsening environmental situation and demanded structural change, freedom, justice, accountability and equality. Violent state crackdowns were carried out against a backdrop of internet shutdowns and disruptions that blocked millions of people from being able to communicate with the outside world and aided the authorities to cover up the scale and nature of the violations. In March 2024, the FFMI found that the authorities had committed gross violations of human rights and the crimes against humanity of murder, torture, enforced disappearance, rape and sexual violence, imprisonment, persecution on the grounds of gender, intersecting with religion and ethnicity, and other inhumane acts in the context of "Woman, Life, Freedom" protests.⁶⁵

Unlawful use of force against protesters

26. Since the last review in November 2019, Iran's authorities and security forces have killed and severely injured thousands of women, men and children by unlawfully resorting to force, including lethal force, in the context of protests. This included the nationwide protests in November 2019;⁶⁶ protests in Khuzestan⁶⁷ and Esfahan⁶⁸ respectively in July and November 2021; protests in several provinces in May 2022⁶⁹ and the protests that

⁶⁵ Report of the independent international fact-finding mission on the Islamic Republic of Iran, Detailed findings of the independent international fact-finding mission on the Islamic Republic of Iran, A/HRC/55/67; A/HRC/55/CRP.1.

⁶⁶ International People's Tribunal on Iran's Atrocities (ABAN TRIBUNAL) /Full Judgement, 1 November 2022. Available online: <https://abantribunal.com/wp-content/uploads/2023/07/Aban-Tribunal-Final-Judgment.pdf>

⁶⁷ ARTICLE 19, *Iran: Bullets, detention and shutdowns: the authorities' response to protests in Khuzestan*, 28 July 2021. Available online: <https://www.article19.org/resources/iran-bullets-detention-and-shutdowns-the-authorities-response-to-protests-in-khuzestan/>

⁶⁸ Center for Human Rights in Iran, *Isfahan: Instead of Crushing Protests, the Iranian Government Should Solve Its Water Crisis*, 29 November 2021. Available online: <https://iranhumanrights.org/2021/11/isfahan-instead-of-crushing-protests-the-iranian-government-should-solve-its-water-crisis/>

⁶⁹ Amnesty International, *Iran: They are shooting brazenly: Iran's militarized response to May 2022 protests*, 3 August 2022. Available online: <https://www.amnesty.org/en/documents/mde13/5789/2022/en/>

engulfed the country from 16 September 2022, following the death in custody of Jina/Mahsa Amini at the hands of the morality police.⁷⁰

27. Various branches of security forces, including police (FARAJA) and its special forces, the Revolutionary Guards, and Basij systematically deployed firearms, including military grade assault rifles such as AK-47, to crush the protests, shooting at protesters and bystanders who did not pose an imminent threat of death or serious injury. They further fired inherently indiscriminate ammunition such as birdshot or other metal pellets (and other ammunition containing multiple projectiles) - the use of which violates the absolute prohibition of torture and other ill-treatment - causing severe, irreversible and painful injuries including blinding and deaths.⁷¹

Arbitrary arrest and detentions

28. Tens of thousands of men, women and children were arrested in the course of state crackdown on protests. Security forces conducted mass arrests of protesters and bystanders at protest sites and targeted arrests of activists, journalists, lawyers, and others.⁷²

The use of the death penalty

⁷⁰ Report of the independent international fact-finding mission on the Islamic Republic of Iran, A/HRC/55/67; Detailed findings of the independent international fact-finding mission on the Islamic Republic of Iran, A/HRC/55/CRP.1, Section V.1.

⁷¹ International People's Tribunal on Iran's Atrocities (ABAN TRIBUNAL) /Full Judgement, 1 November 2022. Available online: <https://abantribunal.com/wp-content/uploads/2023/07/Aban-Tribunal-Final-Judgment.pdf>
ARTICLE 19, *Iran: Bullets, detention and shutdowns: the authorities' response to protests in Khuzestan*, 28 July 2021. Available online: <https://www.article19.org/resources/iran-bullets-detention-and-shutdowns-the-authorities-response-to-protests-in-khuzestan/>
Center for Human Rights in Iran, *Isfahan: Instead of Crushing Protests, the Iranian Government Should Solve Its Water Crisis*, 29 November 2021. Available online: <https://iranhumanrights.org/2021/11/isfahan-instead-of-crushing-protests-the-iranian-government-should-solve-its-water-crisis/>

Amnesty International, *Iran: They are shooting brazenly: Iran's militarized response to May 2022 protests*, 3 August 2022. Available online: <https://www.amnesty.org/en/documents/mde13/5789/2022/en/>

Report of the independent international fact-finding mission on the Islamic Republic of Iran, A/HRC/55/67.

Detailed findings of the independent international fact-finding mission on the Islamic Republic of Iran, A/HRC/55/CRP.1, Section V.1.

Amnesty International, *Iran: Details of 321 deaths in crackdown on November 2019 protests [July 2022 update]*, 29 July 2022. Available online: <https://www.amnesty.org/en/documents/mde13/2308/2020/en/>

⁷² Report of the independent international fact-finding mission on the Islamic Republic of Iran, A/HRC/55/67; A/HRC/55/CRP.1, Para 626-632.

