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Promotion and protection of human rights: human rights situations and reports of special rapporteurs and representatives

Situation of human rights in the Islamic Republic of Iran

Note by the Secretary-General

The Secretary-General has the honour to transmit to the General Assembly the report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, Javaid Rehman, submitted in accordance with Human Rights Council resolution 43/24.

* [A/75/150](#).



**Report of the Special Rapporteur on the situation of human rights
in the Islamic Republic of Iran, Javaid Rehman**

Summary

The Special Rapporteur on the situation of human rights in the Islamic Republic of Iran submits his third report to the General Assembly pursuant to Human Rights Council resolution 43/24. In the report, the Special Rapporteur details observations concerning patterns, trends and progress made in the protection of human rights and includes recommendations to improve human rights implementation.

I. Introduction

1. The present report is submitted pursuant to Human Rights Council resolution 43/24, in which the Council requested the Special Rapporteur to report to the General Assembly on the situation of human rights in the Islamic Republic of Iran at its seventy-fifth session. The report contains information collected up to 24 June 2020, including from the Government of the Islamic Republic of Iran, non-governmental and media organizations and individual interviews with victims of human rights violations, their families and lawyers. The report also draws on the relevant observations of the human rights treaty bodies, the Human Rights Council universal periodic review mechanism and its special procedure mandate holders.

2. The Special Rapporteur is alarmed by the unprecedented violent crackdown against protesters across the Islamic Republic of Iran in November 2019. Excessive force by State security forces has led to hundreds of deaths and injuries and thousands of arrests. Detained protesters have faced torture and ill-treatment, with some receiving harsh sentences, including the death penalty, after unfair trials. While the Government has created a victim compensation scheme and ordered investigations, those processes lack transparency and independence and are failing to hold perpetrators of human rights violations to account. Victims' families have also reportedly faced harassment by authorities for speaking out. The violent response to the January 2020 protests concerning the shooting down of Ukraine International Airlines Flight 752 demonstrated that the Government continues to use excessive force to suppress freedom of expression and peaceful assembly.

3. The Special Rapporteur welcomes the Government's recent engagement in the third cycle of its universal periodic review and notes that it accepted or partially accepted 188 out of 329 recommendations. He stands ready to assist the Government in implementing those recommendations. The Special Rapporteur is concerned at the economic challenges the Islamic Republic of Iran faces, including the impact of sanctions, which have reportedly restricted the Government's ability to respond promptly to the coronavirus disease (COVID-19) outbreak. While acknowledging the positive initiative of temporary prisoner releases to mitigate the spread of COVID-19 in prisons, the Special Rapporteur remains concerned that most human rights defenders, lawyers, dual and foreign nationals and other targeted groups have not benefitted. He is dismayed by the continued use of the death penalty by the Islamic Republic of Iran against child offenders and its high execution figures. Reports received demonstrate a continued trend of restricting freedom of expression and ongoing discrimination against minorities and women.

II. November 2019 protests

4. 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.¹ 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.² Demonstrators marched peacefully or blocked highways, roads and petrol stations, although in some incidents protesters allegedly damaged buildings. The Government stated in its comments that banks, residential homes, petrol stations and commercial centres had been set on fire during the protests. Protesters' slogans indicated multiple reasons for the demonstrations, including

¹ Reuters, "Iran gasoline rationing, price hikes draw street protests", 14 November 2019.

² Babak Dehghanpisheh, "Iran says 200,000 took to streets in anti-government protests", Reuters, 27 November 2019.

dissatisfaction with the Government and the economic situation in the Islamic Republic of Iran. The Government claimed that the economic impact of sanctions had been the main cause of the unrest. Government officials, including the Supreme Leader, the President and the head of the judiciary, made statements condemning the protesters and attributing their actions to foreign interference.³ On 17 November 2019, the Supreme Leader called the protesters “thugs”,⁴ and other officials referred to the protesters as rioters and enemies of the Islamic Republic of Iran.⁵ According to the Government, the reference to “thugs” only applied to individuals who had committed crimes. According to reports, the Supreme Leader met with the President and other senior officials on 17 November to discuss a response to the protests and said they should do “whatever it takes” to end them.⁶ On 18 November 2019, the Islamic Revolutionary Guard Corps warned that “decisive and revolutionary action” would be taken against protesters, foreshadowing the security forces’ deadly crackdown.⁷

Excessive force

5. 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.⁸ 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).⁹ 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.¹⁰ The pattern of shooting at vital organs, established by eyewitness accounts, video footage and the documented causes of deaths, demonstrates that security forces were “shooting to kill” or with reckless disregard as to whether their actions caused death.¹¹

6. The Special Rapporteur expresses his particular alarm at the reported arbitrary use by security forces of firearms that killed at least 22 boys and 1 girl. On

³ Babak Dehghanpisheh, “Iran says hundreds of banks were torched in ‘vast’ unrest plot”, Reuters, 27 November 2019; Reuters, “Update 5: Iran’s Khamenei backs fuel price hike, blames ‘sabotage’ for unrest”, 17 November 2019; Centre for Human Rights in Iran, *Gunning Them Down: State Violence against Protesters in Iran* (New York, 2020), p. 40; and Islamic Republic News Agency, “Judiciary chief says people are separate from rioters”, 18 November 2019.

⁴ See <https://farsi.khamenei.ir/news-content?id=44020>; Iran Human Rights, “Iran report: at least 324 people killed in November protests”, 20 December 2019; ABC News, “Iran’s top leader issues warning to ‘thugs’ as fuel protests spread across country”, 18 November 2019; and France 24, “Iran’s supreme leader blames ‘thugs’ for unrest, backs government on fuel price hikes”, 17 November 2019.

⁵ See www.mizanonline.com/fa/news/568531/; www.irna.ir/news/83558990/; and Patrick Wintour, “Iran supreme leader backs petrol price rises as protests spread”, *The Guardian*, 17 November 2019.

⁶ Reuters, “Special report: Iran’s leader ordered crackdown on unrest – ‘do whatever it takes to end it’”, 23 December 2019.

⁷ See <https://tn.ai/2142408>; and Parisa Hafezi, “Iran’s guards warn of ‘decisive’ action if unrest continues”, Reuters, 18 November 2019.

⁸ Amnesty International, “Iran: details released of 304 deaths during protests six months after security forces’ killing spree”, 21 May 2020.

⁹ Amnesty International, *Iran: Details of 304 Deaths in Crackdown on November 2019 Protests* (2020), p. 5.

¹⁰ *Ibid.*, p. 6.

¹¹ *Ibid.*, p. 5; Justice for Iran, “Shoot to kill: preliminary findings of justice for Iran’s investigation into the November 2019 protests – submission to the Council of the European Union”, February 2020, p. 18.

16 November, 15-year-old Mohammad Dastankhah was shot dead, while returning from school in Sadra, by Basij forces shooting from their building rooftop. A 17-year-old boy, Mohsen Mohammadpour, also died after suffering head injuries during protests in Khorramshahr. While the reports are conflicting as to whether his injuries were due to beatings or metal pellets fired from close distance, both reports claimed that security forces had been responsible.¹² There were reports that the authorities had attributed the deaths of children during the protests to “rioters”, despite evidence that the security forces had been responsible.¹³ Families have also reportedly been pressured to stay quiet.¹⁴

7. The use of excessive force by security forces during the November protests demonstrate a serious violation of the right to life. The Islamic Republic of Iran, as a State party to the International Covenant on Civil and Political Rights, is required to undertake all necessary measures to prevent arbitrary deprivation of life by law enforcement officials.¹⁵ The Human Rights Committee elaborated that such measures should include legislation controlling the use of lethal force by law enforcement officials, procedures to ensure law enforcement operations minimize risks to life, mandatory reporting and investigations of lethal and life-threatening incidents and providing officials responsible for crowd control with effective protective equipment and “less-lethal” means of force. Law enforcement officials should also comply with international standards, including the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials. The Committee has also stated that the use of force causing the death of demonstrators exercising the right to freedom of assembly amounts to arbitrary deprivation of life (see [CCPR/C/GC/36](#), paras. 13 and 17). The Basic Principles on the Use of Force and Firearms by Law Enforcement Officials outline that non-violent means are to be used as far as possible before resorting to the use of force, and any use of force must be limited to that which is proportionate to the seriousness of the offence and the legitimate objective to be achieved.¹⁶ Principle 9 of the Basic Principles makes clear that law enforcement shall not use firearms except when strictly unavoidable to protect life or prevent serious injury from an imminent threat.

8. The Government denied responsibility for protesters’ deaths, stating that firearms had been used by “rioters” and “agents of foreign enemies” and not State security forces, or, contradictorily, that security forces had used lethal force but that it had been justified as armed protesters had posed a threat to life or property.¹⁷ In its comments, the Government reasserted that law enforcement had exercised “maximum restraint”. Information received disputes those assertions. First, video footage and eyewitness testimonies confirm that police, Basij and Islamic Revolutionary Guard Corps security forces had been the entities to use firearms on unarmed and peaceful protesters who posed no imminent threat to life.¹⁸ Evidence supporting that finding

¹² Amnesty International, “‘They shot our children’: killings of minors in Iran’s 2019 November protests”, p. 11, 13 and 16.

¹³ Iran Wire, “Security forces kill a 13-year-old bystander”, 26 November 2019; www.hra-news.org/periodical/a-70/; and Human Rights Watch, “Iran: deliberate coverup of brutal crackdown”, 27 November 2019; and Amnesty International, “They shot our children”, p. 10.

¹⁴ Iran Wire, “Security forces kill a 13-year-old bystander”; <https://www.hra-news.org/periodical/a-70/>; Human Rights Watch, “Iran: deliberate coverup of brutal crackdown”; and Amnesty International, “They shot our children”, p. 10.

¹⁵ See resolution [2200 A \(XXI\)](#), annex; and Human Rights Committee, General comment No. 36 (2018) on the right to life, para. 13.

¹⁶ See *Basic Principles on the Use of Force and Firearms by Law Enforcement Officials*, paras. 4–5.

