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Situation of human rights in the Islamic Republic of Iran

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

Summary

In the present report, submitted pursuant to Human Rights Council resolution 49/24 the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran examines the current human rights concerns in the country, with a focus on the events leading up to and since the death of Jina Mahsa Amini on 16 September 2022. The Special Rapporteur draws conclusions and makes recommendations to improve the situation of human rights in the country.

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

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I. Introduction

1. The present report is submitted pursuant to Human Rights Council resolution 49/24, in which the Council requested the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran to submit a report to the Council at its fifty-second session. The report is divided into four main sections: after an introduction and overview of his activities, in the second section, the Special Rapporteur examines the events leading up to and since the death of Jina Mahsa Amini on 16 September 2022. In the third section, the Special Rapporteur highlights the most pressing human rights concerns over the reporting period, while in the final section, he provides conclusions and recommendations. The report contains information gathered up to 31 December 2022.

2. During the reporting period, the Special Rapporteur received innumerable submissions and held multiple online and in-person meetings with victims of human rights violations, their families and lawyers, civil society and human rights organizations, government officials, media and other relevant stakeholders. He continued to be actively engaged with the Government of the Islamic Republic of Iran, the Office of the United Nations High Commissioner for Human Rights, United Nations agencies, special procedure mandate holders and treaty bodies. He visited Sweden (May), Switzerland (May–June, September and November), Ireland (June), the United States of America (October), Germany (November) and Belgium (December).

3. The Special Rapporteur regrets that the Iranian authorities continue to deny him entry to the country and reiterates his request to carry out visits to the country in accordance with the Human Rights Council resolution establishing his mandate.

4. On 26 October 2022, the Special Rapporteur presented his report to the General Assembly and, on 2 November 2022, he made a presentation at an Arria-formula meeting of the Security Council. On both occasions, he called for the prompt establishment of an independent mechanism to investigate all human rights violations leading up to and since the death of Jina Mahsa Amini. On 24 November 2022, the Special Rapporteur delivered a statement on behalf of the Coordination Committee of Special Procedures and on behalf of his own mandate at the thirty-fifth special session of the Human Rights Council on the "deteriorating situation of human rights in the Islamic Republic of Iran, especially with respect to women and children"[1] and reiterated that call.

5. From 1 January to 31 December 2022, the Special Rapporteur transmitted 28 communications to the Government, jointly with other special procedure mandate holders. During the same period, the Government sent 21 responses to communications sent in 2021 and 2022. The Special Rapporteur also issued nine public statements, jointly with other special procedure mandate holders.

II. Human rights violations leading up to and since the death of Jina Mahsa Amini

A. Background

6. On 16 September 2022, Jina Mahsa Amini, a 22-year-old Iranian woman from the Kurdish minority, died in Tehran in police custody three days after her arrest for allegedly failing to comply with the country's strict rules on women's dress by wearing an "improper hijab". Her death sparked nationwide outrage and waves of protests across the country with women and young persons leading the charge under the banner "Zan, Zendegi, Azadi" ("Women, Life, Freedom").[2]

7. The initial wave of protests quickly spread nationwide, spreading to 160 cities and all 31 provinces of the Islamic Republic of Iran and gathering all segments of society, all ages

[1] See www.ohchr.org/en/hr-bodies/hrc/special-sessions/session35/35-special-session.

[2] See www.euronews.com/2022/11/25/iran-protests-what-caused-them-who-is-generation-z-will-the-unrest-lead-to-revolution.

and genders from various ethnic, linguistic, religious and socioeconomic backgrounds, united in their resentment of the serious human rights violations, including gender-based violence and discrimination, and their will to end a theocratic, dictatorial system of governance.[3] Between 16 September and 2 December 2022, more than 1,641 protests were recorded.[4]

8. The Special Rapporteur deplores the brutal response of the Iranian authorities to these protests. The unabated violent response by security forces reportedly led to the deaths of at least 476 persons, including at least 64 children and 34 women,[5] hundreds of protesters being severely injured and thousands being arrested, detained or incarcerated. Consistent with widespread patterns of denial and cover-up, the authorities have attributed responsibility for these deaths to enemies of the Islamic Republic of Iran. The Special Rapporteur is alarmed at the continuing violence against women and girls, including cases of killings, physical and sexual abuse and fierce repression of ethnic and religious minorities, in particular the Baluch and the Kurds. The continuing repression and targeting of civil society activists, human rights defenders, women's rights activists, lawyers and journalists is also deeply concerning, as is the authorities' shutdown of all avenues of freedom of expression, including heavy disruption of the Internet and censorship of social media platforms.

9. The Special Rapporteur is outraged that, despite appeals by the international community, including by his mandate, the Iranian authorities executed two protesters, Mohsen Shekari and Majidreza Rahnavard, in December 2022 after arbitrary, summary and sham trials, which violated the right to a fair trial and due process rights. He remains concerned that at least 100 other individuals have been charged with offences that can carry the death penalty and may be either awaiting or undergoing trial.[6]

10. On 24 November 2022, the Human Rights Council convened a special session on the "deteriorating situation of human rights in the Islamic Republic of Iran, especially with respect to women and children" and adopted resolution S-35/1,[7] establishing an independent international fact-finding mission with a mandate to investigate alleged human rights violations related to the protests since 16 September 2022, especially with respect to women and children,[8] and collect, consolidate, analyse and preserve evidence of such violations, including in view of cooperation in any legal proceedings.[9] On 20 December 2022, Sara Hossain (Bangladesh) (Chair), Shaheen Sardar Ali (Pakistan) and Viviana Krsticevic (Argentina) were appointed as members of the fact-finding mission.[10]

11. On 14 December 2022, the Economic and Social Council adopted a resolution (by 29 votes to 8, with 16 abstentions) to remove the Islamic Republic of Iran from the Commission on the Status of Women for the remainder of its four-year term ending in 2026.[11]

12. Since October 2022, various States, including Australia, Canada, Germany, the United Kingdom of Great Britain and Northern Ireland and the United States of America, and the European Union have introduced human rights sanctions against Iranian individuals and entities. These measures include travel bans, assets freezing and other restrictions.[12] In response, the Iranian authorities have also introduced sanctions against individuals and entities.