Amnesty International, *Iran: Human rights in Iran: Review of 2023/2024*, 24 April 2024. Available online: <https://www.amnesty.org/en/documents/mde13/7972/2024/en/>

⁷³ Rec 26.113, Abolish the death penalty in the country under any circumstances, Croatia. (Noted)

Rec 26.103, Abolish the death penalty at least for crimes committed by persons under 18 years of age, in accordance with its obligations under the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child, and commute all death sentences for juvenile offenders, Belgium. (Noted)

⁷⁴ Rec 26.117 Introduce a moratorium on executions, especially for juvenile offenders, with a view to progressively abolishing the death penalty, Estonia. (Noted)

Rec 26.105, Impose an immediate moratorium on the execution of minors, Albania. (Noted)

29. Iran did not accept any recommendations to abolish the death penalty;⁷³ establish a moratorium;⁷⁴ reduce the scope of offences punishable by death;⁷⁵ or even abolish its use against children.⁷⁶ Instead, the authorities have increasingly resorted to the death penalty as a tool of political repression and to instil fear in the population, in particular in the context of protests.⁷⁷
30. On 12 September 2020, authorities arbitrarily executed Navid Afkari, a wrestling champion, following a grossly unfair trial. He was subjected to enforced disappearance, torture and other ill-treatment, and was forced to make “confessions” prior to his execution.⁷⁸ Another protester, Abbas Deris, remains on death row and is at grave risk of execution in connection with the November 2019 protests. He has been convicted of the charge of “enmity against God” following a grossly unfair trial.⁷⁹
31. Between December 2022 and January 2024, the authorities arbitrarily executed nine young men, Mohsen Shekari, Majidreza Rahnavaard, Mohammad Mehdi Karami, Seyyed Mohammad Hosseini, Majid Kazemi, Saeed Yaghoubi, Saleh Mirhashemi, Milad Zohrevand and Mohammad Ghobadlou, in connection with the “Woman, Life, Freedom”

⁷³ Rec 26.113, Abolish the death penalty in the country under any circumstances, Croatia. (Noted)

Rec 26.103, Abolish the death penalty at least for crimes committed by persons under 18 years of age, in accordance with its obligations under the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child, and commute all death sentences for juvenile offenders, Belgium. (Noted)

⁷⁴ Rec 26.117 Introduce a moratorium on executions, especially for juvenile offenders, with a view to progressively abolishing the death penalty, Estonia. (Noted)

Rec 26.105, Impose an immediate moratorium on the execution of minors, Albania. (Noted)

⁷⁵ Rec 26.114, Reduce the number of offences punishable by death, commencing with drug-related offences, as well as prohibit the use of the death penalty against those who were minors at the time the crime was committed, Cyprus. (Noted)

⁷⁶ Rec 26.103, Abolish the death penalty at least for crimes committed by persons under 18 years of age, in accordance with its obligations under the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child, and commute all death sentences for juvenile offenders, Belgium. (Noted)

⁷⁷ OHCHR, *Iran: UN experts condemn recent executions, urge moratorium on death penalty*, 9 May 2023. Available online:

<https://www.ohchr.org/en/press-releases/2023/05/iran-un-experts-condemn-recent-executions-urge-moratorium-death-penalty>

Amnesty International, *Iran: 28 people risk execution in relation to uprising*, 2 December 2022. Available online:

<https://www.amnesty.org/en/documents/MDE13/6271/2022/en/>

Amnesty International, *Iran: Chilling use of the death penalty to further brutally quell popular uprising*, 16 November 2022. Available online: <https://www.amnesty.org/en/latest/news/2022/11/iran-chilling-use-of-the-death-penalty-to-further-brutally-quell-popular-uprising/>

ARTICLE 19, *Iran: Families forced to remain silent as second man executed*, 16 December 2022. Available online:

<https://www.article19.org/resources/iran-families-forced-to-remain-silent-as-second-man-executed/>

ARTICLE 19, *Iran: Horrific protest killings followed by plans for execution*, 7 December 2022. Available online:

<https://www.article19.org/resources/iran-protest-killings-plans-for-execution/>

⁷⁸ OHCHR, *Execution of Iran athlete sends deeply disturbing message to protesters, say UN experts*, 14 September 2020. Available online: <https://www.ohchr.org/en/press-releases/2020/09/execution-iran-athlete-sends-deeply-disturbing-message-protesters-say-un>

Amnesty International, *Iran: Secret execution of wrestler Navid Afkari a ‘travesty of justice’*, 12 September 2020. Available online:

<https://www.amnesty.org/en/latest/news/2020/09/iran-secret-execution-of-wrestler-navid-afkari-a-travesty-of-justice-2/>

⁷⁹ Amnesty International, *Iran: Tortured protester at grave risk of execution: Abbas Deris*, 2 February 2024. Available online:

<https://www.amnesty.org/en/documents/mde13/7665/2024/en/>

Iran Human Rights, *November 2019 Protester Abbas Daris Sentenced to Death and Brother Mohsen to Life Imprisonment in Grossly Unfair Proceedings*, 2 December 2021. Available online: <https://www.iranhr.net/en/articles/5002/>

protests following grossly unfair trials that did not constitute meaningful judicial proceedings.⁸⁰ Over 100 persons, including women and children, were charged with offences carrying the death penalty in connection with the protests⁸¹ and, as of July 2024, several men, including from ethnic minorities, remained at risk of execution.⁸²

Impact on minorities

32. Ethnic minorities have been disproportionately impacted by the state's violent crackdown on protests. In November 2019, Khuzestan province, home to Ahwazi Arabs, witnessed a particularly lethal response by state security forces.⁸³ The Special Rapporteur on Iran highlighted reports showing that some of the provinces with a majority population of ethnic minorities had the highest numbers of deaths during the 2019 protests.⁸⁴
33. Similarly, during the protests that started in September 2022, security forces killed and injured a disproportionately high number of protesters and bystanders in minority-populated provinces in particular, Sistan and Baluchestan, Kurdistan, Kermanshah and Western Azerbaijan. Almost half of the recorded killings took place in minority-populated provinces while the largest number of killings in one day was in Zahedan,

⁸⁰ Detailed findings of the independent international fact-finding mission on the Islamic Republic of Iran, A/HRC/55/CRP.1, Para 969.