¹⁷ Justice for Iran, “Shoot to kill”, pp. 11–12; Michael Daventry, “Two Iran protest deaths ‘caused by foreign agents’, local governor says”, Euronews, 31 December 2017; and <http://www.irna.ir/news/83578701/>.

¹⁸ Amnesty International, *Iran: Details of 304 Deaths in Crackdown*, p. 8.

included accounts that those shooting at protesters had worn security force uniforms, shot from government buildings and used weapons and equipment associated with security forces.¹⁹ While the Government claimed a “large number” had been killed by non-government-issued weapons, no corroborating evidence was provided. Second, reports indicated that, throughout the nationwide protests, the presence of armed individuals had only been reported in two protests in Mahshahr.²⁰ That indicates that the protesters had been predominately peaceful and had not posed a threat to life. Even during those two armed incidents, the security forces still used excessive force against unarmed protesters and bystanders.²¹ Third, the claims that protesters attacked State facilities have been disputed. On 26 November 2019, the Minister of Interior stated that protesters had attacked military camps and police stations.²² However, a Member of Parliament from Shiraz disputed that claim, stating that in Shiraz and Sara “not a single victim was close to any military station”.²³ The use of lethal force to protect property is also arbitrary. Fourth, the use of live ammunition against protesters was officially acknowledged. In response to questions by a parliamentarian, the Minister of Interior did not deny that protesters had been shot in the head and said they had been “shot in the leg too”.²⁴ Despite the credible evidence that excessive force by security forces had caused deaths and injuries, the Minister of Interior stated in a letter to Parliament on 18 May 2020 that “relevant supervisory bodies and authorities” had found that the Ministry of Interior had not been responsible “for any faults”.²⁵ The reports have not been made public.

Lack of investigation and accountability

9. The Special Rapporteur’s deep concern at the Government’s denial of responsibility is exacerbated by a lack of transparent, independent and prompt investigations into the events of November 2019. Seven months on, official death and injury figures have still not been announced, although statements by officials have given an indication of the Government’s position. On 1 June 2020, the head of the Iranian Parliament’s National Security and Foreign Affairs Committee said that 230 people had been killed, including six State security members.²⁶ On 31 May 2020, remarks in an interview by the Minister of Interior indicated he believed 200 to 225 people had been killed.²⁷ In its comments, the Government stated that casualty figures had not been released as precise investigations into the circumstances of each death were required.

10. According to the Human Rights Committee, the International Covenant on Civil and Political Rights requires States parties to ensure that individuals have accessible and effective remedies to vindicate their rights as provided under the Covenant and that there is a general obligation to investigate allegations of violations promptly, thoroughly and effectively through independent and impartial bodies (see [CCPR/C/21/Rev.1/Add.13](#), para. 15). Where investigations find human rights violations, States parties must ensure that those responsible are brought to justice.

¹⁹ Justice for Iran, “Shoot to kill”, pp. 14–15.

²⁰ Amnesty International, *Iran: Details of 304 Deaths in Crackdown*, p. 8.

²¹ *Ibid.*, p. 8; and Justice for Iran, “Shoot to kill”, p. 16.

²² See www.irinn.ir/fa/news/748299/.

²³ Iran Human Rights, “Iran report: at least 324 people killed in November protests”; and www.icana.ir/Fa/News/439534/.

²⁴ See www.imna.ir/news/401553/; and <https://etemadonline.com/content/370364/>.

²⁵ See www.moi.ir/fa/136946/ اخبار.

²⁶ Agence France-Presse (Paris), “Half year on, activists fear no justice for Iran protest killings”, RFI, 17 June 2020; and see www.isna.ir/news/99031207389/.

²⁷ Agence France-Presse (Tehran), “Iran suggests up to 225 killed in November protests”, France 24, 31 May 2020; and “Nearly 200 to 225 people killed in November protests, minister suggests”, *Tehran Times*, 31 May 2020.

The Committee stated that those obligations notably arise in situations such as the November 2019 protests where there are allegations of arbitrary killing (ibid., para. 18). The requirement for an independent, impartial and transparent investigation in cases of excessive and lethal force is reaffirmed by international standards, such as the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and the Minnesota Protocol on the Investigation of Potentially Unlawful Death.²⁸

11. The Special Rapporteur notes that the Government has set up a victims compensation programme. On 3 December 2019, the Supreme Leader approved the Supreme National Security Council's policy to provide compensation in connection to those killed or injured during the protests. The policy divides victims into three groups: victims who had not been protesting but who were accidentally killed; victims who had been unarmed protesters; and victims who had been armed protesters. Individuals classified in the first group would be recognized as "martyrs" with their families receiving monthly wages and benefits from the Martyrs and Veterans Affairs Foundation. Families of those in the second group would receive *diya* (blood money). Finally, individuals classified in the final group would be assessed on a case-by-case basis.²⁹ While the compensation policy may appear to be a form of reparation for wrongdoing, it does not fulfil the international law requirement to investigate and bring perpetrators to justice (see [CCPR/C/21/Rev.1/Add.13](#), para. 16).

12. In December 2019, the President formed a committee comprising his Vice President for Legal Affairs, the Minister of Interior and the Minister for Justice to investigate the situation of those harmed in the protests and to distinguish between "those who did not intend to riot and those who created terror".³⁰ However, this committee is non-compliant with international standards. The committee does not appear to be investigating reported violations by security forces. It lacks independence and impartiality by including members who may be subject to the inquiry, such as the Minister of Interior, who oversees security operations.³¹ Finally, transparency and effectiveness requirements are not met as its terms of reference are unknown and there is no public scrutiny.³² No information on the committee's investigations have been published. The Government stated that the committee's purpose was to "fully investigate and report on the incidents so as to make grounds for compensatory damages". It also stated that parliamentarians and the judiciary had launched an inquiry for the same purpose. It did not state whether the inquiries would lead to the investigation or prosecution of officials for human rights violations. Other inquiries that supposedly exonerated the Ministry of Interior also do not appear compliant with international standards.³³ The Special Rapporteur echoes calls by the United Nations High Commissioner for Human Rights that the Islamic Republic of Iran undertake an independent and impartial investigation into human rights violations during the November 2019 protests, especially into the arbitrary killings, and bring those responsible to justice.³⁴

²⁸ See *Basic Principles on the Use of Force and Firearms by Law Enforcement Officials*, para. 22; *The Minnesota Protocol on the Investigation of Potentially Unlawful Death* (United Nations publication, Sales No. E.17.XIV.3), para. 25.

²⁹ Justice for Iran, "Mockery of justice: State's polices and laws regarding the victims of Iran's 2019 November protests", May 2020, pp. 5–6.

³⁰ Amnesty International, "They shot our children", p. 20; Human Rights Watch, "Iran: no justice for bloody crackdown", 25 February 2020; and see www.etemadnewspaper.ir/fa/main/detail/138171/.

³¹ Amnesty International, "They shot our children", p. 20; and *The Minnesota Protocol on the Investigation of Potentially Unlawful Death*, p. 8.

³² Amnesty International, "They shot our children", p. 20.

³³ See www.moi.ir/fa/136946/ اخبار.

³⁴ Office of the United Nations High Commissioner for Human Rights (OHCHR), "Bachelet calls on Iran to address multiple human rights violations in context of recent protests", 6 December 2019.

Harassment of victims' families

13. Further establishing the Government's obstruction of a proper investigation are concerning reports that the families of victims are being harassed and threatened for having publicly demanded justice for their relatives' deaths. A report concerning 23 families who had filed formal complaints for investigations into their relatives' deaths found that none of them had been promised an investigation or that perpetrators would be held accountable. Furthermore, 10 of the 23 families reported that the authorities, including local government, judicial, police and Islamic Revolutionary Guard Corps officials, had asked them to accept the compensation scheme's martyrdom status and to consider the matter closed, without further investigation or prosecution of perpetrators. Nineteen other families who had not filed formal complaints had also reportedly been approached by authorities to accept martyrdom status without further investigation or accountability. Families of victims have reported that they consider the Government's compensation plan to be a mechanism to persuade or coerce them into not pursuing cases that would investigate their relatives' cause of death and hold perpetrators accountable.³⁵

14. Emblematic cases are indicative of reported threats and harassment by officials to silence victims. The family of Ameneh Shabazi, who died from gunshot wounds on 17 November 2019 in Karaj while trying to help an injured protester, were forced to pay 4.5 million toman (\$1,074.35) to have her body released.³⁶ The family was also prohibited from raising awareness about her death.³⁷ Sakineh Ahmadi, mother of Ebrahim Ketabhar, a 30-year-old man who died after being shot in the heart by security forces in Karaj, stated that his body had only been released after his father had signed a pledge to stay silent.³⁸ In another case, a relative of a protester shot and killed in Eslamshahr said that the authorities had pressured the family into falsely claiming that he had been a Basij member in order to collect his body. A picture published in State media was reportedly doctored to show him dressed in military uniform. Families were also reportedly excluded from autopsies, not informed of autopsy results concerning the weapons that had caused the death and were unable to seek independent autopsies.³⁹

15. Some families who have publicly called for justice have faced reprisals, including the parents of Pouya Bakhtiari, who was shot in the head by security forces and killed on 16 November 2019 in Karaj. On 3 December 2019, Mr. Bakhtiari's mother stated in an interview that she would seek justice, including prosecution for those responsible for his killing.⁴⁰ The Intelligence Ministry and prosecutor's office subsequently summoned Mr. Bakhtiari's father twice to call off the commemoration at his son's grave on 26 December 2019.⁴¹ A heavy security presence also reportedly prevented the commemoration, and several relatives were detained.⁴² On 24 December 2019, State media reported that both Mr. Bakhtiari's mother and father

³⁵ Justice for Iran, "Mockery of justice", pp. 10–12.

³⁶ Centre for Human Rights in Iran, "Housewife killed by bullet to neck while helping wounded protestor, family forced to pay to take body", 2 December 2019; and Centre for Human Rights in Iran, *Gunning Them Down*, p. 31.