[3] See www.theguardian.com/world/2022/nov/06/iran-fresh-protests-universities-kurdish-region.
[4] See www.en-hrana.org/wp-content/uploads/2022/12/82-Day-WLF-Protest-in-Iran-2022-English.pdf; and www.theguardian.com/world/2022/dec/08/iran-executes-man-23-mohsen-shekari-allegedly-stabbing-pro-regime-officer.
[5] See https://iranhr.net/en/articles/5669.
[6] Ibid.
[7] Human Rights Council resolution S-35/1 of 24 November 2022.
[8] Ibid., para. 7 (a).
[9] Ibid., para. 7 (c).
[10] See www.ohchr.org/en/press-releases/2022/12/president-human-rights-council-appoints-members-investigative-body-iran.
[11] See https://news.un.org/en/story/2022/12/1131722.
[12] See www.washingtoninstitute.org/policy-analysis/human-rights-sanctions-iran-need-more-coordination-and-creativity.

B. Death of Jina Mahsa Amini

13. Jina Mahsa Amini was arrested by the morality police on 13 September 2022 while on a family visit to Tehran from her hometown of Saqqez in Kurdistan Province. Eyewitness accounts and other evidence indicate that she was violently beaten while being forcibly transferred to Vozara detention centre in Tehran. Reports, including images of Jina Mahsa Amini in the intensive care unit, suggest that she was assaulted on the head. Within hours of her arrest, she fell into coma and was transferred to Kasra Hospital. She was officially declared dead on 16 September 2022.

1. Context of violence against women and girls

14. The death of Jina Mahsa Amini was not an isolated event but the latest in a long series of extreme violence against women and girls committed by the Iranian authorities, the obligatory wearing of the hijab and its enforcement by State authorities being emblematic of this violence and of the denial of fundamental women's human rights and dignity for decades.[13]

15. An increased emphasis on the enforcement of the law on the wearing of the hijab during the reporting period was evidenced when, in June 2022, the morality police expanded street patrols, subjecting women perceived to be wearing "loose hijabs" to verbal and physical harassment, arresting them and shutting down several businesses. Over recent years, videos on social media and other evidence have shown multiple instances of such violence.[14] In an emblematic case, in July 2022, a 28-year-old artist and editor, Sepideh Rashnoo, was arrested, a few days after the video of a woman in a bus trying to force her to wear a headscarf went viral online.[15] While in State custody, Ms. Rashnoo was reportedly hospitalized for internal bleeding. After a social media campaign, she was unlawfully shown in a heavily edited video clip on State television, visibly unwell, apparently reading lines from a script.[16] On 20 August 2022, State media reported that she had been charged with offences, including national security offences and "encouraging (moral) corruption and prostitution".[17] Ms. Rashnoo, released on bail in August 2022, was reportedly given a suspended sentence of five years in December 2022.[18]

16. In July 2022, the head of the judiciary called on the intelligence services to take strong action against those advocating against mandatory wearing of the hijab. President Raisi requested all government entities to strictly implement a "chastity and hijab" law, calling the lack of compliance with rules on the wearing of the hijab "an organized promotion of moral corruption in Islamic society".[19] In August 2022, he signed a decree ordering further repressive measures.[20] A month later, the authorities, announced a plan to use surveillance technology to detect women wearing "improper hijabs" on public transport and in shopping centres with a view to imposing financial penalties on them.[21] Women without "proper hijabs" were reportedly barred from entering banks and government offices or taking public transport.[22] On 4 September 2022, only a few days before the death of Jina Mahsa Amini, a spokesman for the Headquarters for the Promotion of Virtue and Prevention of Vice, Ali

[13] A/HRC/46/50, paras. 52–54.
[14] See https://twitter.com/hra_news/status/1551956835829161985; and https://twitter.com/bbcpersian/status/1549379958119727104.
[15] See https://twitter.com/alinejadmasih/status/1548261157961510913?s=46&t=7MEaxRH79hDO_EWLfRZ2mQ.
[16] See www.theguardian.com/global-development/2022/aug/23/arrests-and-tv-confessions-as-iran-cracks-down-on-women-improper-clothing-hijab.
[17] See https://iranhumanrights.org/2022/08/sepideh-rashno-latest-target-of-raisi-governments-campaign-of-repression.
[18] See www.en-hrana.org/sepideh-rashno-sentenced-to-five-years-suspended-imprisonment.
[19] See www.imna.ir/news/586294 (in Persian).
[20] See www.rferl.org/a/iran-women-dress-restrictions-raisi/31989759.html.
[21] See www.theguardian.com/global-development/2022/sep/05/iran-government-facial-recognition-technology-hijab-law-crackdown.
[22] See https://foreignpolicy.com/2022/10/10/iran-protests-hijab-mahsa-amini-morality-police-ebrahim-raisi; and www.rferl.org/a/iran-women-dress-restrictions-raisi/31989759.html.

Khan-Mohammadi, announced that the Ministry of Intelligence had arrested 300 persons for their promotion of not wearing the hijab, whom he termed "ringleaders who were fighting against the hijab" and attributed such activism to "the enemy" seeking to polarize society. In an interview at the beginning of November 2022, he stated that: "The enemy is attempting to bring down the headscarf, which is a symbol [of sharia law]" and "If they bring down this symbol, then nudity and other things will come afterwards".[23] On 25 December 2022, the Prosecutor General reiterated that appearing without a hijab in public was a crime.[24]

2. Investigations into the death in custody of Jina Mahsa Amini

17. The Special Rapporteur regrets that the State authorities have failed to conduct any independent, impartial and transparent investigation into the death of Jina Mahsa Amini and consistently denied any misconduct or wrongdoing on their part.[25] They have also made unsubstantiated claims that Jina Mahsa Amini died because of a heart problem and that her death was linked to pre-existing medical conditions,[26] claims which were all rejected by her family.[27]

18. On 7 October 2022, the Legal Medicine Organization (under the authority of the judiciary) released a statement indicating that the death of Jina Mahsa Amini was not caused by blows to the head and vital organs and limbs of the body.[28] Since 27 September 2022, the High Council for Human Rights of the Islamic Republic of Iran, which operates under the judiciary, has shared with the Special Rapporteur a total of 30 reports, including an investigation report into the death of Jina Mahsa Amini, in which it reiterates the conclusions of the Legal Medicine Organization.[29]

19. However, on 18 September 2022, the head of the provincial Medical Council of Hormozgan wrote a public letter to the head of the Medical Council of the Islamic Republic of Iran, the official health-care regulatory body, asking him to fulfil his professional duties and intervene in the case of Jina Mahsa Amini, stating that the bleeding from the ear and ecchymosis under her eyes are not consistent with the account given by some authorities declaring a heart attack as the cause of death and that most of the signs in the photos published of her in hospital are consistent with the symptoms related to head injury and consequent bleeding.[30] In a statement issued on 11 October 2022, more than 800 members of the Medical Council criticized its head for using the name and reputation of the organization to legitimize the fact-finding committee in covering up the cause of death of Jina Mahsa Amini.[31] The official version of events was also refuted by a number of doctors. On 24 October 2022, a group of forensic doctors gathered in the city of Shiraz in protest at the interference of security forces in their work and refuted the official cause of death of Jina Mahsa Amini. One

[23] See https://rasanah-iiis.org/english/monitoring-and-translation/iran-in-a-week/75-percent-of-iranians-will-participate-in-protests-300-opponents-of-compulsory-hijab-arrested-iran-warns-europe-over-energy-crisis-winter-is-approaching; www.middleeasteye.net/news/iran-hijab-law-removal-lead-to-nudity-press-review and www.independentpersian.com/node/266036.