⁸¹ Detailed findings of the independent international fact-finding mission on the Islamic Republic of Iran, A/HRC/55/CRP.1. 915.

⁸² Detailed findings of the independent international fact-finding mission on the Islamic Republic of Iran, A/HRC/55/CRP.1. Section V.E.

Amnesty International, *Iran: Man at risk of protest-related execution: Mojahed (Abbas) Kourkouri*, 5 July 2023. Available online:

<https://www.amnesty.org/en/documents/mde13/6935/2023/en/>

Amnesty International, *Iran: Tortured Iranian Kurdish man sentenced to death: Reza Rasaei*, 6 November 2023. Available online:

<https://www.amnesty.org/en/documents/mde13/7381/2023/en/>

⁸³ Radio Zamaneh, *November 2019 Protests in Iran: Unveiling the Mahshahr Massacre*, 19 November 2023. Available online:

https://www.bing.com/search?q=unveiling+the+Mahshahr+massacre&cvid=836ed964c5e3469788b5d341da660b8a&gs_lcrp=EgZjaHJvbWUyBggAEEUYOTIGCAEQABhAMgYIAhAAGEAyCAGDEOkHGPxV0gEIOTg3MWowajSoAgCwAgA&FORM=ANAB01&PC=LCTS

International People's Tribunal on Iran Atrocities (Aban tribunal), Judgment, November 2022. Available online:

<https://abantribunal.com/2022/11/01/full-judgement/>

Amnesty International, *Iran: Details of 321 deaths in crackdown on November 2019 protests [July 2022 update]*, 29 July 2022. Available online:

https://www.bing.com/search?q=Details+of+321+deaths+in+crackdown&cvid=a377ddd5a1904a0b9cdd173ac02a7c91&gs_lcrp=EgZjaHJvbWUyBggAEEUYOTIGCAEQABhAMgYIAhBFGD0yCAGDEOkHGPxV0gEIMzi2MWowajSoAgCwAgA&FORM=ANAB01&PC=LCTS

Human Rights Watch, *Iran: No Justice for Bloody Crackdown*, 25 February 2020. Available online:

<https://www.hrw.org/news/2020/11/17/iran-no-justice-bloody-2019-crackdown>

The Hierarchy of Atrocity: An Analysis of the Perpetrators of the Crackdown on Iran's November 2019 Protests, September 2021.

Available online: <https://abantribunal.com/2021/11/13/the-hierarchy-of-atrocity/>

⁸⁴ Report of the Special Rapporteur on the human rights situation in the Islamic Republic of Iran, A/HRC/43/61, para. 7, 28 January 2020.

Sistan and Baluchestan on 30 September 2022 in what is known as “the Bloody Friday”.⁸⁵ The FFMI “assessed the existence of distinctly egregious conduct”⁸⁶ by security forces in these regions and found “that security forces displayed a particularly militarized response to protests that took place in minority regions, as compared to the means and methods used by security forces to repress the protests elsewhere.”⁸⁷

Recommendations

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- Immediately cease the use of lethal force during protests when there exists no imminent threat of death or serious injury to security forces or others;
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- Reform 1995 Law on the Use of Firearms by Armed Forces in Necessary Incidents, in compliance with international law and standards on the use of force and firearms to ensure that it incorporates the principles of legality, necessity, precaution, proportionality, non-discrimination and accountability and that any use of lethal force is strictly limited to circumstances where there is an imminent threat of death or serious injury to security forces or others;
-
- Identify and repeal or reform all legislation that imposes undue restrictions on the right to peaceful assembly;

⁸⁵ Report of the independent international fact-finding mission on the Islamic Republic of Iran, A/HRC/55/67, Para 95-98. Amnesty International, *Iran: At least 82 Baluchi protesters and bystanders killed in bloody crackdown*, 6 October 2022. Available online: <https://www.amnesty.org/en/latest/news/2022/10/iran-at-least-82-baluchi-protesters-and-bystanders-killed-in-bloody-crackdown/>

Iran Human Rights Documentation Center, *Bloody Friday in Zahedan: The Brutal Government Crackdown of September 30, 2022*, 19 October 2022. Available online: <https://iranhrdc.org/bloody-friday-in-zahedan/>

Iran Human Rights Documentation Center, *Unleashed Violence: Repression of Protests in Kurdish Areas of Iran September 2022 - December 2022*, 30 June 2023. Available online: <https://iranhrdc.org/protests-in-the-kurdish-areas-of-iran/>

Kurdistan Human Rights Network, *Details of 121 Kurdish people killed during Mahsa (Jina) Amini protests in Iran*, 11 January 2023. Available online: <https://kurdistanhumanrights.org/en/publications/special-reports/2023/01/11/details-of-121-kurdish-people-killed-during-mahsa-jina-amini-protests-in-iran>