³⁷ Centre for Human Rights in Iran, "Housewife killed by bullet to neck"; and Centre for Human Rights in Iran, *Gunning Them Down*, p. 31.

³⁸ Centre for Human Rights in Iran, *Gunning Them Down*, pp. 19–20.

³⁹ Amnesty International, *Iran: Details of 304 Deaths in Crackdown*, pp. 8–10.

⁴⁰ Centre for Human Rights in Iran, "Mother of slain protestor: 'why did they shoot at my son's head?'" , 8 December 2019.

⁴¹ Centre for Human Rights in Iran, "Cemetery becomes battleground as state forces detain supporters of slain protestor", 27 December 2019; and Centre for Human Rights in Iran, *Gunning Them Down*, pp. 17–18.

⁴² Centre for Human Rights in Iran, "Cemetery becomes battleground"; and Centre for Human Rights in Iran, *Gunning Them Down*, pp. 17–18.

had been detained, with the judiciary's spokesperson stating the following week that the family had been accused of "actions against national security".⁴³ While most relatives were released soon after being detained, his father was reportedly held until late January 2020. The Government claimed Mr. Bakhtiari had been killed by "thugs who stroke blows to his head" but provided no evidence. The parents of Mohammad Dastankhah were also reportedly told by authorities that if they continued to speak about their son's death, they would lose their other son. The father of Amir Hossein Kabiri, who was shot dead in Karaj, reportedly accepted martyrdom status for his son as he believed it was the only way the authorities would leave them alone. Other families accepted martyrdom status or *diya* owing to financial hardship.⁴⁴

16. The Special Rapporteur is concerned that Government actions against victims' families are inconsistent with international standards, according to which families of the deceased victims should be allowed to participate effectively in investigations, should be sought and kept informed of the investigation's progress in a timely manner, and should never be intimidated or ill-treated because of their participation in the investigation or their search for their deceased relatives.⁴⁵

Arrests and conditions in detention

17. 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.⁴⁶ According to reports, a large number of protesters were detained at the Greater Tehran Central Penitentiary, with over 300 reportedly still detained there in February 2020.⁴⁷ Many women protesters were reportedly detained in Qarchak Prison.⁴⁸ Protesters held at the Penitentiary and Qarchak Prison were placed in wards lacking basic facilities, such as ward 5 at the Penitentiary or in the prison gym at Qarchak Prison, which lacks ventilation or toilets.⁴⁹ On 25 November 2019, the head of the city council in Rey told reporters that the Penitentiary was extremely crowded and did not have the capacity to accommodate the increased prison population.⁵⁰ Reports also suggested that prisoners usually held in prison wards controlled by the Islamic Revolutionary Guard Corps or the Intelligence Ministry had been moved to public wards owing to the high number of new detainees detained during the peak of the protests.⁵¹ 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). The Government stated that only those held for alleged criminal acts were still being detained and that they had been provided with due process guarantees.

⁴³ See www.mehrnews.com/news/4805929/; and www.isna.ir/news/98101007201/.

⁴⁴ Justice for Iran, "Mockery of justice", pp. 12–15.

⁴⁵ *The Minnesota Protocol on the Investigation of Potentially Unlawful Death*, para. 35–36.

⁴⁶ See www.entekhab.ir/fa/news/514774/; and Negar Mortazavi, "Iran protests: over 300 killed and thousands arrested in violent crackdown, Amnesty says", *Independent*, 16 December 2019.

⁴⁷ Centre for Human Rights in Iran, "Detained protesters in Iran: beaten, tortured, forced to 'confess'", 10 February 2020.

⁴⁸ Human Rights Activists News Agency, "Qarchak prison; a list of political prisoners and prison conditions", 2 March 2020.

⁴⁹ Centre for Human Rights in Iran, *Gunning Them Down*, p. 35.

⁵⁰ See www.imna.ir/news/398044/; and <https://aftabnews.ir/fa/news/623304/>.

⁵¹ Centre for Human Rights in Iran, "Initial reports show thousands arrested in Iran's crackdown on November protests", 19 November 2019.

Incommunicado detention

18. Families were reportedly denied information on the whereabouts of their relatives who had been arrested during the protests. On 21 November 2019, individuals asking for information about their relatives at the Intelligence Ministry detention centre in Tabriz were told that judicial officials would only give information “when necessary”, while the public prosecutor’s office at Evin Prison said on 22 November 2019 that families should not come to ask about their relatives for two weeks.⁵² Those measures are inconsistent with international standards, which state that detainees’ families or lawyers should be informed promptly of their whereabouts.⁵³ Families also reportedly faced threats from officials if they continued to ask about their relatives. By February 2020, numerous families of the 400 detained protesters from the cities of Ahvaz, Mahshahr and Khorramshahr still reportedly did not know their relatives’ location. Reports indicated that those individuals, including children, were being kept in detention for having shared news and videos about the protests. No other information concerning the detainees’ condition or location was known, other than that they were being held by the Islamic Revolutionary Guard Corps or Intelligence Ministry.⁵⁴ The Human Rights Committee has stated that enforced disappearances constitute a “particularly aggravated form of arbitrary detention” (see [CCPR/C/GC/35](#), para. 17). The Government stated that, under the Criminal Procedure Code, law enforcement forces are obligated to facilitate detainees’ communication with their family about their detention.

Treatment in detention

19. 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.

20. Reports establish a widespread pattern of officials using torture to extract false confessions. Three separate detainees from the cities of Tehran, Tabriz and Ahvaz all made similar allegations that interrogators physically assaulted them, including by hand, with batons and with electric shocks, and that interrogators tried to force them to confess that entities outside the Islamic Republic of Iran had incited the protests.⁵⁵ Protesters arrested between 16 and 20 November 2019 in Sanandaj were also reportedly subjected to torture, with one detainee reporting the use of prolonged solitary confinement, the deprivation of food and sleep, the use of electric shocks and mass nude floggings.⁵⁶ An individual detained in a detention centre near Karaj also reported having been subjected to three mock hangings in detention. A lawyer representing protesters claimed the only basis for his clients’ prosecution was their presence at the protests and their forced confessions.⁵⁷ The Government commented that the Iranian Constitution and Penal Code forbids and criminalizes torture.

⁵² Centre for Human Rights in Iran, *Gunning Them Down*, p. 35; and www.radiozamaneh.com/475983.

⁵³ *Declaration on the Protection of All Persons from Enforced Disappearance*.

⁵⁴ Centre for Human Rights in Iran, *Gunning Them Down*, p. 37.

⁵⁵ Centre for Human Rights in Iran, “Detained protesters in Iran”.

⁵⁶ See <https://bit.ly/3asdSg5>.

⁵⁷ Centre for Human Rights in Iran, *Gunning Them Down*, p. 36.

Child detention

21. The Special Rapporteur is particularly alarmed at reports of the detention and mistreatment of children. The number of detained children is uncertain. According to one report, at least 1,021 children were arrested during the protests across the Islamic Republic of Iran.⁵⁸ In December 2019, reports from Shiraz indicated that high bail sums had been set for detained children and that those from poorer families who were unable to pay remained in detention. Also in December, an organization with close ties to the Islamic Revolutionary Guard Corps reported that 166 children were being held by the Intelligence Ministry.⁵⁹ In mid-January 2020, the head of the Prisons Organization stated that only a small number of children remained detained and were held in juvenile detention facilities.

22. Child detainees have also reportedly experienced torture and ill-treatment. On 16 November 2019, a 16-year-old boy was reportedly detained by security forces in Sanandaj and taken to an unknown location, where he was denied contact with his family. He was reportedly beaten at an undisclosed location during daytime interrogations before being transferred to a juvenile detention facility at night.⁶⁰ He has since been freed on bail. Three boys were reportedly sexually abused with batons in an Islamic Revolutionary Guard Corps detention facility in Marivan, Kurdistan Province.⁶¹ Child detainees at a facility in Ahvaz have been forced to share cells with adult detainees owing to overcrowding. The Government stated that, by law, individuals under the age of 18 years were required to be kept in separate sections proportionate with their age and the alleged crime. The Special Rapporteur highlights that, under the Convention on the Rights of the Child, the detention of children should be a last resort and for the shortest appropriate period (see [CRC/C/GC/24](#), para. 73). Lengthy pretrial detention and torture for the extraction of confessions are considered grave human rights violations (*ibid.*, paras. 58 and 86).

Convictions and sentences

23. Confessions extracted under torture and ill-treatment have been the basis for convictions and harsh sentences in trials of November 2019 protesters, including imprisonment and the death penalty. An emblematic case concerns Amir Hossein Moradi, Sa'id Tamjidi and Mohammad Rajabi, who were sentenced to death by Branch 15 of the Revolutionary Court on 22 February 2020. The three men were convicted of "taking part in destruction and arson with the intent of opposing the Islamic Republic", "illegally exiting the country" and "armed robbery accompanied by harassment at night" for protesting on 16 November 2019 in Tehran. Mr. Moradi was arrested on 19 November 2019 and held in solitary confinement for one month, during which time he was physically abused, shocked with an electric prod, suffered broken ribs and threatened with more solitary confinement if he did not confess. After being reportedly returned to the Islamic Republic of Iran after fleeing, Mr. Tamjidi and Mr. Rajabi were taken to Evin Prison, where they were forced to confess after beatings.⁶² The three individuals were not granted access to lawyers during their interrogations and had their due process rights violated during their January 2020 trial.⁶³ The three men were sentenced to death for "taking part in destruction and arson with the intent of opposing the Islamic Republic" and also received flogging and

⁵⁸ Submission by Abdorrahman Boroumand Centre for Human Rights in Iran.

⁵⁹ Centre for Human Rights in Iran, *Gunning Them Down*, p. 38.

⁶⁰ See <https://bit.ly/2RuKz3J>.

⁶¹ See <http://kurdistanhumanrights.net/fa/?p=11226>.

⁶² Human Rights Activists New Agency, "Three arrestees of November protests were sentenced to death", 22 February 2020.