[24] See www.sharghdaily.com/fa/tiny/news-865443 (in Persian).

[25] See www.mashreghnews.ir/news/1419203; www.article19.org/resources/iran-justice-for-mahsa-jhina-amini; and https://edition.cnn.com/2022/09/19/middleeast/iranian-police-say-death-of-mahsa-amini-unfortunate-intl/index.html.

[26] High Council for Human Rights of the Islamic Republic of Iran, "Report No. 2 pertaining death of Mahsa Amini & Ensuing Events", p. 1 (https://en.mfa.ir/files/mfaen/report.pdf); www.rferl.org/a/iran-forensic-report-denies-amini-death-injuries/32069928.html; and www.reuters.com/world/middle-east/iranian-state-coroner-says-mahsa-amini-did-not-die-blows-body-2022-10-07.

[27] See www.aljazeera.com/news/2022/9/19/irans-police-denies-women-who-died-in-custody-was-beaten; and www.sbs.com.au/news/article/why-these-women-are-chopping-off-their-hair-and-burning-their-headscarves/zhgjl80mf.

[28] See https://khabaronline.ir/xjjbq (in Persian).

[29] High Council for Human Rights of the Islamic Republic of Iran, "Report No. 4 pertaining death of Mahsa Amini & following events".

[30] See https://twitter.com/bbcpersian/status/1571810543056347138 (in Persian); www.rferl.org/a/iran-amini-death-head-injury-doctor/32042587.html; and www.radiofarda.com/a/32041675.html (in Persian).

[31] See www.radiofarda.com/a/support-of-hundreds-of-doctors-against-iran-s-protests/32079467.html (in Persian).

of them was reportedly arrested later.[32] Eyewitness accounts also contradict the position of the State.[33]

20. Not only were the multiple requests of Jina Mahsa Amini's family for the establishment of a committee of independent doctors to investigate her death rejected, but her family was denied access to her autopsy report and was subjected to threats and pressure by the authorities.[34] The recordings of Jina Mahsa Amini's arrest were not released. Various sources, including a former Islamic Revolutionary Guard Corps commander,[35] as well other independent sources, have pointed to reports that Jina Mahsa Amini was severely beaten up by the morality police with her death reportedly occurring because of torture and ill-treatment at the hands of the police.[36]

C. Use of unlawful lethal force against protesters

21. The violent State response to the protests started immediately following the death of Jina Mahsa Amini, contrary to the reports by Iranian authorities, which claim that security forces were instructed to act with tolerance and restraint.[37] On the contrary, directions given by the highest State authorities point out a deliberate policy to crush protests at all costs.

22. On 22 September 2022, the Islamic Revolutionary Guards Corps issued a statement condemning protests in the country as the product of an "enemy conspiracy", describing them as "sedition" and calling on the judiciary to prosecute those spreading fake news.[38] On 23 September 2022, the Iranian army issued a statement warning that it would "confront the enemies' various plots in order to ensure security".[39] On 25 September 2022, the head of the judiciary, Gholamhossein Mohseni Ejei, emphasized "the need for decisive action without leniency against the core instigators of the 'riots'".[40] The President also stated that the country would "deal decisively with those who oppose the country's security and tranquillity".[41]

23. Videos, reports and eyewitness testimonies have shown security forces (including the police, the Islamic Revolutionary Guard Crops and the Basij militia) violently cracking down on protesters and have revealed a widespread pattern of unlawful lethal use of force, including the use of shotguns, assault rifles and handguns against the protesters.[42] Security forces were allegedly firing live ammunition, birdshot and other metal pellets directly at unarmed and peaceful protesters who posed no imminent threat to life or serious injury, as well as at bystanders and those who were running away,[43] in many cases showing clear

[32] See https://twitter.com/bbcpersian/status/1585046452702937088 (in Persian).
[33] See www.i24news.tv/en/news/middle-east/iran-eastern-states/1664205590-eyewitness-confirms-amini-was-hit-by-iranian-police-report; and www.amnesty.org.uk/press-releases/iran-leaders-gathered-un-must-act-over-mahsa-aminis-death-and-anti-protest-violence.
[34] See www.bbc.co.uk/news/world-middle-east-63200649.
[35] See www.bbc.com/persian/articles/c10p6rd1yg2o (in Persian).
[36] See www.theguardian.com/global-development/2022/sep/16/iranian-woman-dies-after-being-beaten-by-morality-police-over-hijab-law.
[37] Reports Nos. 4 and 9 received from the High Council for Human Rights.
[38] See www.hamshahrionline.ir/news/707789 (in Persian); and https://time.com/6216024/iran-protests-islamic-republic-response.
[39] See https://english.alarabiya.net/News/middle-east/2022/09/23/Iran-s-army-warns-it-will-confront-the-enemies-as-protests-escalate.
[40] See www.theguardian.com/world/2022/sep/26/death-toll-grows-in-iran-as-mahsa-amini-protests-continue-for-10th-night.
[41] See www.independent.co.uk/news/world/middle-east/iran-must-deal-decisively-with-those-who-oppose-country-s-security-and-tranquillity-says-president-b2174802.html; and www.theguardian.com/world/2022/sep/24/protests-spread-in-iran-as-president-raisi-vows-to-crack-down.
[42] See www.hrw.org/news/2022/10/05/iran-security-forces-fire-kill-protesters; https://twitter.com/KurdistanHRN_En/status/1594631230632644609; https://twitter.com/KurdistanHRN/status/1598438910568587264 (in Persian); and https://ir.voanews.com/a/iran-shooting/5168912.html (in Persian).
[43] See www.youtube.com/watch?v=jWUKHoFEVvg; and https://youtu.be/Dte1ueuHgf4.

intention to kill or total disregard for whether their actions would result in loss of life or serious injury, as well as an intention to frighten all those participating in the protests.[44]