Human Rights Watch, *Iran: ‘Bloody Friday’ Crackdown This Year’s Deadliest*, 22 December 2022. Available online: <https://www.hrw.org/news/2022/12/22/iran-bloody-friday-crackdown-years-deadliest>

Haalvsh, *Annual report on Baluch citizens who were killed or lost their lives in 2022-2023*, 24 March 2023. Available online: <https://haalvsh.org/2023/03/24/%d8%af%d8%b2%d8%a7%d8%b1%d8%b4-%d8%b3%d8%a7%d9%84%d8%a7%d9%86%d9%87-%d8%ad%d8%a7%d9%84-%d9%88%d8%b4-%d9%be%db%8c%d8%b1%d8%a7%d9%85%d9%88%d9%86-%d8%b4%d9%87%d8%b1%d9%88%d9%86%d8%af%d8%a7%d9%86-%d8%a8/>

⁸⁶ Detailed findings of the independent international fact-finding mission on the Islamic Republic of Iran, A/HRC/55/CRP.1, Para 1025.

⁸⁷ Detailed findings of the independent international fact-finding mission on the Islamic Republic of Iran, A/HRC/55/CRP.1, Para 1066.

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- Immediately cease the unlawful use of birdshot and other metal pellets which should not be used in any policing situations and violates the absolute prohibition on torture and other ill-treatment.
-

VI. Digital Surveillance and Harassment

34. Iran's National Information Network (NIN) continued throughout this period, with proposals such as the User Surveillance Bill. In addition to exacerbating internet censorship, these efforts have intensified surveillance and monitoring.⁸⁸ Policies aimed at increasing reliance on national internet infrastructure, its platforms and services would result in handing over more data to the state.
35. In March 2020, it became evident that unofficial Telegram apps Hotgram and Telegram Talei, associated with the Iranian government and intelligence services⁸⁹ had stored the data of 42 million Telegram users, which were subsequently leaked online.⁹⁰ Privacy and data protection remain unprotected under Iranian laws.⁹¹
36. During the 2022-2023 protests, at least two cases were recorded in which protesters were geolocated through their use of national applications such as Snapp! Foods.⁹²
37. The Iranian state's cyberwarfare tactics are well known, but their use has been especially worrisome against minorities, dissidents, and those active in the diaspora. State efforts to hack into the mobile phones of Iranians using malware have been documented to have targeted individuals in Sistan and Baluchistan, members of NGO, HRANA, and diaspora activists.⁹³
38. Leaks from Internet Service Providers (ISPs) in Iran have revealed SIAM (a web program for remotely manipulating cellular connections made available to the Iranian

⁸⁸ ARTICLE 19, *Iran: Cyberspace authorities 'silently' usher in draconian internet bill*, 9 September 2022. Available online: <https://www.article19.org/resources/iran-draconian-internet-bill/>

⁸⁹ ARTICLE19, *Iran: National messenger apps are the new hallmark of Internet nationalisation*, 21 October 2019. Available online: <https://www.article19.org/resources/iran-national-messenger-apps-are-the-new-hallmark-of-internet-nationalisation/>

⁹⁰ Bloomberg, *Data Breach Shows Iranians Use Chat Apps to Spy, Researchers Say*, 17 April 2020. Available online: <https://www.bloomberg.com/news/articles/2020-04-17/data-breach-shows-iranians-use-chat-apps-to-spy-researchers-say?embedded-checkout=true>

⁹¹ Joint submission to the Universal Periodic Review of the Islamic Republic of Iran by ARTICLE 19 and Access Now, 4 April 2019. Available online: <https://www.article19.org/wp-content/uploads/2019/04/IRAN-UPR-ARTICLE-19-Access-Iran-FINAL-English.pdf>

⁹² Freedom House, *Overview on Iran*. Available online: <https://freedomhouse.org/country/iran/freedom-net/2023>

⁹³ New York Times, *Iranian Hackers Found Way Into Encrypted Apps, Researchers Say*, 18 September 2020. Available online: <https://www.nytimes.com/2020/09/18/world/middleeast/iran-hacking-encryption.html>.

Communications Regulatory Authority) system's role in targeting throttling of user access to the internet, and surveillance mechanisms of users through SIM cards.⁹⁴

39. This reporting period also saw the deployment of various technologies of surveillance to police mandatory *hijab* throughout Iran, enforcing the "Chastity and Hijab Bill" online. Officials have announced the use of facial recognition cameras⁹⁵ and open source reporting of women's infractions through a public application known as the "Nazer app"⁹⁶, and a wider system known as the "Cyberspace Monitoring System" to report content that promotes or depicts infraction of the mandatory *hijab*.⁹⁷

Recommendations

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- Draft privacy and data protection laws in line with international human rights standards, and repeal provisions of the Computer Crimes Law that undermine encryption, privacy and people's rights against surveillance;
-
- Cease all forms of unlawful surveillance and digital attacks against individuals exercising their right to freedom of expression, assembly and association;
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- Ensure ISPs in Iran are divested of all forms of cooperation with systems of state surveillance and censorship that goes beyond international human rights standards on access to the internet.
-

VII. Access to internet

Platform blocking

⁹⁴ ARTICLE19, *Tightening the Net: Iran one year on from Mahsa Jhina Amini uprising*, 15 September 2023. Available online: <https://www.article19.org/resources/tightening-the-net-iran-one-year-on-from-mahsa-jhina-amini-uprising/>

⁹⁵ ARTICLE19, *Iran: Tech-enabled 'Hijab and Chastity' law will further punish women*, 22 August 2023. Available online: <https://www.article19.org/resources/iran-tech-enabled-hijab-and-chastity-law-will-further-punish-women/>

⁹⁶ Amnesty International, *Iran: Draconian campaign to enforce compulsory veiling laws through surveillance and mass car confiscations*, 6 March 2024. Available online: <https://www.amnesty.org/en/latest/news/2024/03/iran-draconian-campaign-to-enforce-compulsory-veiling-laws-through-surveillance-and-mass-car-confiscations/>

⁹⁷ ARTICLE19, *Tightening the Net: Iran's New Phase of Digital Repression*, July 2024.