⁶³ See communication No. UA IRN 7/2020, 7 April 2020.

prison sentences.⁶⁴ The Special Rapporteur is highly concerned that the Supreme Court confirmed their death sentences on 14 July 2020⁶⁵ on evidence obtained under torture and after an unfair trial.

24. Human rights defender Rezvaneh Ahmadkhanbeigi was sentenced by a branch of the Revolutionary Court in Tehran to six years' imprisonment on national security charges for her participation in the November protests. The Government stated the preliminary decision could be appealed. Ms. Ahmadkhanbeigi was arrested on 18 November 2019 and detained in solitary confinement in an Islamic Revolutionary Guard Corps detention centre. She was coerced into confessing after weeks of solitary confinement and threats against her and her family. She was denied access to a lawyer until the start of her trial, leaving her lawyer unable to prepare a defence. The forced confession was the sole basis for her conviction. The Government claimed Ms. Ahmadkhanbeigi had initially refused to choose a lawyer, but claimed she employed a lawyer after her pretrial release in March 2020. Civil society activist Ali Abdoli took part in a protest on 17 November 2019 in Shiraz, Fars Province. He was forced to confess after being subjected to torture and coercion, which was the basis for a one-year prison sentence for propaganda against the State in January 2020, with more serious charges pending. On 18 November 2019, Mr. Abdoli was arrested at his work and taken to an Intelligence Ministry detention centre where he stayed in solitary confinement for 48 days. In the first five days, he was beaten and given fatigue-inducing drugs before interrogators began to ask about contact with foreign media. Under the influence of the drugs, he was asked to sign a confession. He also suffered electric shocks to his temples. He only agreed to confess after his wife and child were detained. He was taken to an Islamic Republic of Iran Broadcasting studio, where his confession was recorded. The Government claimed he had since denied the allegations.

25. Individuals prosecuted for participating in the November protests were also reported to have been denied the right to a lawyer. An emblematic case concerns Aref Zarei, who was convicted after a trial in which the presiding judge reportedly told his family not to bother hiring a lawyer as it would not help. Furthermore, a relative was ejected from Mr. Zarei's first hearing by the judge, who claimed political prisoners did not have the right to have family or lawyers present. The Government commented that due process is applied both before and after trial, including the right to choose a lawyer. According to unofficial reports, at least 75 verdicts against protesters had been delivered by 30 April 2020.

26. The Special Rapporteur reminds the Government of the Islamic Republic of Iran that imprisonment and the death penalty for the exercise of the rights to freedom of expression and assembly is a serious human rights violation.⁶⁶ Furthermore, forced confessions are a serious violation of articles 7 and 14 of the International Covenant on Civil and Political Rights,⁶⁷ as well as the right to life where the forced confession is the basis for a death sentence.⁶⁸ During the third cycle of its universal periodic review, the Government accepted or partially accepted six recommendations concerning fair trial rights. Only three recommendations on prohibiting or investigating torture allegations were accepted or partially accepted, and only one recommendation on ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment was partially accepted.

⁶⁴ Human Rights Activists New Agency, "Three arrestees of November protests".

⁶⁵ Michael Safi, "Outcry after Iran's judiciary upholds death penalty for three protesters", *The Guardian*, 15 July 2020.

⁶⁶ See *CCPR/C/GC/35*, para. 17.

⁶⁷ See *CCPR/C/GC/32*, para. 60.

⁶⁸ See *CCPR/C/GC/36*, para. 54.

January 2020 protests

27. The Special Rapporteur is concerned at reports that security forces used excessive force during protests in several Iranian cities in January 2020 after the Government admitted that Islamic Revolutionary Guard Corps missiles had shot down Ukraine International Airlines Flight 752, killing all 176 people on board.⁶⁹ The Government stated that the missiles had been fired in error owing to regional military tensions.⁷⁰ The protesters expressed a lack of confidence in the Government's handling of the incident, after it had denied for three days that it had shot down the aircraft before the 11 January admission. Eyewitness testimonies and footage indicated that, on 11 and 12 January 2020, security forces had again used excessive force against protesters by firing pointed pellets, rubber bullets and tear gas, causing injuries. Security forces also used pepper spray and batons and fired tear gas into an enclosed Tehran metro station. Injured protesters either chose not to go to hospitals or were turned away for fear of their arrest. Security forces reportedly maintained a strong presence in hospitals and tried to transfer some protesters to military hospitals.⁷¹ Student protesters at several universities were also reportedly arrested and assaulted. Tehran's police chief stated that security forces had not shot at protesters as they had been ordered to show restraint.⁷² On 14 January 2020, the judiciary stated that approximately 30 people had been arrested,⁷³ although according to other reports that number was at least 500.⁷⁴ Approximately 300 arrested protesters were reportedly taken to the Greater Tehran Central Penitentiary. Protesters detained during the January protests reportedly suffered ill-treatment,⁷⁵ were held incommunicado and received long sentences.⁷⁶

28. The Special Rapporteur is gravely concerned at the unprecedented use of excessive force and detention of peaceful protesters in November 2019 and January 2020, and its further confirmation of a trend in the Islamic Republic of Iran of suppressing the legitimate exercise of freedom of expression and assembly.

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

A. Death penalty

29. The Special Rapporteur is concerned at the high execution figures in the Islamic Republic of Iran and the application of death sentences in cases amounting to the arbitrary deprivation of life. Article 6 of the International Covenant on Civil and Political Rights stipulates that States that have not abolished the death penalty can only implement it against individuals found guilty of the "most serious" crimes. The Human Rights Committee has consistently interpreted that as meaning crimes that involve intentional killing (see [CCPR/C/GC/36](#), paras. 5 and 35). The authorities in

⁶⁹ Babak Dehghanpisheh and Alexander Cornwell, "'Disastrous mistake': Iran acknowledges shooting down Ukrainian airliner", Reuters, 10 January 2020; and ABC News, "Iran admitted to shooting down Ukraine International Airlines flight 752 in Tehran, so what do we know about the crash?", 9 January 2020.

⁷⁰ Dehghanpisheh and Cornwell, "Disastrous mistake".

⁷¹ Amnesty International, "Iran: scores injured as security forces use unlawful force to crush protests", 15 January 2020.

⁷² Centre for Human Rights in Iran, *Gunning Them Down*, pp. 47–49.

⁷³ See www.isna.ir/news/98102418714/.

⁷⁴ Centre for Human Rights in Iran, *Gunning Them Down*, p. 45.

⁷⁵ Amnesty International, "Iran: scores injured as security forces".

⁷⁶ See www.hra-news.org/2020/hranews/a-24554/; and Human Rights Watch, "Iran: prosecutions for protests about plane-downing", 8 May 2020.

the Islamic Republic of Iran continue to apply the death penalty outside of that definition, including for consensual sexual relations and for offences that are vague in scope, such as *efsade-e fel arz* (spreading corruption on Earth), affording judges wide discretion for its application. The Government stated that, under Iranian law, the range of “most serious crimes” was limited, specified and included crimes that threaten individuals, public interest and national security. The Special Rapporteur is also concerned that the death penalty is applied after proceedings that violate the right to a fair trial under article 14 of the Covenant. According to reports, at least 280 people were executed in 2019,⁷⁷ and at least 84 in 2020 as at 23 April.⁷⁸ Of the reported executions in 2019, at least 30 were for drug-related charges, an increase of 6 cases from 2018, and at least 9 were for *efsad-e fel-arz* and *moharebeh* (enmity against God). In total, 13 public executions also took place in 2019.⁷⁹

Child offender executions

30. The Special Rapporteur is dismayed that child offenders continue to be executed in the Islamic Republic of Iran, including at least four in 2019 for allegedly committing murder while under 18 years of age.⁸⁰ At least two child offenders have reportedly been executed so far in 2020, with another beaten to death on death row. On 21 April 2020, Shayan Saeedpour was executed in Saqqez Prison, Kurdistan, after being convicted for a murder committed when he was under 18 years of age. The courts allegedly failed to consider his age at the time of offending, or whether psychosocial disabilities meant he had not reached full mental maturity and should not have received the death penalty, in accordance with article 91 of the Penal Code. A State prosecutor reportedly pressured the victim’s family to request the death penalty for Mr. Saeedpour after he had escaped from prison during COVID-19-related protests in March 2020.⁸¹ The Government stated that judicial authorities had attempted to intervene to obtain mercy from the victim’s family given that Mr. Saeedpour was a child offender. On 18 April 2020, Majid Esmailzadeh was executed in Ardabil Prison. He had been convicted for a murder allegedly committed when he was 16 years old, on the basis of a forced confession made under torture and despite conflicting reports regarding the cause of death.⁸² On 2 April 2020, Danial Zeinolabedini died of injuries received from beatings by officials in both Mahabad and Miandoab Prisons on 28 March 2020 following COVID-19-related riots.⁸³ The Government stated that autopsy results contradicted those claims. He had been on death row for a murder he allegedly committed when he was 17 years old.⁸⁴

31. The International Covenant on Civil and Political Rights and the Convention on the Rights of the Child prohibit in absolute terms the imposition of the death penalty for crimes committed by persons aged under 18 years at the time of the alleged offence. Nevertheless, under Iranian law, the death penalty can be imposed against girls as young as 9 and boys as young as 15 lunar years for *qisas* (retribution in kind) or *hudud* crimes (crimes for which punishments are mandated and fixed), such as

⁷⁷ Iran Human Rights and Together against the Death Penalty, *Annual Report on the Death Penalty in Iran 2019* (2020), p. 7.

⁷⁸ Iran Human Rights, “Iran 2020: 84 executions in less than four months/33 during coronavirus pandemics”, April 2020.

⁷⁹ Iran Human Rights and Together against the Death Penalty, *Annual Report on the Death Penalty in Iran 2019*, p. 7 and 29.

⁸⁰ Ibid.

⁸¹ OHCHR, “United Nations rights experts appalled by Iran’s execution of child offender”, 21 April 2020.

⁸² See <https://iranhr.net/fa/articles/4233/>.

⁸³ Rupert Colville, Spokesperson for the United Nations High Commissioner for Human Rights, press briefing note on Iran, 3 April 2020.