24. There was evidence of deliberate killings in many cases reported to the Special Rapporteur, with security forces shooting at individuals at close range. Minoo Majidi, a 62-year-old mother, was shot by security forces, as reported by her daughter, with 167 gun pellets in Kermanshah and died on her way to hospital.[45] Hadis Najafi, a 23-year-old woman who died during a protest in Karaj on 21 September 2022, was shot multiple times in the heart, abdomen and neck.[46] A video filmed in Tehran around 1 November 2022 shows a defenceless man severely beaten with batons and shot by security forces.[47] Many people who took photos or videos of the security forces were also shot or beaten, including Shirin Alizadeh, who was shot by Basij forces randomly shooting at protestors in Abbasabad; she died on 21 September 2022 while filming from a car.[48]

1. Killings of children

25. At least 64 children have reportedly been killed by security forces since the start of the protests, five of them, four girls and one boy, were beaten to death.[49] This included two 16-year-olds, Sarina Esmailzadeh and Nika Shakarami;[50] 15-year-old Sarina Saedi from Sanandaj;[51] and a 16-year-old boy, Mehdi Mousavi Nikou. Multiple reports of children shot at close range include Koumar Daroftadeh, aged 16, killed on 30 October 2022 during protests in Piranshahr, Azarbayjan-e Gharbi Province, after security forces fired metal pellets at his chest and stomach reportedly from a distance of approximately one metre.[52] A 14-year-old Afghan boy, Mohammad Reza Sarvari, was reportedly shot in the back of the head on 21 September 2022 while fleeing from security forces who were randomly firing at protesters.[53]

26. On 17 October 2022, the Committee on the Rights of the Child strongly condemned "the grave violations of the rights of the child" and expressed alarm at the reported killings of children by security forces and at the hundreds injured, detained and tortured. It noted reports that, despite grieving for the loss of a child, many families "were pressured to absolve security forces by declaring that their children had committed suicide and making false confessions".[54]

27. On 15 October 2022, the Special Representative of the Secretary-General on Violence against Children urged the Government "to end violence and harm against children and to guarantee their rights to protection and to express their views in a safe and peaceful way".[55] On 27 November 2022, the United Nations Children's Fund condemned "all violence against children", called for "an end to all forms of violence and abuse" against children and expressed deep concern about continued raids and searches conducted in some schools.[56] The coordinating council of the country's teachers' unions announced that security officers had

[44] See www.amnesty.org/en/latest/news/2022/09/iran-world-must-take-meaningful-action-against-bloody-crackdown-as-death-toll-rises; www.hrw.org/news/2022/11/03/iran-thousands-detained-protesters-and-activists-peril; and www.hrw.org/news/2022/10/05/iran-security-forces-fire-kill-protesters.

[45] See www.bbc.co.uk/news/world-middle-east-63836921.

[46] See www.itv.com/news/2022-09-30/iranian-tiktoker-hadis-najafi-23-shot-dead-during-demonstrations-in-karaj.

[47] See https://twitter.com/AmnestyIran/status/1587496062700380168.

[48] See https://twitter.com/AmnestyIran/status/1587863421810262017.

[49] See www.amnesty.org/en/documents/mde13/6104/2022/en; and https://kayhanlife.com/society/human-rights/children-in-iran-may-risk-execution-for-taking-part-in-nationwide-protests.

[50] See https://iranhr.net/en/articles/5514; and www.nytimes.com/2022/10/13/world/middleeast/iran-protests-killed-teens.html.

[51] See https://twitter.com/hashtag/SarinaSaedi?src=hashtag_click.

[52] See www.amnesty.org/en/documents/mde13/6104/2022/en.

[53] Ibid.

[54] See www.ohchr.org/en/statements-and-speeches/2022/10/iran-end-killings-and-detentions-children-immediately-un-child.

[55] See https://violenceagainstchildren.un.org/news/statement-special-representative-iran.

[56] See www.unicef.org/press-releases/unicef-calls-protection-children-against-all-forms-violence-iran-amid-public-unrest.

taken the precious lives of a number of students and children in the most brutal way during the systematic repression.[57]

2. Overrepresentation of ethnic and religious minorities in killings

28. Ethnic and religious minorities who have suffered decades of systemic and systematic discrimination and persecution have been disproportionately affected in the current wave of repression. More than half of the total number of persons killed since the start of the protests are from Baluchi and Kurdish-populated provinces.[58] Children from the country's Baluch and Kurdish minorities constitute 63 per cent of the recorded child victims.[59]

29. As of 31 December 2022, 130 Baluchis had been killed by Iranian security forces.[60] On 30 September 2022, the deadliest incident on record since the start of the protests took place in Zahedan, Sistan va Baluchestan Province, when Baluchis demonstrated after Friday prayers to express solidarity with the protests and to demand accountability for the reported rape of a 15-year-old girl by a police commander in the province. As people gathered outside the police station across the road to protest, security forces fired live ammunition, metal pellets and tear gas at protesters and bystanders from the police station and the rooftops of nearby houses, a majority of victims were shot in the head, heart, neck and torso demonstrating a clear intention to kill or to seriously harm.[61] According to Baluch rights groups at least 93 people were killed in Zahedan that day.[62]

30. Kurdish areas, particularly the southern regions of Azarbayjan-e Gharbi Province, Kurdistan Province and Kermanshah Province, have also witnessed extreme repression and the killing of at least 125 Kurdish protestors, including 13 children and 8 women.[63] The Special Rapporteur is particularly concerned about heavy military deployments in the cities of Mahabad, Piranshahr and Javanrud since 19 November 2022, where security forces have reportedly been shooting randomly and blindly at protestors, civilians' houses, universities and schools, especially in the Barishilan neighbourhood in Mahabad, in Javanrud and in Sanandaj, killing dozens. Attacks on Kurdish areas have expanded beyond international borders. On 26 September 2022, Tasnim News Agency (affiliated with the Islamic Revolutionary Guard Corps) announced that the Ground Force of the Islamic Revolutionary Guard Corps carried out a fresh round of attacks on the positions of terrorist groups in the Kurdistan Region of Iraq, killing at least 16 persons, injuring dozens more and displacing hundreds of families. There were further attacks on 28 September 2022 in Koya, striking a school in a refugee settlement and killing a pregnant woman and injuring two children, and in November 2022 killing several persons.[64]

3. Violence and killings during mourning ceremonies

31. Violence and killings were also recorded during religious and cultural mourning ceremonies, including those organized on the fortieth day following the death of Jina Mahsa Amini and other persons. In Saqqez, on 26 October 2022, 40 days after the death of Jina Mahsa Amini, security forces reportedly fired live ammunition and tear gas into the crowd heading back from the cemetery.[65] In Mahabad, at least one individual, Esmail Moloudi, was