40. In 2019, Iran rejected all recommendations on free expression and access to the internet.⁹⁸ Concerns that ARTICLE19 and Access Now raised for the intensification of NIN in 2019⁹⁹ have persisted and evolved into far reaching policies and actions during this period.
41. Authorities quietly implemented the User Protection Bill¹⁰⁰ which has devastating impacts on surveillance, control of internet infrastructure, internet disruptions and censorship.
42. The messaging app Signal was blocked in January 2021.¹⁰¹ In April 2021, the audio discussion app Clubhouse was blocked by ISPs without explanation.¹⁰² Instagram and WhatsApp, the only international platforms that remained accessible in Iran prior to September 2022, were blocked at the start of protests. According to official announcement this was said to be temporary,¹⁰³ but in December 2022, Meta was reportedly given a 10-day deadline to establish an office in Iran and cooperate with censorship and data sharing regulations in exchange for unblocking as per the User Protection Bill. Meta did not comply with the order and the platforms remain censored.¹⁰⁴
43. The start of the “Woman, Life, Freedom” protests also saw Google Play store and Apple’s app store filtered. The Apple app store was unblocked in October 2022 alongside Skype

⁹⁸ Report of the Working Group on the Universal Periodic Review of the Islamic Republic of Iran. Available online: <https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2F43%2F12%2FAdd.1&Language=E&DeviceType=Desktop&LangRequested=False>

⁹⁹ Miaan Group, *The internet in the women, life, freedom era*, June 2024. Available online: <https://library.fes.de/pdf-files/international/21296.pdf>

ARTICLE19 and Access Now, *Joint Submission of the Universal Periodic Review of the Islamic Republic of Iran*, 4 April 2019. Available online: <https://www.article19.org/wp-content/uploads/2019/04/IRAN-UPR-ARTICLE-19-Access-Iran-FINAL-English.pdf>

¹⁰⁰ ARTICLE 19, *Iran: Cyberspace authorities ‘silently’ usher in draconian internet bill*, 9 September 2022. Available online: <https://www.article19.org/resources/iran-draconian-internet-bill/>

¹⁰¹ Al-Jazeera, *Iran Blocks Signal Messaging App after WhatsApp Exodus*, 26 January 2021. Available online: <https://www.aljazeera.com/news/2021/1/26/iran-blocks-signal-messaging-app-after-whatsapp-exodus>

¹⁰² Entekhab News, *The filtering of Clubhouse on MCI, Irancell, and Iran’s ISPs*, 9 April 2021. Available online: <https://www.enteekhab.ir/002Z9Sw.enteekhab.ir/002Z9S>

¹⁰³ IT Iran, *A request to make Instagram’s filtering permanent*, 27 September 2023. Available online: <https://itiran.com/2022/09/27/%D8%AF%D8%B1%D8%AE%D9%88%D8%A7%D8%B3%D8%AA-%D8%A8%D8%B1%D8%A7%DB%8C-%D8%AF%D8%A7%D8%A6%D9%85%DB%8C-%D8%B4%D8%AF%D9%86-%D9%81%DB%8C%D9%84%D8%AA%D8%B1%DB%8C%D9%86%DA%AF-%D8%A7%DB%8C%D9%86%D8%B3%D8%AA/>

¹⁰⁴ Karang Weekly, *Meta in response to the letter of the National Center for Cyberspace / We will not enter into a conversation with Iran*, 17 December 2022. Available online: <https://karangweekly.ir/?p=15569>

and LinkedIn which were also temporarily blocked.¹⁰⁵ As of July 2024, the Google Play store still remains blocked. Over 90 percent of mobile phone users in Iran use phones powered by Google's Android operating system.¹⁰⁶ This is a particularly difficult hurdle for accessing the internet as lack of access to the Google Play store means accessing safe, secure and effective Virtual Private Networks (VPNs) become more difficult (especially in the face of constant censorship of VPNs outlined below).

