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Query response on Iran: Situation of individuals participating in protests against the government, possible penalties [a-1 1759]

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Non-English language information is summarised in English. Original language quotations are provided for reference in the document or upon request.

The November 2019 protests and their aftermath

A July 2020 report by the UN Special Rapporteur on the situation of human rights in the Islamic Republic of Iran provided the following overview of the large-scale protests that erupted across the country in November 2019 and the use of lethal violence against protesters by different security forces:

"On 14 November 2019, the Government announced an immediate increase in petrol prices of 50 per cent for the first 60 litres of petrol per month and 200 per cent for additional purchases. The announcement ignited protests across 29 of the 31 provinces of the Islamic Republic of Iran between 15 and 21 November 2019, with at least 200,000 people participating. [...] Protesters' slogans indicated multiple reasons for the demonstrations, including dissatisfaction with the Government and the economic situation in the Islamic Republic of Iran." (UN General Assembly, 21 July 2020, pp. 3-4)

"The Special Rapporteur expresses his shock at the unprecedented use of excessive and lethal force by State security forces during the November 2019 protests, including by the police, the Islamic Revolutionary Guard Corps and its Basij militia. According to credible sources, at least 304 people, including 23 children and 10 women, were killed between 15 to 19 November 2019 in 37 cities across the Islamic Republic of Iran, although the death toll is believed to be much higher. Most of the deaths were reported in Tehran (130) and Alborz (33) provinces, as well as the majority ethnic minority provinces of Khuzestan (57) and Kermanshah (30). Analysis of nearly half the victims' corpses reveals they were shot in the head or neck in at least 66 cases and in the chest or heart in at least 46 cases." (UN General Assembly, 21 July 2020, p. 4)

The same source further noted that security forces carried out mass arrests during the protests and that detained protesters were subjected to "denial of medical treatment, torture and other ill-treatment and forced confessions", according to reports:

"The Special Rapporteur is deeply concerned that the authorities conducted mass arrests and detention during the protests. While the exact number of arrests remains unknown, a member of the Iranian Parliament's Commission on National Security and Foreign Policy stated that at least 7,000 arrests had occurred. [...] The total number of arrested protesters who have since been released is unavailable. However, reports suggested a significant number had been released on bail, usually after signing pledges not to protest or on high bails. Reports stated that bail sums ranged in some instances from 200 million toman (\$12,800) to as high as 1 billion toman (\$64,000)." (UN General Assembly, 21 July 2020, p. 9)

"The Special Rapporteur is extremely disturbed by reports of denial of medical treatment, torture and other ill-treatment and forced confessions of detained protesters. Video footage that first appeared online on 16 November 2019 shows handcuffed detainees being beaten by security forces at Mali Abad police station in Shiraz. Other reports allege hundreds of protesters, including children, were brought into Raja'i Shahr prison in Karaj on 16 November 2019. The detainees were flogged and beaten on a daily basis, by hand and with batons, while handcuffed and blindfolded. Arrested protesters who were wounded by live ammunition during the protests were reportedly transferred to prisons rather than to hospitals." (UN General Assembly, 21 July 2020, p. 10)

In a January 2021 report, the UN Special Rapporteur pointed to reports indicating that in the aftermath of the November 2019 protests, participants were given harsh sentences and that the Islamic Revolutionary Guard Corps (IRGC) conducted raids to arrest suspected protesters:

"The Special Rapporteur is concerned by reports that continue to emerge of the violations committed during the protests and of harsh sentences ordered against participants. [...] Recent reports indicate that the Islamic Revolutionary Guard Corps raided homes, hospitals, schools and workplaces in the days following the protests to arrest suspected demonstrators, including children, and to quash what officials qualified as a 'very dangerous conspiracy'. Detainees were reportedly held in secret facilities without access to lawyers, with many placed in solitary confinement, tortured, deprived of sufficient food and water and made to record false confessions." (UN General Assembly, 11 January 2021, pp. 5-6)

As the UN Special Rapporteur noted in the January 2021 report, death sentences were also handed out in connection with the November 2019 protests. Moreover, in September 2020, authorities executed a man who had taken part in an earlier protest in August 2018 after convicting him of murder and *moharabeh* ["enmity against God", remark by ACCORD]:

"The Special Rapporteur is alarmed by reports of secret executions in connection with protests, with death sentences issued in these cases following unfair trials and after the systematic use of torture to extract forced confessions. On 12 September 2020, Navid Afkari was secretly executed without prior notice in contravention of Iranian law. Mr. Afkari had participated in the August 2018 protests in Shiraz, and was subsequently arrested, convicted and given two death sentences for an alleged murder and for *moharabeh*. He denied the accusations and stated he had been tortured to confess. The confession was later used against him in court, with the judge failing to investigate his torture claim. [...] The Special Rapporteur is concerned that proceedings that could lead to capital punishment have continued against protesters, including in Behbahan, Tehran and Isfahan, and that the authorities may be using harsh sentences, including the death penalty, to suppress dissent. He notes that Amir Hossein Moradi, Mohammad Rajabi and Saeed Tamjidi were granted a retrial after earlier reports that the Supreme Court had confirmed their death sentences in relation to their participation in protests that took place in November 2019." (UN General Assembly, 11 January 2021, p. 3)

A September 2020 report by Amnesty International (AI) elaborates on the treatment of persons linked to the November 2019 protests:

"Amnesty International's findings show that many of the arrests took place during the five days of protests, but, in the days and weeks that followed, the pattern of mass arrests continued. [...] As of 26 August 2020, at least three of the recorded individuals had been sentenced to death after a grossly unfair trial in which they were convicted of 'enmity against God' (*moharebeh*) for acts of arson and vandalism. Prison terms meted out to those convicted ranged from between one month and 10 years based on vaguely worded national security-related charges. More than a dozen known to Amnesty International had been sentenced to flogging in addition to prison terms, and at least two had had their flogging sentences implemented by the time of publication. Amnesty International believes that the real number of individuals prosecuted and sentenced in connection with the November 2019 protests is far higher, given the large number of arrests carried out and previous patterns of prosecution and sentencing in the country following nationwide protests. [...] Charges routinely used against those detained in connection with the protests of November 2019 are drawn from the Islamic Penal Code and have included 'disrupting public order', 'gathering and colluding to commit crimes against national security' and 'membership of a group with the purpose of disrupting national security'. [...] Other charges from the Islamic Penal Code which have been used to prosecute protesters have included, 'spreading propaganda against the system', 'insulting the Supreme Leader', 'insulting officials' and 'spreading lies with the intention of disturbing the public mind'. These provisions effectively criminalize the free expression of ideas and opinions, in contravention of Iran's obligations under international human rights law." (AI, September 2020, pp. 7-8)

“According to information gathered by Amnesty International, torture was used to punish, intimidate and humiliate detainees. It was also used as an interrogation tactic to elicit self-incriminating statements and ‘confessions’, not just about their involvement in the protests, but also about their alleged associations with opposition groups, human rights defenders, journalists and media outlets outside Iran, as well as with foreign governments.’ (AI, September 2020, p. 9)

“Individuals detained, investigated and prosecuted in connection with the November 2019 protests have suffered grossly unfair judicial proceedings. Amnesty International’s research shows that interrogators belonging to security and intelligence bodies and prosecution authorities systematically denied the detainees their right to access a lawyer, even lawyers vetted and approved by the judiciary, during the investigation phase. In line with a growing practice in the country, in some instances, the prosecution and judicial authorities also prevented detainees from accessing lawyers of their own choosing during trial, in breach of Iran’s own laws.” (AI, September 2020, p. 10)

The January 2021 report of the UN Special Rapporteur informs about sentences handed down on November 2019 protesters in Behbahan (Khuzestan Province), Kurdistan Province, East Azerbaijan (Azarbayjan-e Sharqi) and West Azerbaijan Provinces (Azarbayjan-e Gharbi):

“A legal order from Behbahan, Khuzestan Province, dated 20 January 2020, reveals that in that city alone, over 1,000 people had been arrested in connection with the protests, with the vast majority subsequently released. In October 2020, at least 36 Behbahan protesters were sentenced to a combined total of 109 years’ imprisonment and 2,590 lashes in the absence of the accused and their lawyers. Prosecutors reportedly presented no evidence for many of the charges. The Government stated that 27 sentences had been suspended and disputed that no evidence had been presented. In Kurdistan Province, at least 16 protesters have to date been sentenced to a combined total of over 57 years’ imprisonment, and 30 lashes in one case, in connection with the November 2019 protests. Activists were arrested in the provinces of Azarbayjan-e Sharqi and Azarbayjan-e Gharbi by plain-clothes intelligence agents during and following the protests, despite not participating. They were held in an intelligence ministry detention centre in Tabriz, Azarbayjan-e Sharqi Province for over two months. Their relatives were harassed, intimidated and detained for short periods for seeking information on their whereabouts. Interrogators reportedly tried to force detainees to ‘confess’. They were all released on bail in February and March 2020 pending trial, with none allowed a lawyer until days before the trial commenced. At least three have since been sentenced to imprisonment or fines on national security-related charges.” (UN General Assembly, 11 January 2021, p. 6)

In a July 2021 report, the UN Special Rapporteur pointed to continuing prosecutions of persons who had taken part in the November 2019 protests:

“The Special Rapporteur reiterates his alarm that while no credible investigation into those responsible for the events of November 2019 has been undertaken, the authorities continue to prosecute individuals who participated in the protests. Reports show patterns in these cases of brief court hearings, often without a lawyer, and illtreatment of the accused. Charges brought against protesters include moharebeh (taking up arms to take lives or property and to create fear in the public), which carries the death penalty, and national security charges that carry long prison sentences.” (UN General Assembly, 16 July 2021, p. 6)

In December 2021, the Center for Human Rights in Iran (CHRI) reported about the following two cases linked to the November 2019 protests in Khuzestan Province:

“News of a death sentence and life sentence against two brothers who were denied the ability to defend themselves in court recalls similarly unjust trials against the brothers of an executed champion wrestler. Abbas and Mohsen Deris, both members of Iran’s ethnic Arab minority in Khuzestan Province, were arrested during the country’s violently repressed November 2019 protests, which broke out across the country that month and which saw an estimated 100 protesters killed in Khuzestan alone. A source close to the Deris family told the Human Rights Activists News Agency (HRANA) that the information used by the prosecution against the two brothers had only been conveyed verbally by judicial authorities to the defense—giving the defendants no ability to properly prepare an adequate defense—and that lawyers’ requests for written documents were all denied. As is common in court proceedings dealing with trumped-up ‘national security’ charges in Iran, the Deris brothers were isolated from their family and lawyers, subjected to torture, and coerced into making false confessions, according to HRANA. After learning about Abbas Deris’ death sentence, his wife suffered a stroke and died. Their orphaned children now live with their grandparents.” (CHRI, 8 December 2021)

Further protests

The January 2021 report by the UN Special Rapporteur states that security forces also used violence and carried out arrests during further protests that took place in Behbahan (Khuzestan Province) in July 2020 and in several cities with significant Azerbaijani-Turk populations in October 2020:

“Information on further protests has been received. On 16 July 2020, security forces used tear gas to disperse demonstrators in Behbahan and arrested over 30 people. On 8 October 2020, some commemorative gatherings after the death of Iranian singer Mohammad Reza Shajarian turned into anti-government protests, with security forces reportedly using batons against participants. Protests also took place on 17 October 2020 in several cities with large Azerbaijani-Turk populations, with over 30 arrests reported. The Special Rapporteur notes the judiciary’s announcement on 10 November 2020 to pardon 157 people detained on security-related charges, including related to protests held over the past three years.” (UN General Assembly, 11 January 2021, p. 6)

A Radio Free Europe/Radio Liberty (RFE/RL) article provides the following background information on the July 2020 protests in Behbahan:

“The rally in Behbahan came amid a social-media campaign calling on Iranian authorities to overturn death sentences handed to three men who participated in protests last year. On July 14, Iran’s judiciary announced that the Supreme Court upheld the death sentences against Amir Hossein Moradi, 25, Saeed Tamjidi, 27, and Mohammad Rajabi, 25, for criminal actions during the November 2019 protests sparked by a sudden hike in the price of gasoline.” (RFE/RL, 17 July 2020)

The July 2021 report by the UN Special Rapporteur mentions further protests since December 2020:

“Since December 2020, retirees have held demonstrations in several cities calling for an increase in pensions and wider reforms as they face increasing difficulties in covering living costs given the rate of inflation. On 10 January 2021, demonstrations took place in 19 cities involving those who receive pensions from the State Welfare Organization. On 4 April 2021, another set of protests by retirees took place in at least 20 cities across the country. The Special Rapporteur is concerned that one participant, Esmail Gerami, was sentenced to prison due to his involvement in these protests.” (UN General Assembly, 16 July 2021, p. 10)

In July 2021, Human Rights Watch (HRW) reported that more protests erupted in Khuzestan and several other provinces, followed by use of violence by security forces:

“Since July 15, 2021, Iranians have protested deteriorating living conditions in Khuzestan and several other provinces, including Isfahan, Lorestan, Eastern Azerbaijan, Tehran, and Karaj. As of July 28, human rights groups have verified the identities of at least nine people who were shot dead or died of injuries during the protests, including a 17-year-old boy, in Khuzestan and Lorestan provinces. Iranian government officials have announced the death of three protesters and a police officer during the protests. Videos shared on social media from protests in cities in Khuzestan show security officials shooting firearms and teargas toward protesters.

On July 15, people in dozens of towns and cities in Khuzestan province, which has a large ethnic Arab population, took to the streets for several nights to protest not having clean water for days. Human Rights Activists News Agency (HRANA) identified six victims and at least 171 people arrested during the protests. Unconfirmed reports indicate the number of deaths and arrests may be higher. Amnesty International and Radio Zamaneh news outlet have published the names of three more people who were killed during the protests.