[57] See https://t.me/kashowra/13272 (in Persian).
[58] See https://iranhr.net/en/articles/5669.
[59] See www.amnesty.de/sites/default/files/2022-12/Amnesty-Bericht-Iran-Toetung-Kinder-Jugendliche-Polizeigewalt-Dezember-2022.pdf.
[60] See https://iranhr.net/en/articles/5669.
[61] See www.amnesty.org/en/latest/news/2022/10/iran-at-least-82-baluchi-protesters-and-bystanders-killed-in-bloody-crackdown.
[62] See https://balochcampaign.us; and https://iranhrdc.org/bloody-friday-in-zahedan/#_edn55.
[63] Kurdistan Human Rights Association (Geneva) submission to the Special Rapporteur on 30 November 2022.
[64] See www.tasnimnews.com/en/news/2022/09/26/2779136/irgc-strikes-terrorists-positions-in-krg-again; www.hrw.org/news/2022/10/19/iraq-iran-attacks-kill-civilians-kurdistan-region; and www.aljazeera.com/news/2022/11/21/iran-attacks-positions-in-northern-iraq-targeting-kurdish-groupso.
[65] See www.theguardian.com/world/2022/oct/26/iran-protests-mahsa-amini-grave-crackdown-kurdish-death.

killed as a result of direct shootings by the security forces. On 27 October 2022, security forces reportedly used live ammunition against mourners after the funeral of Mr. Moloudi and reportedly killed four individuals.[66] On 3 November 2022, security forces fatally shot Mehdi Hazrati, aged 17, in the head with live ammunition in Karaj, Alborz Province, during the fortieth-day commemoration ceremony of the death of Ms. Najafi, with a video showing his lifeless body lying in a pool of blood on the ground while surrounded by security forces. On the same day, in Karaj, security forces reportedly attacked the individuals who chanted during the ceremony with batons and pellet guns. Ms. Najafi's sister was injured in the incident.[67]

4. Injuries of protesters and denial of medical care

32. The Special Rapporteur is also deeply concerned by the large number of protesters severely injured because of direct shots to the head. Hundreds have reportedly suffered severe eye injuries or lost their eyesight due to the use of metal pellets and rubber bullets by the security forces. Eyewitness accounts and records from several hospitals and clinics show that the range of injuries have included mutilated retinas, severed optic nerves and punctured irises.[68] Medics across the country have also revealed that the security forces have been targeting women at protests with shotgun fire to their faces, breasts and genitals with extremely serious injuries, which could leave hundreds with permanent damage.[69]

33. For fear of reprisals, torture and detention, many injured protesters reportedly did not seek medical care from government facilities. Reports also indicate that ambulances were used to take protesters to detention centres, that medications were confiscated by the Islamic Revolutionary Guard Corps at various checkpoints to Kurdish cities[70] and that doctors and medical staff were pressured into issuing death certificates as dictated by security forces.[71] On 25 October 2022, members of the Medical Council of Tehran denounced the interference of the security forces in the treatment of injured protesters, demanded the protection of the secrecy of medical information and condemned the military, police, security and unidentified forces for entering medical universities and hospitals and, on 27 October 2022, a similar statement was issued by 94 doctors in Saqqez.

D. Arrests and detention of protesters

1. Mass arrests of peaceful protesters

34. The Special Rapporteur is deeply concerned about the State policy of mass arbitrary arrests and detention of protesters. According to civil society organizations, more than 18,000 individuals, of whom the identity of 2,942 individuals has been confirmed, have been arrested since the start of the protests.[72] These include dozens of human rights defenders, at least 600 students, 45 lawyers,[73] 576 civil society activists and at least 62 journalists.[74] As of October 2022, 1,700 Azerbaijani-Turks had reportedly been among those detained.[75]

35. The detention centres and prisons at which protestors have been held are filled beyond capacity and without sanitary facilities, with detainees being transferred to unofficial buildings without any regulations or monitoring.[76] While in many cases, families were denied

[66] See www.isalnews.ir/fa/news/28368 (in Persian).
[67] See https://twitter.com/elnazkianii/status/1588475308424187905 (in Persian).
[68] See www.nytimes.com/2022/11/19/world/asia/iran-protesters-eye-injuries.html.
[69] See www.theguardian.com/global-development/2022/dec/08/iranian-forces-shooting-at-faces-and-genitals-of-female-protesters-medics-say.
[70] See www.kmmk-ge.org/summary-updates-on-the-crackdowns-in-iranian-kurdistan.
[71] See https://iranhr.net/en/articles/5535.
[72] See www.en-hrana.org/a-comprehensive-report-of-the-first-82-days-of-nationwide-protests-in-iran.
[73] Submission received from the Centre for Supporters of Human Rights.
[74] See https://cpj.org/reports/2022/12/number-of-jailed-journalists-spikes-to-new-global-record.
[75] See https://twitter.com/sinayousefilaw/status/1579908477824077825?s=46&t=5T5-9Cj2PHw5CMLZ26Ipvw (in Persian).
[76] See https://iranhr.net/en/articles/5526.

information about the whereabouts and the status of their relatives,[77] in other cases unaffordable large sums were demanded for their release.

36. Public figures, including artists, singers and athletes, who have publicly supported the protests have also been arrested, interrogated and jailed and their passports confiscated.[78] The famous Iranian actress Taraneh Alidoosti was arrested on 17 December 2022 after having condemned the hanging of Mr. Shekari. Earlier, she had published a picture of herself on Instagram without a hijab holding a sign reading "Women, Life, Freedom", her account has since been shut down.

37. On 30 October 2022, rapper Toomaj Salehi was arrested for posting videos of himself actively asking his followers to participate in demonstrations and for rapping songs criticizing the Iranian authorities. A video released a few days after his arrest showed him blindfolded, reportedly tortured and confessing that he was wrong.[79] While there are serious concerns about the impact of reported ongoing torture on his health, his indictment on *efsad-e fil-arz* (spreading corruption on earth) charges, potentially punishable by the death penalty, was officially confirmed on 27 November 2022.[80]

2. Arrests and detention of children and students

38. The detention and mistreatment of children and young persons is particularly alarming. The authorities have acknowledged the widespread participation of children and young persons in the protests and their overrepresentation among those arrested. On 5 October 2022, the deputy commander of the Islamic Revolutionary Guard Corps stated that "the average age of most people detained during the protests is 15".[81] A member of parliament also stated in an interview with local media that the majority of protestors arrested in the Khorasan-e Razavi Province were aged between 14 and 18 years old.[82] On 11 October 2022, the Minister of Education confirmed that an unspecified number of children had been sent to "psychological centres" after they were arrested for participation in anti-State protests.[83] Reports also indicated that children were being detained together with adults.