Internet Shutdowns and Disruptions

44. In November 2019, a near total internet shutdown was implemented for around seven days, following nationwide protests sparked by the sudden announcement of fuel price increases. This blackout in communications facilitated the brutal killing with impunity of protesters by Iran's security forces.¹⁰⁷
45. Investigations have highlighted how internet shutdowns facilitate the commission of gross violations of human rights and crimes under international law such as unlawful use of force against protesters, extrajudicial killings and enforced disappearances.¹⁰⁸
46. The 2022-2023 nationwide protests did not see shutdowns on the scale of 2019, however new tactics to disrupt internet access during protests were used. This included far reaching VPN censorship. While this tactic preceded these protests and was already documented to be part of the new policies of the User Protection Bill,¹⁰⁹ it intensified during this period as documented by OONI and having repercussions that led to disruptions and slow bandwidth on the wider internet.¹¹⁰

¹⁰⁵ Entekhab News, *News of the unfiltering of Skype, LinkedIn, and the App Store*, 18 October 2022. Available online: <https://www.entekhab.ir/002vxj>

¹⁰⁶ Stat Counter, *Mobile Operating System Market Share Islamic Republic of Iran: July 2022-July 2023*, July 2023. Available online: <https://gs.statcounter.com/os-market-share/mobile/iran>

¹⁰⁷ Amnesty International, *A web of impunity: the killings Iran's internet shutdowns hid*, November 2020. Available online: <https://iran-shutdown.amnesty.org/>

ARTICLE19, *Tightening the Net: After Blood and Shutdowns*, October 2020. Available online: <https://www.article19.org/ttn-iran-november-shutdown/>

Reuters, *Special Report: Iran's leader ordered crackdown on unrest - 'Do whatever it takes to end it'*, 23 December 2019. Available online: <https://www.reuters.com/article/world/special-report-irans-leader-ordered-crackdown-on-unrest-do-whatever-it-takes-to-idUSL4N28X3B4/>

¹⁰⁸ A joint investigation by Amnesty International and The Hertie School in partnership with the Internet Outage Detection and Analysis (IODA) project, *The killings Iran's internet shutdown hid*. Available online : <https://iran-shutdown.amnesty.org/#>
The Washington Post, *In dozens of countries, governments rely on Internet shutdowns to hide repression*. Available at: <https://www.washingtonpost.com/politics/2020/12/04/dozens-countries-governments-rely-internet-shutdowns-hide-repression/>, December 4, 2020.

¹⁰⁹ ARTICLE19, *Tightening the Net: Alarming moves to enforce the "User Protection Bill"*, 4 November 2021. Available online: <https://www.article19.org/resources/tightening-the-net-is-the-dangerous-user-protection-bill-still-imminent/>

¹¹⁰ Open Observatory of Network Interference, *Technical multi-stakeholder report on Internet shutdowns: The case of Iran amid autumn 2022 protests*. Available at: <https://ooni.org/post/2022-iran-technical-multistakeholder-report/#regional-outages>

47. The second tactic was the use of mobile curfews. This was the shutdowns or severe disruptions to mobile internet connections. Mobile internet data is the main source of internet connection for the majority of Iranians, especially in provinces such as Sistan and Baluchistan and Kurdistan. Mobile internet connections have become disabled in a number of locations on most days since the protests began – curfews that have meant mobile internet providers have been unusable, if not completely throttled, from 4pm to 1am.¹¹¹ Data has shown these outages on various days on the major mobile carriers such as Irancell, Righatel and Hamrah Aval (MCI) across the country.
48. Based on the #KeepItOn campaign's reports,¹¹² Iran shut down internet during the period under review **57 times** divided as follows: **34** times in 2023¹¹³, **18** times in 2022¹¹⁴, **1** time in 2021,¹¹⁵ **1** time in 2020,¹¹⁶ and **3** times in 2019.¹¹⁷
49. During the "Woman, Life, Freedom" protests in 2022, the Iranian authorities imposed **15** internet shutdowns across the country. **Eight** of them impacted ethnic minorities such as Kurds, Baluch and Ahwazi Arabs in Kurdistan, Sistan and Baluchistan and Khuzestan.¹¹⁸ In many instances, the cities where internet shutdowns were most extreme were also been subjected to the most extreme forms of brutality by the authorities, including in Zahedan, Sanandaj and Saqqez, all populated by Iran's persecuted Kurdish and Baluch ethnic minorities, which account for almost half of the protester fatalities.¹¹⁹ This alarming trend supports the organisations' long-held position that internet shutdowns facilitate the commission of human rights violations and crimes under international law and further enable impunity.

Recommendations

¹¹¹ ARTICLE19, *Iran: New tactics for digital repression as protests continue*, 17 November 2022. Available online: <https://www.article19.org/resources/iran-new-tactics-for-digital-repression-as-protests-continue/>

¹¹² The #KeepItOn campaign unites and organizes global organizations and efforts to end internet shutdowns. The campaign was launched by a coalition of about 70 organizations in 2016 at RightsCon in Silicon Valley. Membership of the coalition has since increased rapidly to more than 334 members from 106 countries around the world ranging from civil society, rights, and advocacy groups to research centers, detection networks, foundations, and media organizations.

¹¹³ Access Now and others, *The keep it on report on internet shutdowns in 2023*. Available online at: <https://www.accessnow.org/wp-content/uploads/2024/05/2023-KIO-Report.pdf>

¹¹⁴ Access Now and others, *The keep it on report on internet shutdowns in 2022*. Available online at: <https://www.accessnow.org/wp-content/uploads/2023/05/2022-KIO-Report-final.pdf>

¹¹⁵ Access Now and others, *The keep it on report on internet shutdowns in 2021*. Available online at: <https://www.accessnow.org/wp-content/uploads/2022/05/2021-KIO-Report-May-24-2022.pdf>

¹¹⁶ Access Now and others, *The keep it on report on internet shutdowns in 2020*. Available online at: https://www.accessnow.org/wp-content/uploads/2021/03/KeepItOn-report-on-the-2020-data_Mar-2021_3.pdf