⁸⁴ Amnesty International, “Iranian teenager at risk of execution”, 18 June 2019.

homicide and adultery. While article 91 of the Penal Code intended to reduce the imposition of the death penalty against child offenders, the same deficiencies in its terms and application as detailed in previous reports remain (see [A/HRC/40/67](#)). The Government claimed that article 91 has saved many individuals from *qisas*, although it provided no figures. At least 33 child offender executions have occurred since article 91 came into force in 2013 and at least 90 child offenders remain on death row. The Government stated that the Reconciliation Commission had made extensive efforts to encourage victims' families to accept *diya* (blood money) and forego enforcing the death penalty. It reported that the judiciary had created a working group entitled "Prevention of Capital Punishment" that could intervene in trials to receive consent from the families to forego *qisas*. The Special Rapporteur regrets that, during its universal periodic review, the Islamic Republic of Iran only partially supported 1 of 23 recommendations on the abolition of the death penalty for child offenders and only partially supported 2 of 39 recommendations on the abolition of the death penalty or its restriction to the most serious crimes. He reiterates the recommendations made in previous reports,⁸⁵ including that the Islamic Republic of Iran impose a moratorium on the death penalty and permanently prohibit death sentences for those aged under 18 years at the time of the alleged crime.

B. Rights to liberty and a fair trial

Human rights defenders and lawyers

32. The Special Rapporteur continues to be deeply concerned at the reported harassment, imprisonment and mistreatment in prison of human rights defenders and lawyers. On 24 December 2019, Narges Mohammadi was reportedly forcibly transferred to Zanzan Prison by prison officials in reprisal for having started peaceful protests inside Evin Prison against the security forces' actions during the November 2019 protests.⁸⁶ Prison officials verbally abused and manhandled her during the forcible transfer, causing a serious cut to her hand and a shoulder injury. Since her transfer, other prisoners in Zanzan Prison have reportedly been encouraged to threaten her into silence.⁸⁷ The Government stated that Ms. Mohammadi's general condition was "medically acceptable" and that she had been separated from individuals convicted of violent crimes. The condition of Soheil Arabi, a human rights defender serving a seven-and-a-half-year prison term, is also of serious concern. On 13 March 2020, Mr. Arabi began a hunger and thirst strike in protest against his detention at the Greater Tehran Central Penitentiary, as well as his being denied medical treatment and the prison's poor conditions. After initiating his hunger strike, Mr. Arabi underwent surgery in late April 2020 that had been necessary owing to the effects of his previous hunger strikes. While noting the operation, the Special Rapporteur is concerned Mr. Arabi was returned to prison prematurely and denied proper recovery time. The Government claimed his operation had taken place on 18 March 2020 and he was returned to custody five hours later. It was also reported that Mr. Arabi had not received treatment for other serious conditions and that he had been interrogated at Islamic Revolutionary Guard Corps-run detention centres on unspecified new allegations.

33. Human rights lawyer Amirshar Davoudi refused to appeal his June 2019 convictions on national security-related charges, in protest of his prison and flogging

⁸⁵ See [A/HRC/40/67](#).

⁸⁶ Centre for Human Rights in Iran, "They know that moving her to this prison could kill or paralyze a human rights activist", 27 December 2019; and Amnesty International, "Activist reports ill-treatment in prison", 13 February 2020.

⁸⁷ Centre for Human Rights in Iran, "They know that moving her to this prison"; and Amnesty International, "Activist reports ill-treatment".

sentences.⁸⁸ He must serve 15 years in prison according to the Penal Code of the Islamic Republic of Iran. His convictions stem from interviews he gave with non-Iranian media and for running a Telegram channel for lawyers.⁸⁹ Nasrin Sotoudeh, who remains imprisoned in Evin Prison, also went on hunger strike on 17 March 2020 in protest against the authorities' refusal to grant temporary release to many prisoners of conscience under COVID-19 directives.⁹⁰

Dual and foreign nationals

34. The Special Rapporteur notes the temporary release of some dual and foreign nationals under the authorities' COVID-19 measures, including the Iranian-British national Nazanin Zaghari-Ratcliffe on 17 March 2020. On 20 May 2020, Ms. Zaghari-Ratcliffe's monitored and conditional temporary release was extended until her plea for pardon is decided.⁹¹ The Special Rapporteur welcomes the reported efforts by the Government to secure her pardon and release, but is concerned about reported delays and obstacles, despite her eligibility for pardon.⁹² While welcoming the release of other dual and foreign nationals, the release of some individuals under prisoner swaps raises concerns about the veracity of the allegations against the detained individuals.

35. The Special Rapporteur remains deeply concerned about the situation of other imprisoned dual and foreign nationals, including Ahmadreza Djalali, Massud Mossaheb, Kameel Ahmady, Kamran Ghaderi, Morad Tahbaz and Siamak Namazi. Baquer Namazi is reportedly on medical furlough but is unable to leave the Islamic Republic of Iran. On 20 May 2020, Mr. Mossaheb, an Iranian-Austrian, was sentenced to 10 years' imprisonment for espionage. Serious fair trial violations were reported in his case, including denial of the right to be represented by his own lawyer, forced confessions under duress and predetermination of the verdict. Mr. Djalali, an Iranian-Swedish national, could have his execution approved by the judiciary at any time after his lawyers were informed that his request for a retrial had been rejected in May 2020. Mr. Djalali was sentenced to death for "spreading corruption on Earth" in October 2017 on the basis of a forced confession. Mr. Tahbaz, an Iranian-British-American national and environmentalist, was sentenced to 10 years' imprisonment on espionage charges alongside other members of the Persian Wildlife Heritage Foundation in November 2019.⁹³ In February 2020, the Court of Appeals reportedly upheld his convictions and sentences.⁹⁴ These individuals and other detained dual and foreign nationals have not been released under the authorities' COVID-19 directives, including those in high-risk categories due to their age and health.⁹⁵ The Government partially accepted one of three recommendations on dual and foreign nationals during its latest universal periodic review. The Special Rapporteur urges the Islamic Republic of Iran to review cases involving dual and foreign nationals and immediately release those who are being arbitrarily detained.

⁸⁸ Centre for Human Rights in Iran, "Lawyer protests unjust sentence by refusing sham appeal process, demands judicial review", 16 November 2019.

⁸⁹ Amnesty International, "Jailed lawyer on hunger strike", 18 February 2020.

⁹⁰ Nasrin Sotoudeh, "Jailed Iranian activist Nasrin Sotoudeh writes a plea for peace on International Women's Day", *Time*, 6 March 2020.

⁹¹ Patrick Wintour, "Nazanin Zaghari-Ratcliffe to stay out of prison until Iran decides on fate", *The Guardian*, 20 May 2020.

⁹² Donna Ferguson, "Revolutionary guards block clemency for Nazanin Zaghari-Ratcliffe", *The Guardian*, 30 May 2020.

⁹³ Centre for Human Rights in Iran, "Six conservationists sentenced to long prison terms in Iran after two years behind bars", 20 November 2019.

⁹⁴ Human Rights Watch, "Iran: environmentalists' unjust sentences upheld", 19 February 2020.

⁹⁵ OHCHR, "Iran urged to immediately release prisoners of conscience and dual and foreign nationals at risk of COVID-19", 17 April 2020.

C. Right to freedom of opinion and expression

36. The Special Rapporteur is concerned by reports of threats against and arrests and imprisonments of individuals for peacefully exercising their rights to freedom of opinion and expression, including online, such as journalists and those participating in political and public affairs. Starting on 16 November 2019, the Supreme National Security Council restricted Internet access nationwide for one week during the November protests, with connectivity rates dropping to 5 per cent of normal levels.⁹⁶ The shutdown restricted the availability of information outside the Islamic Republic of Iran concerning violations during the protests. Fixed-line Internet and mobile data connections were gradually restored as of 21 and 27 November, respectively, although limitations persisted in Sistan and Baluchestan until 5 December.⁹⁷ The Government stated that some restrictions had been temporarily imposed to prevent “leading elements of riots” from sending directives. Outside of the protests, advocates for freedom of expression online continued to be targeted. Payam Derafshan, a lawyer, was reportedly sentenced to prison and banned from practising law for two years after being convicted of “insulting the Supreme Leader” in January 2020.⁹⁸ The conviction was reportedly a reprisal for his campaigning against the ban of messaging application Telegram.⁹⁹ While concerns were raised that he had been arrested and held incommunicado,¹⁰⁰ the Government in its comments stated he had been held at Evin Prison from 8 June 2020 on national security charges for having given interviews to foreign media.

37. The authorities continued to target journalists for critical and independent reporting, with a detrimental effect on access to information, including in the context of the November 2019 protests, COVID-19 and parliamentary elections. The Supreme National Security Council reportedly met with newspaper publishers twice prior to the 14 November 2019 fuel policy announcement and directed publishers to report on any protests “within the framework of State policies”. After protests began, eight journalists were reportedly summoned to the Intelligence Ministry, while others received warnings for articles and social media posts. The Government also sent “recommendations” on how the protests should be reported and who should be seen as responsible. Journalists were warned that negative reporting may be considered a crime.¹⁰¹ Iranian journalists working for foreign-based news outlets, as well as their relatives in the Islamic Republic of Iran, were subjected to threats and harassment for their coverage.¹⁰² The Iranian judiciary also continues to freeze foreign-based media workers’ Iranian assets via a court injunction.¹⁰³ Most disturbingly, Rana Rahimpour, a BBC Persian Service journalist, reportedly received death threats.¹⁰⁴ The Government stated the judicial harassment claims were unfounded and remained unproven.

⁹⁶ Net Blocks, “Internet disrupted in Iran amid fuel protests in multiple cities”, 15 November 2019.

⁹⁷ See www.irna.ir/news/83581799/.

⁹⁸ International Federation of Human Rights, “Iran: enforced disappearance of Payam Derafshan and continuing judicial harassment against him and Farrokh Forouzan-Kermani”, 16 June 2020.

⁹⁹ Centre for Human Rights in Iran, “Human rights lawyer sentenced to prison without access to counsel”, 11 May 2020.