39. Students in more than 140 universities have participated in protests, demonstrations, strikes, sit-ins, and creative and brave acts of resistance, such as performing artistic presentations and reclaiming gender-segregated spaces. In response, the security forces have raided university campuses, dormitories and high schools, and arrested at least 683 students.[84] The whereabouts of many remain unknown, while prison sentences have already been issued for some of them. On 8 December 2022, the Iranian Teachers' Trade Association reported that three juveniles had been kidnapped by security agents in Abdanan since 6 December 2022.[85] Dozens of students have been banned from entering their universities or suspended from pursuing their studies,[86] several academics have also been arrested and detained, while many others have faced threats, harassment or being arrested for refusing to cooperate with the security forces.

E. Torture and ill-treatment of protesters, including sexual abuse

40. The Special Rapporteur has received consistent reports and testimonies of torture and ill-treatment of protesters, including allegations of sexual and gender-based violence.

[77] See www.dw.com/en/iran-the-plight-of-families-of-detained-protesters/a-63651465.
[78] See www.hrw.org/news/2022/11/03/iran-thousands-detained-protesters-and-activists-peril.
[79] See www.mashreghnews.ir/news/1432070 (in Persian).
[80] See www.isna.ir/amp/1401090603460 (in Persian).
[81] See www.asriran.com/fa/news/860758 (in Persian).
[82] See www.etemadonline.com/fa/tiny/news-576689 (in Persian).
[83] See www.ohchr.org/en/press-briefing-notes/2022/10/iran-protests-reports-child-deaths-detentions-are-deeply-worrying.
[84] See https://twitter.com/hrana_english/status/1608962432067682307?s=46&t=6gxDtTPfI3hI9XHzbTgaBA.
[85] See https://iranhumanrights.org/2022/12/iran-protests-children-killed-and-tortured-to-crush-dissent.
[86] See https://aftabnews.ir/003Ow4 (in Persian).

41. Videos shared on social media provide evidence of the level of violence against women and girls, including slapping women across the face, beating them with batons, dragging them on the ground and violently pulling them by the hair to remove their headscarves.[87] A video recorded in Shiraz on 24 September 2022 shows a riot police officer repeatedly and violently pulling the hair of one woman who had removed her headscarf as an act of protest, sexually assaulting another woman who attempted to intervene by grabbing her breast and pushing her violently to the ground, causing her head to hit the curb.[88] On 21 November 2022, Soha Mortazaei, the former Secretary of the General Trade Union Council of Tehran University, was reportedly beaten, sexually harassed and arrested while going to work.[89]

42. Reports published on 3 November 2022 also revealed that two female detainees arrested during protests in Kurdistan Province had reportedly been subjected to beatings with batons, electric shocks, sexual assault, verbal assault and threats.[90] The testimony of a young woman who had witnessed physical and psychological torture, and other ill-treatment, while detained was also published on 9 November 2022.[91] On 21 November 2022, a media investigation revealed sexual violence against protesters, including children. In some cases, the sexual assaults were reportedly filmed and used to blackmail the protesters into silence and almost all of the latter abuses occurred in the Kurdish areas.[92]

43. In particular, it is alarming that the Islamic revolutionary courts have been relying on forced confessions extracted through torture and other forms of duress in convicting protesters. An emblematic case concerns two protesters sentenced to death, Mohammad Mehdi Karami and Mohammad Hosseini, who made confessions after they were reportedly subjected to torture and ill-treatment. According to reports, Mr. Karami was subjected to physical and psychological torture and, during his arrest, he was beaten so badly that he fainted. Mr. Hosseini was also beaten, kicked and injured with an iron rod and an electroshock weapon.

F. Freedom of opinion and expression, journalists and human rights defenders and lawyers

44. In an already restricted civic space, the sweeping crackdown on civil society has intensified since the start of the protests. In addition to mass arrests of protesters, security and intelligence agents have arrested a large number of civil society actors, including human rights defenders, lawyers, journalists and artists, and charged many with national security or public order offences. In most cases, their homes and offices were searched and their laptops, mobile phones and personal items confiscated.

1. Arrest and detention of human rights defenders, including lawyers

45. At least 576 civil rights activists, including teachers, union activists, workers' rights activists and minority rights activists, digital rights activists and environmentalists have been arrested since the protests began.[93] These include Majid Tavakoli, Golrokh Ebrahimi-Irayi, Saeed Shirzad and his brother, Ali, Amir Emad Mimirani, as well as Hossein Ronaghi and Majid Tavakoli who were released on bail on 26 November[94] and 19 December 2022,[95] respectively. Arash Sadeghi, who suffers from chondrosarcoma, a rare type of bone cancer,

[87] See https://twitter.com/dr_rafizadeh/status/1604738348656234497?s=46&t=A1bfI3dHo4gCp5qTUNuWJg; and https://twitter.com/josephiadele/status/1604053070912135169?s=46&t=5Ob-cxqW5bbyho2AvK6glw.
[88] See https://twitter.com/alinejadmasih/status/1573762455746101248?s=46&t=-Ywnx6FewmUYmTwamRXUQw.
[89] See https://twitter.com/Bidarzani/status/1596914410777636864 (in Persian).
[90] See www.hrw.org/news/2022/11/03/iran-thousands-detained-protesters-and-activists-peril.
[91] See www.bbc.com/news/world-middle-east-63559971.
[92] See https://edition.cnn.com/interactive/2022/11/middleeast/iran-protests-sexual-assault/index.html.
[93] See https://iranhr.net/en/articles/5526.
[94] See https://isna.ir/xdMQst (in Persian).
[95] See www.ilna.ir/fa/tiny/news-1311159 (in Persian).

was released from prison after five and a half years in May 2021, but was rearrested in a critical medical condition and transferred to Evin prison on 12 October 2022.