¹¹⁷ Access Now and others, *The keep it on report on internet shutdowns in 2019*. Available online at: <https://www.accessnow.org/wp-content/uploads/2020/02/KeepItOn-2019-report-1.pdf>

¹¹⁸ Access Now and others, *The keep it on report on internet shutdowns in 2021*. Available online at: <https://www.accessnow.org/wp-content/uploads/2022/05/2021-KIO-Report-May-24-2022.pdf>

¹¹⁹ HRANA, *Geographical distribution of protesters who were killed in the past 51 days in Iran*, 6 November 2022. Available online: https://x.com/HRANA_English/status/1589352704287342592

-
- Refrain from shutting or disruption internet and telecommunications services, particularly during protests or in times of mass unrest;
-
- Divest ISPs from the control of state orders of internet shutdowns, surveillance and censorship;
-
- Immediately restore full access to the internet and all communication services, including blocked social media and messaging applications;
-
- Allow ISPs to operate freely by providing open, reliable, and secure access to the internet and digital communications platforms;
-
- Prosecute those suspected of criminal responsibility for crimes under international law, including crimes against humanity, facilitated by internet shutdowns in 2022 and 2019.
-

VIII. Freedom of religion and belief

51. Iran supported one recommendation to protect the rights of Christians and other minorities.¹²⁰ It did not accept several recommendations to amend legislation to ensure the right to freedom of religion and belief; freedom from discrimination on the grounds

¹²⁰ Rec 26.310, Protect the rights of Christians and other minorities and promote interfaith dialogue between religious groups in the Islamic Republic of Iran, Haiti. (Supported)

¹²¹ For example:

Rec 26.301, Adjust national legislation, in line with the International Covenant on Civil and Political Rights, in order to ensure the enjoyment of human rights and fundamental freedoms by all persons regardless of religion and ethnicity, Ukraine. (Noted)

Rec 26.303, Amend legislation and judicial procedures to ensure that no religious group is the subject of discrimination so that all religious groups receive the same treatment under the law, Albania. (Noted)

Rec 26.313, Guarantee equal rights for all citizens, regardless of their religion, Italy. (Noted)

Rec 26.319, Abolish laws, regulations and policies that discriminate on the basis of religion or belief in the areas of employment, education and participation in public life, Macedonia. (Noted)

Rec 26.306, Amend article 13 of the Constitution to ensure that all religious minorities are able to fully enjoy the right to freedom of religion or belief, Brazil. (Noted)

of religion and belief,¹²¹ and to end the persecution of religious minorities.¹²² No steps were taken to amend laws that impose restrictions on the right to freedom of religion and belief and discriminate against religious minorities. Instead, in January 2021, authorities added Article 500 *bis* to the IPC, further criminalising conduct falling under the right to freedom of religion and belief. This includes “deviant educational or proselytising activity that contradicts or interferes with the sacred religion of Islam in ways such as making false claims or lying in religious and Islamic spheres such as claiming divinity, prophecy...”. The provision effectively criminalises adherence to, practising, and promotion of religions and belief systems that fall outside the legally recognised religions under the Constitution, and dissenting opinions within the legally recognised religions.¹²³

52. Iran’s religious minorities including Baha’is, Yaresan, Christians, Gonabadi Dervishes, Sunnins, Zoroastrians and Jews continued to face discrimination. Various minorities, in particular Bahai’s, Yaresan, converts to Christianity and Gonabadi Dervishes were particularly targeted for arrest, detention and criminal prosecutions. Authorities continued to persecute Bahai’s, including by demolishing their homes and cemeteries, confiscating their properties and closing their businesses, and denying them the right to education and employment.¹²⁴ Individuals converting from Islam or professing atheism remained at serious risk of arbitrary detention, torture and the death penalty.

¹²¹ For example:

Rec 26.301, Adjust national legislation, in line with the International Covenant on Civil and Political Rights, in order to ensure the enjoyment of human rights and fundamental freedoms by all persons regardless of religion and ethnicity, Ukraine. (Noted)

Rec 26.303, Amend legislation and judicial procedures to ensure that no religious group is the subject of discrimination so that all religious groups receive the same treatment under the law, Albania. (Noted)

Rec 26.313, Guarantee equal rights for all citizens, regardless of their religion, Italy. (Noted)

Rec 26.319, Abolish laws, regulations and policies that discriminate on the basis of religion or belief in the areas of employment, education and participation in public life, Macedonia. (Noted)

Rec 26.306, Amend article 13 of the Constitution to ensure that all religious minorities are able to fully enjoy the right to freedom of religion or belief, Brazil. (Noted)

¹²² Rec 26.316, Put an end to the persecution of religious minorities, including Baha’is, for their participation in social, education and community activities which are part of their religious practices, Luxembourg. (Noted)

Rec, 26.299, End immediately and fully the systematic persecution, including killings, arbitrary detention and torture in places of detention, of members of religious minorities in the Islamic Republic of Iran, and promote effective remedies and compensation for all victims and their families, Saudi Arabia. (Noted)

Rec 26.305, Eliminate all forms of discrimination against religious and ethnic minorities, including the Baha’is, Christians and Ahwazi Arabs, and ensure respect for their religious freedoms and cultural rights, Bahrain. (Noted)

¹²³ ARTICLE 19, *Iran: New Penal Code Provisions as tools for further attacks on the rights to freedom of expression, religion, and belief*, 6 July 2022. Available online: <https://www.article19.org/resources/irans-new-islamic-penal-code-repression/>