¹⁰⁰ International Federation of Human Rights, “Iran: enforced disappearance of Payam Derafshan”.

¹⁰¹ Centre for Human Rights in Iran, *Gunning Them Down*, p. 14.

¹⁰² Reporters without Borders, “Iranian ambassador threatens UK-based Iranian journalists and media”, 26 November 2019; Centre for Human Rights in Iran, “‘We know where you live’, Iran goes after foreign-based reporters”, 26 November 2019; and Centre for Human Rights in Iran, *Gunning Them Down*, p. 15.

¹⁰³ A/74/188, paras. 25–26; and OHCHR, “Iran: targeting of journalists threatens freedom of press, says United Nations experts”, 11 March 2020.

¹⁰⁴ OHCHR, “Iran: targeting of journalists threatens freedom of press”.

38. The Special Rapporteur is deeply concerned that individuals have been arrested and imprisoned for peaceful expression of political opposition. An emblematic case concerns 14 signatories to an open letter dated 11 June 2019 calling for constitutional changes and the Supreme Leader's resignation, as well as 14 other signatories to a second letter dated 9 August 2019 in solidarity.¹⁰⁵ On 2 February 2020, Branch 4 of the Revolutionary Court in Mashhad sentenced eight signatories who signed either the first or second letter to prison sentences ranging from one to 26 years.¹⁰⁶ Appeals in four of the cases resulted in the upholding of the prison sentences, although non-prison sentences were reduced.¹⁰⁷ At least six other signatories of the first or second letter have also been sentenced to imprisonment. The Special Rapporteur is particularly concerned for the well-being in detention of those individuals, including Mohammad Nourizad. Mr. Nourizad, detained since August 2019, reportedly attempted suicide on 1 May 2020 in protest against his imprisonment, his detention far from his Tehran-based family and reprisals against them. He is also refusing medication and has previously gone on hunger strike. On 5 May 2020, Mr. Nourizad was transferred to Evin Prison.

39. The Special Rapporteur is concerned that political participation was restricted in the 21 February 2020 parliamentary elections, with the Guardian Council rejecting 45.5 per cent of candidates' applications.¹⁰⁸ The Government commented that sitting parliamentarians from both political wings had been disqualified for impropriety, while other candidates had been unqualified. Many individuals, including former members of Government and Parliament, called for an election boycott owing to the elections' uncompetitive nature.¹⁰⁹ The official turnout of 42.57 per cent nationwide and 26.2 per cent in Tehran Province was the lowest turnout since 1979.¹¹⁰ The Government commented that reports of COVID-19 cases in the Islamic Republic of Iran had reduced voter participation. In the run-up to the elections, between 5 and 21 journalists were reportedly targeted by Islamic Revolutionary Guard Corps agents, including through house raids, confiscation of equipment, questioning, social media monitoring, accusations of spreading "fake news" or threatening national security.¹¹¹ Journalists also received convictions¹¹² and threats of legal action.¹¹³

¹⁰⁵ Centre for Human Rights in Iran, "At least 13 signers of open letters urging Khamenei's resignation are arrested", 29 August 2019.

¹⁰⁶ Centre for Human Rights in Iran, "Dissidents sentenced to prison for 'insulting' supreme leader facing additional charges", 5 February 2020.

¹⁰⁷ See www.bbc.com/persian/iran-52104533.

¹⁰⁸ See www.moi.ir/fa/133321/اخبار?feed=news; Patrick Wintour, "Iran elections: conservatives on brink of landslide victory", *The Guardian*, 22 February 2020; and Arash Azizi, "Fact box: the outcome of Iran's 2020 parliamentary elections", Atlantic Council, 26 February 2020.

¹⁰⁹ Arwa Ibrahim, "Apathy runs high in Tehran as Iran gears up for parliament vote", Al-Jazeera, 19 February 2020; Azizi, "Fact box: the outcome"; Middle East Eye, "'No alternative': Tehran voters opt for election boycott as authorities crack down", 11 February 2020.

¹¹⁰ Azizi, "Fact box: the outcome".

¹¹¹ Centre for Human Rights in Iran, "Iran moves to silence journalists, activists ahead of parliamentary elections", 11 February 2020; Committee to Protect Journalists, "Iran harasses, intimidates journalists ahead of parliamentary elections", 20 February 2020; and Reporters without Borders, "Iranians denied independent reporting ahead of parliamentary election", 19 February 2020.

¹¹² Committee to Protect Journalists, "Iran harasses, intimidates journalists"; and Committee to Protect Journalists, "Iran finds 3 editors guilty of defamation and spreading false news", 3 February 2020.

¹¹³ Committee to Protect Journalists, "Iran harasses, intimidates journalists".

D. COVID-19 and detention conditions

Temporary furlough criteria

40. The Special Rapporteur welcomes the Government's initiative to temporarily furlough up to 120,000 prisoners to mitigate the risk of COVID-19 in prisons. The head of the judiciary issued two directives, on 27 and 29 February 2020, concerning those measures.¹¹⁴ The directives were extended intermittently, both in terms of return dates and the number of benefitting prisoners.¹¹⁵ While the initiative is encouraging, the Special Rapporteur is concerned that it is not being applied to many eligible prisoners owing to slow processing times, high bail amounts and other unexplained reasons, or because a prisoner's profile unjustly excludes eligibility.

41. The directive's criteria preclude from temporary release those convicted of serious violent crimes and national security offences if their sentences are over five years' imprisonment. If the sentence is under five years, the person must have served one third of the sentence. Exceptions apply for older persons, pregnant women and the seriously ill if they are not sentenced to death and if approved by the prosecutor's office. The criteria disproportionately prevented the release of most human rights defenders, lawyers, dual and foreign nationals, conservationists, religious and ethnic minorities and prisoners of conscience imprisoned on national security charges. Human rights defender Arash Sadeghi has been refused furlough despite suffering from life-threatening cancer. His furlough application has reportedly been blocked by the prosecutor's office and the Islamic Revolutionary Guard Corps. The Government stated that Mr. Sadeghi's judge had recommended the provision of regular medical attention and that Mr. Sadeghi had refused an examination by the Legal Medicine Organization to establish whether he should remain imprisoned. The Working Group on Arbitrary Detention of the Human Rights Council previously found that Mr. Sadeghi's detention was arbitrary and called for his immediate release ([A/HRC/WGAD/2018/19](#)). A deputy from the prosecutor's office also reportedly refused furlough to all deemed to be "political prisoners" in Tehran and Alborz Provinces, while reports suggested the majority of political prisoners in Tabriz, Adelabad and Vakilabad prisons had not been granted furlough. The Government stated that any prisoner identified by the Legal Medicine Organization as unfit for prison should be sent on medical leave or to an outside hospital, and that any prisoner who qualified for temporary release should be offered leave. Reports also suggested that furloughed individuals were being recalled to prison, raising concerns that they may bring COVID-19 into prisons.

42. Reports indicated other problems were preventing temporary release. Lorestan's Prison Organization stated that 200 prisoners in Parsilon Prison participating in a training and work camp were not dangerous and serving only one-year sentences, but were not granted furlough. An eligible prisoner's mother reported that her son in Karaj Prison could not be released because the bail amount was too high. In March 2020, reports from Ahvaz and Ilam prisons also suggested that the absence or limited working hours of officials had meant the assessment of furlough applications was

¹¹⁴ Ramin Mostaghim, Mohammed Tawfeeq and Angela Dewan, "Iran to temporarily free 54,000 prisoners as coronavirus spreads", CNN, 4 March 2020; and Abdorrahman Boroumand Centre, "COVID-19 fear in Iran's prisons: Iran must do more to protect prisoners", 21 April 2020, p. 4.

¹¹⁵ Parisa Hafezi, "Iran extends prison furloughs as coronavirus death toll rises", Reuters, 29 March 2020; Reuters, "Iran extends prisoner furloughs, closure of holy sites amid coronavirus", 19 April 2020; Agence France-Presse (Tehran), "Iranian president says prisoner leave to be extended", France 24, 19 April 2020; Mostaghim, Tawfeeq and Dewan, "Iran to temporarily free 54,000 prisoners"; Tasnim News Agency, "Iran's judiciary refutes allegation of discriminatory treatment of foreign inmates", 21 April 2020; and <https://tn.ai/2226856>.

slow.¹¹⁶ The Special Rapporteur calls on the Islamic Republic of Iran to extend the temporary furlough initiative to all those detained without sufficient legal basis as a first step towards their permanent release, and to ensure that bail sums and administrative processes enable eligible prisoners to benefit from the furlough directives.