On July 21, Ali Shamkhani, the secretary of Iran’s national security council, wrote on his Twitter account that the authorities have ordered the release of those arrested during the protests in Khuzestan ‘who have not committed any criminal act.’ On July 25, Mizan News, the judiciary’s news agency, reported that Gholamhossein Ejeyi, the head of Iran’s judiciary, had ordered the Khuzestan courts to release those arrested for protesting and a review of those convicted for the November 2019 protests, which began over gasoline prices and transformed into a broader expression of popular discontent with the government’s repression and perceived corruption. Human Rights Watch has extensively documented that Iran’s judiciary regularly uses vaguely defined national security charges to prosecute peaceful dissent and subjects detainees to mistreatment, torture, and unfair trials.” (HRW, 29 July 2021)

In August 2021, IranWire reported about the treatment of persons detained in connection with the latest protests in Khuzestan:

“In the wake of reports that the Iranian authorities have set extortionate bails for children arrested during protests in Khuzestan, Sadegh Moradi, head of the province’s Justice Department, reiterated on Wednesday, August 4 that many of the detainees had been

released 'unconditionally'. It came even as human rights activists in Khuzestan reported that more civilian protesters had been arrested and taken away in the latest night-time demonstrations. Elsewhere, it was also reported that a number of people arrested at concurrent rallies in Tehran and Karaj been transferred to the quarantine ward of Greater Tehran Penitentiary, also known as Fashafuyeh. Three weeks after protests over the water crisis first got under way, it is still unclear how many people have been detained. The Ahwaz Human Rights Organization has managed to identify 310 people taken into custody in Khuzestan so far. [...] A number of eyewitnesses at protests in the Kian Bazaar and Alavi neighborhood in Ahvaz, the capital of Khuzestan, have told IranWire they saw no sign of sabotage by civilians. In fact, they said, fires in the area were started by the security forces. Meanwhile the judiciary has opened cases against nine civil rights activists who took part in a rally in front of the Interior Ministry in Tehran in support of Khuzestan in July 20. About 30 people attended the protest overall.

At least six of the participants, including human rights campaigner Narges Mohammadi, labor activist Jafar Azimzadeh, lawyer Arash Kaykhosravi, activist Hamid Assefi, civil rights campaigner Pouran Nazemi and ex-political prisoner Ruhollah Mardani were beaten up and detained on the spot. The other three detained were the teacher Rasoul Badaghi, activist Behzad Homayouni and activist Arash Sadeghi. In the past few days several of the nine have received text messages informing them that cases against them have been filed with Branch Two of Shahid Moghaddas Courthouse, which is based at Evin Prison in Tehran." (IranWire, 4 August 2021)

A November 2021 article by Bloomberg informs that arrests were made during further protests in the city of Isfahan, with clashes reported between protesters and security forces:

"Iranian security forces arrested several people in public protests over water shortages in the central city of Isfahan, state TV reported. The arrests were made at a gathering staged by 'anti-revolutionary' groups in the dried-up bed of the Zayandeh Rud river, local police chief Mohammadreza Mirheidari said in a televised interview late on Friday. The once-thriving waterway has been the scene of protests by thousands of people, mostly farmers, in the past two weeks over what they say is the government's mismanagement of water resources. Videos posted on social media on Friday showed several people bruised and bloodied, allegedly following clashes with security forces who used tear gas and blank rounds to disperse protesters. The images couldn't be verified by Bloomberg News.

Authorities have largely blamed low rainfall for water scarcity in Isfahan, about 400 kilometers (250 miles) south of Tehran. Environmentalists say the area has suffered from years of misuse, including the construction of water-intensive steel manufacturing plants and a pipeline project that diverted part of the Zayandeh Rud's water to other desert cities." (Bloomberg News, 27 November 2021)

Regarding these same protests, France 24 reported that:

"Riot police were deployed in force Saturday in the Iranian city of Isfahan, a day after dozens were arrested in violent protests over the drying up of a lifeblood river. Security forces fired tear gas during the clashes with stone-throwers in the protest in the dry bed of the Zayandeh Rood river that crosses the city, Fars and ISNA news agencies said. 'We have arrested 67 of the main actors and agitators behind the troubles,' police General Hassan Karami told on Saturday. He said between 2,000 and 3,000 'rioters' took part in the protest. On Saturday, the situation was 'calm' and streets empty, with riot police deployed on the city's Khadjou bridge, a Isfahan city resident said. The demonstration was the latest since protests kicked off on November 9 in Isfahan, some 340 kilometres (210 miles) south of Tehran, a tourist magnet due to its majestic mosques and heritage sites, including a historic bridge across the river." (France 24, 27 November 2021)

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