¹²⁴ Amnesty International, *Iran: Stop ruthless attacks on persecuted Baha’i religious minority*, 24 August 2022. Available online: <https://www.amnesty.org/en/latest/news/2022/08/iran-stop-ruthless-attacks-on-persecuted-bahai-religious-minority/>
Human Rights Watch, “The Boot on My Neck”: Iranian Authorities’ Crime of Persecution Against Baha’is in Iran, 1 April 2024. Available online: <https://www.hrw.org/report/2024/04/01/boot-my-neck/iranian-authorities-crime-persecution-against-bahais-iran>
Amnesty International, *Iran: Stop destruction of mass grave site and allow dignified burials of persecuted Baha’is*, 29 April 2021. Available online: <https://www.amnesty.org/en/latest/news/2021/04/iran-stop-destruction-of-mass-grave-site-and-allow-dignified-burials-of-persecuted-bahais-2/>

Amnesty International, *Iran: Intensified assault on Iran’s Baha’i minority*, 23 August 2022. Available online: <https://www.amnesty.org/en/documents/mde13/5975/2022/en/>

Recommendations

- Identify and reform all laws that restrict the right to freedom of religion and belief and discriminate or have a discriminatory impact on persons belonging to religious minorities;
-
- End all forms of discrimination and persecution on the basis of persons' religion or belief.
-

IX. Discrimination and violence against women

53. Iran did not support recommendations to repeal discriminatory laws against women and girls¹²⁵ including laws imposing compulsory *hijab* (veiling) on them.¹²⁶ Women and girls continued to be subjected to extreme forms of discrimination and violence.¹²⁷ Iran's laws maintained provisions relegating women to second-class citizens and sanctioning violence and discrimination against them. They included laws sanctioning marital rape and those imposing compulsory *hijab* (veiling) in violation of the rights to equality and non-discrimination, freedom of belief and religion, freedom of expression and the absolute prohibition of torture and other ill-treatment.

54. On 16 September 2022, 22-year old Kurdish-Iranian woman, Jina Mahsa Amini, died in the custody of the "morality police" after she was arrested for "improper" *hijab*. The FFMI established the "existence of evidence of trauma to Ms. Amini's body, inflicted while in the custody of the morality police" and found that she "was subjected to physical violence that led to her death."¹²⁸ Authorities denied responsibility for her death, violently repressed protesters, and doubled down on their crackdown on women and girls who, in defiance of these degrading and discriminatory laws, increasingly appeared in public unveiled. Since then, countless women have been arrested, denied basic services and rights such as access to banking and education, received SMS messages

¹²⁵ Rec 26.247 Review and repeal discriminatory laws and policies against women and girls, particularly those related to employment and education respectively, and ensure that all children and girls enjoy the same rights provided by the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child (Mexico).

¹²⁶ Rec 26.240, Abolish laws requiring women to wear hijabs in public, end legal prohibitions on women's full participation in society, and stop criminalizing women's calls for reform, United States of America. (Noted)

¹²⁷ ARTICLE 19, *Iran: Protest against Hijab Day as Morality Police intensify crackdown*, 12 July 2022. Available online: <https://www.article19.org/resources/iran-protest-against-mandatory-hijab/>

¹²⁸ Detailed findings of the independent international fact-finding mission on the Islamic Republic of Iran, A/HRC/55/CRP.1, Para 249.

warning that their vehicles would be confiscated or have had their vehicles compounded, prosecuted and sentenced. Courts have further subjected women to punishments violating the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment including attending counselling sessions for “anti-social behaviour”, cleaning governmental buildings, and washing corpses.¹²⁹

55. A draft bill on “Chastity and Hijab”, which seeks to further cement violence and discrimination against women and imposes severe punishments on those who defy mandatory *hijab* remains under consideration while many of its provisions are already being implemented. Another draconian bill, the draft Bill on Discretionary Punishments, also contains provisions which expand the scope of offences and penalties for women not adhering to compulsory *hijab* and advocating for the right to choose one’s dress.¹³⁰

56. In its report, the FFMI concluded that the authorities committed the crime against humanity, inter alia, of persecution on the grounds of gender.¹³¹

Recommendations

-
- Identify and reform all laws and rescind all draft legislation that discriminate against or have a discriminatory impact on women and girls;
-
- Adopt legislation to criminalise rape and sexual and gender-based violence, including domestic violence and marital rape, in line with international law and standards and ensure accountability for violence against women including when committed by state agents;
-
- Repeal all laws that impose compulsory *hijab* (veiling) on women and girls, in violation of their rights to equality and non-discrimination, freedom of belief and religion, freedom of expression and the absolute prohibition on torture and other ill-treatment.

¹²⁹ ARTICLE 19, *Iran: Siege on women and girls intensifies as authorities deceive the world*, 12 April 2023. Available online: <https://www.article19.org/resources/iran-siege-on-women-and-girls-intensifies-as-authorities-deceive-the-world/>
Amnesty International, *Iran: International community must stand with women and girls suffering intensifying oppression*, 26 June 2023. Available online: <https://www.amnesty.org/en/latest/news/2023/07/iran-international-community-must-stand-with-women-and-girls-suffering-intensifying-oppression/>

¹³⁰ Ibid

¹³¹ Report of the independent international fact-finding mission on the Islamic Republic of Iran, A/HRC/55/67; Detailed findings of the independent international fact-finding mission on the Islamic Republic of Iran, A/HRC/55/CRP.1