Hygiene

43. Prior to COVID-19, the Special Rapporteur had detailed systemic overcrowding and hygiene issues in prisons in the Islamic Republic of Iran and the risk of disease outbreaks (see [A/HRC/43/61](#)). Despite the temporary furlough plan, those long-standing problems and other challenges to mitigate COVID-19 in prisons are putting detainees and prison staff at risk. Reports from Parsilon, Karaj Central, Ilam, Orumieh, Qarchak, Evin, the Greater Tehran Central Penitentiary and Shahid Lajevardi prisons indicated that hygiene products were in limited supply or unavailable.¹¹⁷ There are also concerns that cleaning with disinfectant products is sporadic or ineffective. Hossein Sarlak, a political prisoner in Evin Prison, stated in a letter to the Foreign Minister that disinfectant supplies are not provided and that 70 per cent of products donated are confiscated.¹¹⁸ Overcrowding makes physical distancing difficult to enforce. At Ilam Prison, 40 beds accommodate 130 detainees in ward 2, requiring prisoners to share mattresses or sleep on the floor. In ward 1, 40 prisoners shared one shower and two toilets. In Qarchak Prison, wards designed to only hold 100 people accommodate almost twice that number, with the same number of prisoners required to share 12 toilets and 10 showers that reportedly lack water.¹¹⁹ Similar concerns were reported in Vakilabad, Karaj Central, Orumieh, Ahvaz Central and Parsilon prisons. On 6 April 2020, the head of the Lorestan judiciary stated that Parsilon prison is in urgent need of updated infrastructure.¹²⁰

44. The above-mentioned deficiencies have resulted in prisoners testing positive for or appearing to have symptoms of COVID-19. Two prisoners with COVID-19 in Qarchak Prison reportedly died in late March 2020 after being neglected in solitary confinement. The individuals were first transferred to a gym with others who had been diagnosed with COVID-19. A hospital had reportedly refused to admit them after their condition worsened. They were placed in solitary confinement on return to prison. Mohammad Hossein Sepehri, one of the prisoners who signed the letter calling for the Supreme Leader's resignation, reportedly displayed COVID-19 symptoms on 28 March 2020, but was sent to an Intelligence Ministry detention centre and held in solitary confinement without access to his medication rather than being taken to hospital.¹²¹ On 4 April 2020, five prisoners who had been quarantined for suspected COVID-19 infection at Greater Tehran Central Penitentiary were reportedly found in another building holding 200 prisoners. Of the 35 individuals quarantined in Karaj Central Prison, 2 had reportedly worked in the prison kitchen.¹²² In Amirabad Prison, two prisoners suspected to have COVID-19 were released into a prayer room near other prisoners, rather than being transferred to hospital.¹²³ At least 6 to 12 people have reportedly died from COVID-19 in Iranian prisons.¹²⁴ As well as granting

¹¹⁶ Abdorrahman Boroumand Centre, "COVID-19 fear in Iran's prisons", pp. 9–12.

¹¹⁷ Abdorrahman Boroumand Centre, "COVID-19 fear in Iran's prisons".

¹¹⁸ See www.hra-news.org/?p=236267.

¹¹⁹ Abdorrahman Boroumand Centre, "COVID-19 fear in Iran's prisons", p. 12 and 14.

¹²⁰ *Ibid.*, p. 8; and www.isna.ir/news/99011809361/.

¹²¹ Centre for Human Rights in Iran, "Political prisoner with COVID-19 symptoms denied treatment, transferred to solitary confinement", 8 April 2020.

¹²² Abdorrahman Boroumand Centre, "COVID-19 fear in Iran's prisons", p. 9 and 11.

¹²³ See www.hra-news.org/2020/hranews/a-24333/; and Abdorrahman Boroumand Centre, "COVID-19 fear in Iran's prisons", p. 13.

¹²⁴ Abdorrahman Boroumand Centre, "COVID-19 fear in Iran's prisons", pp. 16–17.

temporary releases, the Government stated that authorities had introduced measures including prisoner screenings, disinfections and the provision of masks, gloves and hand sanitizer, and had developed prison medical facilities and established management mechanisms to fight COVID-19.

Prison unrest

45. Fears concerning COVID-19, as well as dissatisfaction with the furlough process, have resulted in unrest in several prisons, with some reports of excessive use of force causing death. In Khuzestan Province, unrest at Sepidar and Sheiban prisons was reported on 30 and 31 March 2020, respectively.¹²⁵ At Sepidar, detainees protested and set fires after authorities reneged on promises they would be released.¹²⁶ Footage indicated smoke inside the prison and gunfire. While the Military Governor of Khuzestan Province claimed that law enforcement and security forces had stopped the incident with no one harmed, other reports claimed 15 detainees had died and 13 had been injured.¹²⁷ Security forces also reportedly used excessive force, including firearms, to quell protests in Sheiban.¹²⁸ At least 20 detainees were reportedly killed, while others were transferred and held in incommunicado detention.¹²⁹ On 29 March 2020, clashes regarding the COVID-19 situation in Mahabad Prison resulted in security forces deploying tear gas and gunfire. One person was reportedly killed and five wounded. The Hamedan Prosecutor acknowledged that the non-release of eligible prisoners had contributed to protests in Alvand Prison on 28 March 2020.¹³⁰

E. Situation of women and girls

46. The Special Rapporteur regrets the slow pace of change concerning the protection of women and girls against discrimination and inequality. Discrimination on the basis of gender permeates several areas of public and private life in law and practice, including employment, political and judicial positions and family life.¹³¹ The Special Rapporteur is disappointed that the Islamic Republic of Iran rejected all 26 recommendations made as part of its recent universal periodic review regarding the ratification of the Convention on the Elimination of All Forms of Discrimination against Women.

47. The Special Rapporteur welcomes the Government's efforts to combat domestic violence during the COVID-19 outbreak through awareness-raising text messages and hotlines.¹³² Nevertheless, the Islamic Republic of Iran lacks sufficient domestic violence shelters, which number only 28 (see [A/HRC/WG.6/34/IRN/1](#), para. 53), including 20 that are run by non-governmental organizations.¹³³ The Government stated there were also 357 social emergency centres for victims of violence and 31 girl-only medical centres. The need for urgent reform is highlighted by the killing of 14-year-old Romina Ashrafi by her father on 21 May 2020. Before her death, Ms. Ashrafi had reportedly informed the authorities that she feared her father would

¹²⁵ Ibid., pp. 18–19; and <https://www.amnesty.org/download/Documents/MDE1322372020ENGLISH.pdf>.

¹²⁶ Amnesty International, "Iran: prisoners killed by security forces during COVID-19 pandemic protests", 9 April 2020.

¹²⁷ Abdorrahman Boroumand Centre, "COVID-19 fear in Iran's prisons", p. 19; and Amnesty International, "Iran: prisoners killed by security forces".

¹²⁸ Abdorrahman Boroumand Centre, "COVID-19 fear in Iran's prisons", p. 19; and <https://www.amnesty.org/download/Documents/MDE1322372020ENGLISH.pdf>.

¹²⁹ Amnesty International, "Iran: prisoners killed by security forces".

¹³⁰ Abdorrahman Boroumand Centre, "COVID-19 fear in Iran's prisons", p. 18.

¹³¹ Babak Dehghanpisheh and Davide Barbuscia, "Disillusionment among women, youth seen dampening Iran election turnout", Reuters, 20 February 2020.

¹³² See <https://iqna.ir/00GKHU>.

¹³³ See www.irna.ir/news/83656641/.

harm her, but the police nevertheless returned her to him.¹³⁴ The Government stated that a representative had been sent to the location of the crime to closely follow the case's status. The Penal Code provides exemptions for husbands and fathers who kill their female relatives.

48. Another primary concern is the continued practice of child marriage. The legal age of marriage for girls in the Islamic Republic of Iran is 13 years, however, girls even younger can marry with the consent of the father and a competent court.¹³⁵ According to the National Organization for Civil Registration, the marriages of 13,054 girls under the age of 13 were registered from March 2018 to March 2019.¹³⁶ The Special Rapporteur urges the Government to eliminate child marriage by adopting legislation consistent with international human rights standards (see [CEDAW/C/GC/31-CRC/C/GC/18](#), para. 20), and through comprehensive awareness-raising programmes on its harmful effects. He notes the State's comment that organs of the cultural administration are taking action to encourage young people to marry at an appropriate age.

Women's rights advocates

49. Individuals defending women's rights continue to be targeted by State authorities. While noting the reduction in prison sentences, the Special Rapporteur is concerned that an appeals court on 6 February 2020 ordered the imprisonment of Yasaman Aryani, Monireh Arabshahi and Mozghan Keshavarz for their peaceful protests on International Women's Day 2019 against the compulsory wearing of veils.¹³⁷ The sentence handed down by an appeals court for another protester against compulsory veiling, Saba Kord-Afshari, was reportedly changed in an extrajudicial manner. In November 2019, the appeals court had reportedly acquitted Ms. Kord-Afshari of some charges and had reduced her sentence to nine years' imprisonment.¹³⁸ However, her lawyer reportedly was informed on 26 May 2020 that this had been changed and that she would instead serve 15 years' imprisonment.¹³⁹ The Government confirmed in its comments that the appeals court on 13 December 2019 had overturned her conviction and 15-year sentence for encouraging prostitution and corruption, but provided no comment on the report that this had subsequently changed. Relatives of women's rights campaigners also continued to be targeted. Alireza Alinejad, brother Masih Alinejad, a campaigner from the non-profit organization My Stealthy Freedom, was arrested on 24 September 2019.¹⁴⁰ During the April 2020 hearing, the judge reportedly focused on Ms. Alinejad's activities and refused to state charges against Mr. Alinejad or grant bail.¹⁴¹

¹³⁴ Associated Press, "Romina Ashrafi: outcry in Iran over so-called 'honour killing' of 14-year-old girl", *The Guardian*, 27 May 2020.

¹³⁵ Islamic Republic of Iran, Civil Code, art. 1041.

¹³⁶ See www.sabteahval.ir/avej/Page.aspx?mId=49823&ID=3199&Page=Magazines/SquareshowMagazine.

¹³⁷ See <https://twitter.com/CSHRIran/status/1225361699789819906>; and <https://twitter.com/amirreiis/status/1225043684854575106>.

¹³⁸ See www.frontlinedefenders.org/en/case/womens-rights-defender-saba-kord-afshari-sentenced-15-years-prison.

¹³⁹ See https://twitter.com/hosein_taj/status/1266660123725967360.

¹⁴⁰ Centre for Human Rights in Iran, "Iran arrests activist Masih Alinejad's brother amid crusade to silence citizens based abroad", 25 September 2019; and Amnesty International, "Iran: Family of women's rights activist arrested in despicable attempt to intimidate her into silence", 25 September 2019.

¹⁴¹ Centre for Human Rights in Iran, "Masih Alinejad: my brother is facing prison time for being related to me", 24 April 2020.

F. Situation of minorities

50. The Special Rapporteur remains deeply concerned at the continued discrimination against ethnic and religious minorities. Changes to the national identity card application process reportedly hinder minority religious groups from gaining access to several essential services. The application form previously listed “other” as a religious option. In January 2020, the National Organization for Civil Registration reported that this option had been removed, meaning individuals could only choose from the four officially recognized religions.¹⁴² The removal of “other” raised fears that non-recognized religious groups, such as Baha’is, Christian converts, Yarsanis, Sabean-Mandaeans and non-believers, would be unable to obtain a national identity card, which is necessary to gain access to government and banking services.¹⁴³ The Government stated that non-recognized religious minorities could apply for the national identity card without being obliged or forced to mention their religion. The Government only accepted or partially accepted 9 of 25 recommendations concerning religious freedom during its universal periodic review.