46. More than 170 women human rights defenders were arrested, including Soha Mortezaei, Latifeh Pashai, Zhina Modares Gorji and Bahareh Hedayat, although some were reportedly released on bail.[96] On 9 October 2022, prominent human rights defender Narges Mohammadi was sentenced to a further 15 months' imprisonment for "propaganda against the State" in absentia after she refused to attend a court hearing.[97] On 28 October 2022, authorities accused civil society organizations working abroad, independent entities and reliable sources for international human right mechanisms monitoring the human rights situation in the Islamic Republic of Iran of being involved in training individuals to act against the State.[98]

47. Since the protests began, Iranian authorities have proceeded to arrest at least 45 lawyers apparently to prevent them from being able to represent political prisoners and individuals arrested in the context of protests. Among them are Nazanin Salari, Mahmoud Taravat Roui, Astareh Ansari, Bahareh Sahraian Jahromi, Babak Paaknia, Mostafa Nili and Arash Keykhosravi. As at 21 December 2022, 26 lawyers had been released on bail.[99] Among those arrested since the protests began who remain in detention are Mr. Keykhosravi,[100] Mr. Nili[101] and Saeid Ataei Kachouyi.[102] In a statement issued on 1 December 2022, the International Bar Association and several other bar associations and lawyers' organizations called on the Iranian authorities to immediately release all lawyers arrested for any action taken in accordance with their professional duties and to preserve the independence of the legal profession.[103]

2. Crackdown on journalists and media workers

48. Threats, including in some cases death threats, harassment, detention and violence against journalists and media workers continued. Women journalists, including employees of BBC News Persian and news agencies based outside of the Islamic Republic of Iran, were disproportionately targeted with intimidation and smear campaigns and attacked and harassed through the dissemination of false and defamatory information and threats of sexual violence, including rape, using online platforms and State-controlled media.[104] The two journalists, Niloofar Hamedi and Elaheh Mohammadi, who reported the death of Jina Mahsa Amini were arrested on 21 and 29 September 2022, respectively, and transferred from Evin prison to Qarchak prison on 18 December 2022. They have been accused of being foreign agents engaged in espionage, a charge carrying the death penalty.[105] On 30 October 2022, more than 500 Iranian journalists denounced the statements by the Islamic Revolutionary Guard Corps against the two journalists and the continued detention of their colleagues.[106]

49. Iranian authorities have tried to silence media outlets operating from within and outside the Islamic Republic of Iran and hamper the coverage of the death of Jina Mahsa Amini and the protests. Family members of BBC News Persian have been subjected to harassment, arbitrary arrest, detention and travel bans.[107] On 9 November 2022, the Minister

[96] See https://femena.net/wp-content/uploads/2022/11/No-6_WHRD-arrests.pdf.
[97] See www.omct.org/en/resources/statements/iran-narges-mohammadi-sentenced-to-11-years-and-nine-months-in-prison.
[98] See https://isna.ir/xdMFyK (in Persian).
[99] Submission received from the Centre for Supporters of Human Rights.
[100] See https://vokalapress.ir/?p=31378 (in Persian).
[101] See https://vokalapress.ir/?p=31029 (in Persian).
[102] See www.hra-news.org/2022/hranews/a-38219 (in Persian).
[103] See https://eldh.eu/wp-content/uploads/2022/12/joint-statement-from-lawyers-abroad-on-lawyers-in-iran.pdf.
[104] See communication IRN 10/2022. Available at: https://spcommreports.ohchr.org/TMResultsBase/DownLoadPublicCommunicationFile?gId=27277.
[105] See www.theguardian.com/global-development/2022/oct/29/iran-accuses-journalists-who-reported-mahsa-aminis-death-of-spying-for-cia; www.dw.com/en/iran-jailed-female-journalists-face-regimes-smear-tactics/a-63866490; and https://isna.ir/xdMFyK (in Persian).
[106] See www.sharghdaily.com/fa/tiny/news-859986 (in Persian).
[107] See communication IRN 10/2022; and www.bbc.co.uk/news/world-middle-east-64222261.

of Intelligence said that the "London-based Iran International news channel has been designated as a 'terrorist' organization and that employees and those 'related' to the outlet will be prosecuted" and "that any connection with the Persian-language broadcaster would be considered cooperation with terrorists and a threat to national security".[108]

3. Internet disruption and online tracking

50. Since 19 September 2022, Internet disruption has been reported in many parts of the country. Iranian authorities first instituted a regional Internet shutdown, followed by large-scale blackouts along with nationwide restrictions on the use of social media.[109] On 21 September 2022, mobile Internet services were disrupted and daily mobile Internet disruption continued in some regions.[110] The shutdown of mobile data reportedly remains in effect. Access to Instagram, one of the last remaining social media platforms in the country, was restricted as was access to WhatsApp. On 22 September 2022, it was officially announced that the Supreme National Security Council had banned a number of social media outlets and restricted search engines. On 19 October 2022, the Ministry of Information and Communications Technology said that the Government was in the process of criminalizing virtual private networks.[111] On 28 October 2022, the Intercept news organization published a report on a government programme that allows protesters' phones to be tracked and controlled.[112]

G. Harassment of families and cover up of human rights violations

51. The harassment and intimidation of the families of victims killed by security forces in the protests include: preventing families from seeking an independent autopsy or excluding them from autopsies carried out by the State Forensic Institute; restrictions on burial and memorial ceremonies; threats to withhold the bodies of victims and bury them secretly in unmarked graves; handing relatives the bodies of their loved ones, wrapped in shrouds and prepared for burial, so that the families could not see the injuries; denying families their right to conduct burial ceremonies in accordance with their own religious and cultural traditions; restrictions imposed on the location, timing or manner in which families could bury their relatives, including remote ceremonies or conducting funeral ceremonies; and prohibiting relatives from making public statements or giving speeches denouncing and disclosing the truth about the killings.

52. Emblematic cases include that of Sarina Esmailzadeh's family, which was forced into repeating the false suicide narrative of the authorities about Sarina's death.[113] The same pressure was exerted on the families of Nika Shahkarami[114] and Behnaz Afshari. A video published on 4 November 2022 shows the mother of Mohammad Hassan Torkaman killed in the protests, declaring that: "They asked me to state that my son was killed in an accident, no I will not lie. You killed my son."[115] The father of Nasrin Ghaderi, a Kurdish woman who was killed by security forces in Tehran on 4 November 2022, was reportedly forced into stating that she had flu and that she had not participated in any protests.[116]

[108] See www.rferl.org/a/iran-international-terrorist-organization/32122561.html.
[109] See www.engadget.com/iran-restricts-internet-access-mahsa-amini-protests-194512075.html.
[110] See https://netblocks.org/reports/internet-disrupted-in-iran-amid-protests-over-death-of-mahsa-amini-X8qVEwAD.
[111] See https://twitter.com/Way2PayMedia/status/1582643872165134336 (in Persian).
[112] See https://theintercept.com/2022/10/28/iran-protests-phone-surveillance.
[113] See www.iranhr.net/en/articles/5514 (in Persian).
[114] See www.bbc.com/news/world-middle-east-63170486.
[115] See https://twitter.com/1500tasvir/status/1588656524938792960 (in Persian).
[116] See www.tasnimnews.com/fa/news/1401/08/15/2799754 (in Persian).