51. The situation of Baha’is remains a matter of serious concern, including reported restrictions on the right to education and the arbitrary closing of Baha’i-owned businesses. In 2019, at least 59 Baha’is were reportedly arrested because of their beliefs. It was also reported that mother-tongue education for the Azerbaijani-Turk, Kurdish and Ahwazi Arab communities continued to be threatened by Government policies. The Special Rapporteur is also concerned at the reported high number of political prisoners and prisoners of conscience from the Azerbaijani-Turk, Kurdish and Ahwazi Arab communities. The Government stated that individuals were prosecuted because of their criminal activity and not their ethnicity. In the border areas of Kurdistan, Ilam, West Azerbaijan and Kermanshah Provinces, Kurdish couriers (*kolbars*) continue to face excessive and lethal force by border officials. In 2019, there were 84 reported deaths and 192 injuries of *kolbars*, continuing a trend that has seen over 1,000 *kolbars* killed or injured due to the actions of border officials since 2014.¹⁴⁴ It is with concern that cases of violence against *kolbars* are often either dismissed by the courts or closed without conviction or compensation for the victims and their families. The Government stated that border officers breaching rules concerning use of force should be brought to justice. It also commented that it was introducing legal solutions, such as border markets, in order to end border crossings.

G. Impact of the economic crisis and sanctions

52. The Special Rapporteur continues to be concerned by the impact of sanctions and other economic challenges on the Islamic Republic of Iran, especially as it affects the right to health during the COVID-19 pandemic. He also notes high inflation, falling living standards and high levels of unemployment (see [A/HRC/43/61](#)), with almost half the population reportedly living near the poverty line.¹⁴⁵

53. In February 2020, the Islamic Republic of Iran recorded its first COVID-19 case, with official figures suggesting 209,970 infections and 9,863 deaths recorded as

¹⁴² Centre for Human Rights in Iran, “Unrecognized minorities in Iran must now hide religion to obtain crucial government ID”, 27 January 2020; and communication No. OL IRN 1/2020, 17 February 2020.

¹⁴³ Centre for Human Rights in Iran, “Unrecognized minorities in Iran must now hide”; and communication No. OL IRN 1/2020, 17 February 2020.

¹⁴⁴ Kurdistan Human Rights-Geneva, “Human rights violations in Kurdistan of Iran: periodic summary report for the attention of the OHCHR desk of the United Nations Special Rapporteur on the situation of human rights in Iran”, April 2020.

¹⁴⁵ See <https://rc.majlis.ir/fa/report/show/1090439>.

at 23 June 2020.¹⁴⁶ The Government has been criticized for its delayed and inadequate response and its lack of transparency.¹⁴⁷ Religious sites were only closed in early March,¹⁴⁸ with low and medium-risk businesses and intercity travel permitted to operate as at 18 April.¹⁴⁹ The Special Rapporteur recognizes that the decision to ease containment measures early on were informed by economic assessments of the impact of lockdowns and other measures.¹⁵⁰ He notes the Government's planned allocation of \$1 billion from the National Development Fund to aid COVID-19 relief efforts.¹⁵¹ Under the economic stimulus plan, financial assistance packages will be distributed to vulnerable households for an initial period of four months.¹⁵² The plan also seeks to provide 24 million households with a one-time no-interest loan.¹⁵³

54. The Special Rapporteur reiterates previous concerns regarding the impact of sanctions, including difficulties in importing raw materials for the production of pharmaceutical products, as well as medications and equipment devices to counter COVID-19¹⁵⁴ and to treat rare conditions.¹⁵⁵ He notes the humanitarian exemption scheme¹⁵⁶ under the sanctions programme, but is concerned at its limited efficiency in practice due to its complexity, the limited access to non-sanctioned banking and the effect on third parties who fear repercussions if they breach sanctions.¹⁵⁷ The Government's commented that sanctions were having a significantly negative impact on the economy and living standards, as well as the humanitarian operations of international organizations. The Special Rapporteur echoed calls by the Secretary-General for the easing of sanctions to enhance the response of the Islamic Republic of Iran to the COVID-19 pandemic.¹⁵⁸

IV. Recommendations

55. **The Special Rapporteur urges the Government, judiciary, parliament and security forces:**

(a) **To undertake prompt, independent and impartial investigations into all acts of violence that took place during the November 2019 and January 2020 protests, including deaths and injuries of protesters and ill-treatment in custody; identify all those suspected of responsibility for criminal acts against protesters**

¹⁴⁶ Islamic Republic News Agency, "COVID-19 kills another 121 Iranians over past 24 hours", 23 June 2020.

¹⁴⁷ See <https://sazandeginews.com/News/7098>, and <https://khabaronline.ir/news/1356510>.

¹⁴⁸ See www.hamshahronline.ir/news/491315/.

¹⁴⁹ See <https://country.eiu.com/iran>.

¹⁵⁰ See www.mehrnews.com/xRvW6/; <https://rc.majlis.ir/fa/report/show/1462301>; and www.ghatreh.com/news/nn51788443/.

¹⁵¹ See <http://khabaronline.ir/news/1373601>.

¹⁵² See www.irna.ir/news/83718476/.

¹⁵³ See www.isna.ir/news/99022316906/; www.eghtesadonline.com/n/2CBS; and Bourse and Bazaar, "Bleak estimates of economic impact spur Iran to end virus lockdown", 21 April 2020.

¹⁵⁴ Human Rights Watch, "US: ease sanctions on Iran in COVID-19 crisis", 6 April 2020.

¹⁵⁵ Human Rights Watch, "Maximum pressure: US economic sanctions harm Iranians' rights to health", 29 October 2019.

¹⁵⁶ Michael R. Pompeo, Secretary of State, United States of America, remarks to the media, 3 October 2018.

¹⁵⁷ Erin Cunningham, "As coronavirus cases explode in Iran, U.S. sanctions hinder its access to drugs and medical equipment", *Washington Post*, 29 March 2020; "European companies will struggle to defy America on Iran", *The Economist*, 8 November 2018; and International Peace Institute, "Safeguarding humanitarian action in sanctions regimes", June 2019.

¹⁵⁸ António Guterres, Secretary-General, "This war needs a war-time plan to fight it", remarks at Group of 20 virtual summit on the COVID-19 pandemic, 26 March 2020; and António Guterres, Secretary-General, note to correspondents: letter from the Secretary-General to the Group of 20 members, 23 March 2020.

and bystanders; and hold accountable those responsible in trials that conform to international fair trial standards;

(b) To ensure all investigations into the incidents of November 2019 and January 2020 are conducted consistent with international standards and that families of victims are effectively included in the investigation process, do not face harassment and receive adequate compensation for the violation of their human rights;

(c) To determine the causes, circumstances and location of all deaths and injuries that occurred during the November 2019 and January 2020 protests and make public all information gathered, including the overall figures;

(d) To ensure legislation, policies, practices and training concerning the use of lethal force by law enforcement officials are compliant with international standards, including the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials;

(e) To ensure that all those arrested, including during the November 2019 and January 2020 protests, for the exercise of their rights to freedom of opinion, expression, association and peaceful assembly are released and that the detaining authorities promptly report the whereabouts and situation of detainees to their families;

(f) To abolish the death penalty, introduce an immediate moratorium on its use, and prohibit the execution of child offenders in all circumstances and commute their sentences;

(g) To ensure that all persons accused of any crime have access to a lawyer of their choosing during all stages of the judicial process, including during the initial investigation and interrogation stage, and are provided with legal aid as needed; ensure that prisoners and detainees are protected from all forms of torture and ill-treatment and that confessions obtained through torture or ill-treatment are never admitted as evidence; and ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

(h) To repeal laws authorizing the use of torture and ill-treatment as a form of punishment;

(i) To ensure that prompt, thorough and effective investigations are undertaken by independent and impartial bodies into all deaths in custody and reports of torture or other ill-treatment, and that those responsible are held accountable;

(j) To ensure the right to freedom of opinion and expression in law and in practice, and in particular that any limitation to that right, offline and online, is in accordance with the criteria for permissible restrictions under international human rights law;

(k) To ensure that human rights defenders, including women human rights defenders, lawyers, journalists, environmentalists and dual and foreign nationals, are not threatened with or subjected to intimidation, harassment, arbitrary arrests, deprivation of liberty or other arbitrary sanctions; release all those detained in connection with their work; and extend the policy for the temporary release of prisoners in the context of COVID-19 to those individuals, as well as other detainees who pose no threat to public safety;

(l) To eliminate in legislation and in practice all forms of discrimination and other violations against women and girls, in accordance with international standards; take all steps necessary to advance their equal participation in public

life; ensure that the rights of women human rights defenders are protected; and ratify the Convention on the Elimination of All Forms of Discrimination against Women;

(m) To protect the rights of all persons belonging to ethnic and religious minorities; address all forms of discrimination against them; and immediately and unconditionally release all those imprisoned for exercising their right to freedom of religion or belief;

(n) To implement the recommendations accepted or partially accepted during the third cycle of the universal periodic review on the Islamic Republic of Iran;

(o) To continue to engage with the Special Rapporteur, including by permitting the mandate holder to conduct a country mission to the Islamic Republic of Iran;

(p) To take all measures necessary to mitigate the effects of sanctions, meet the Government's obligations under the International Covenant on Economic, Social and Cultural Rights, including on the protection of vulnerable groups, and establish transparent financial mechanisms to ensure that trade in medicines and other essential humanitarian items continues.

56. The Special Rapporteur urges States that have imposed sanctions on the Islamic Republic of Iran to ensure that measures such as humanitarian exemptions are given broad and practical effect and are promptly and effectively implemented to minimize the adverse consequences of sanctions on human rights in the Islamic Republic of Iran, especially during the COVID-19 pandemic.