H. Sentencing of protesters following grossly unfair trials

1. Violations of the right to due process and fair trial

53. The Special Rapporteur is alarmed by the use of mass arbitrary arrests and detentions, the conduct of expedited trials and convictions in violation of the State's obligations to ensure the right of every person to a fair trial and due process, resulting in the exponential increase in death sentences issued and indictments on vague and broadly formulated criminal offences that carry the death penalty, including *moharebeh* (taking up arms to take lives or property or to create fear in the public), *efsad-e fil-arz* (spreading corruption on earth) and *baghy* (armed rebellion).

54. On 24 October 2022, only a month after the start of the protests, a spokesman for the judiciary announced that trials had already started across the country and that 315 persons had already been indicted in Tehran on charges of "gathering and collusion with the intention of acting against national security", "propaganda against the State", "disruption of public order" and *moharebeh*.[117] A few days later, on 31 October 2022, the head of Tehran Province's judicial administration said that it had issued approximately 1,000 indictments against those arrested in relation to the protests.[118] According to official sources, 1,118 persons had been indicted by 22 November 2022.[119]

55. Determined to crush the protests by instilling fear among the entire population, the Iranian authorities have been subjecting protesters to sham trials before the Islamic revolutionary courts, which are infamous for their complete disregard of the most basic guarantees of a fair trial and due process and which have been used for decades to sentence to death political activists, journalists, lawyers and human rights defenders. In line with the note to article 48 of the Code of Criminal Procedure, protesters tried before these courts had no access to their lawyers or their lawyer's access to their case files was denied.

56. The Special Rapporteur has also received corroborated reports showing how these courts have been using the confessions of protesters extracted under torture and ill-treatment as the basis for convictions and harsh sentences, including imprisonment and the death penalty.

2. Death sentences and executions of protesters

57. Contrary to the constitutional principle of the separation of powers, on 6 November 2022, 227 parliamentarians called on the judiciary to carry out the death penalty for protesters.[120] The next day, the head of the judiciary asked judges to issue sentences more swiftly.[121] On 30 October 2022, the first trial of a protester facing the death penalty was announced by the judiciary's Mizan news agency.[122] On 28 November 2022, the head of the judiciary stated that cases involving protesters were being processed in the shortest time possible and that in cases in which members of the security forces had been killed, sentences had already been issued, with some upheld by the Supreme Court.[123]

58. Due to the lack of transparency of the Government, the exact number of individuals sentenced to death or facing charges that can carry the death penalty remains unknown. As at 31 December 2022, the Iranian authorities had executed two young men, sentenced to death at least 17 men on charges of *moharebeh* and *efsad-e fil-arz*, while 100 others were at risk of facing charges that could involve the death penalty.

59. The Special Rapporteur is appalled that, despite repeated appeals by human rights mechanisms, including by his mandate,[124] and by the international community, the

[117] See www.tasnimnews.com/fa/news/1401/08/02/2793158 (in Persian).
[118] See www.sharghdaily.com/fa/tiny/news-860073 (in Persian).
[119] See https://isna.ir/xdMNQm (in Persian).
[120] See https://kayhan.ir/fa/news/253003/227.
[121] See https://iranhr.net/en/articles/5578.
[122] See www.mizan.news/4494511.
[123] See www.mizan.news/4532644.
[124] See www.ohchr.org/en/press-releases/2022/11/iran-stop-sentencing-peaceful-protesters-death-say-un-experts.

Government carried out two executions within a few days after the death sentences had been handed down. On 8 December 2022, the judiciary announced that Mohsen Shekari, 23 years old, had been hanged. He was sentenced to death on 1 November 2022.[125] His family was informed only after his execution. He was convicted on a charge of *moharebeh* for allegedly "blocking a street in Tehran, creating fear and depriving people of freedom and security, and intentionally wounding a security agent with a cold weapon (knife)".[126] On 12 December 2022, the judiciary announced the public execution of Majdireza Rahanavard, 23 years old, on a charge of "*moharebeh* for allegedly fatally stabbing two Basij agents".[127] He was hanged in public only 23 days after his arrest on 19 November 2022. His only trial hearing started on 29 November 2022 before the Islamic revolutionary court in Mashhad, Khorasan-e Razavi Province. Before his court hearing, State media broadcast videos of him giving forced "confessions". In the videos, his arm could be seen in a cast, raising serious concerns that he had been subjected to torture.[128] Following his execution, degrading videos were also circulated showing him blindfolded just before his execution, surrounded by two men in black hoods asking him about his last wishes.[129] The circumstances of their executions were tantamount to acts of torture.

60. On 29 October 2022, six men, Mohammad Boroughani, Mohammad Ghobadlou, Saman Seydi (Yasin), Saeed Shirazi, Abolfazl Mehri Hossein Hajilou and Mohsen Rezazadeh Gharagholou, were brought before branch 15 of the Islamic revolutionary court in Tehran for a group trial. The official banner that appeared behind the judge identified the body that conducted the group trial as the "court for dealing with the charges against recent rioters". That banner revealed the highly biased position towards the defendants and undermined their presumption of innocence. Among them was Mr. Ghobadlou, 22 years old, who was sentenced to death for "corruption on earth". While he reportedly has a mental health condition, the court did not conduct adequate examinations into his mental health and he was denied his medication while being held in solitary confinement. There are serious concerns that he was subjected to torture and other ill-treatment. A forensic report, dated 20 October 2022, pointed to bruising and injuries on his body, which were assessed as having been sustained when he was in custody. The whereabouts of Mr. Seydi (Yasin), a rapper, were unknown for almost a week after his arrest on 2 October 2022. His sentence was also based on his confessions obtained through torture and ill-treatment.

61. Medical doctor Hamid Ghareh Hassanlou was sentenced to death and his wife, Farzane Ghareh Hassanlou, was sentenced to 25 years in exile in Ahvaz prison. The couple were tortured in order to extract a confession from Mr. Ghareh Hassanlou and to force Ms. Ghareh Hassanlou to make incriminating statements against him, which were used in court to convict him.[130] In another case, Manouchehr Mehman-Navaz was sentenced to death on a charge of *moharebeh* for allegedly setting fire to a State building during protests "with intent to confront the Islamic State".

62. The Special Rapporteur is concerned that several other individuals have been sentenced to death and are at risk of execution, including: Mansour Dahmardeh, Shoeib Mirbaluchzehi Rigi, Ebrahim Narouyi and Kambiz Kharout in Sistan va Baluchestan Province; Mohammad Ghobadlou, Saman Seydi and Mehdi Bahman in Tehran Province; Javad Rouhi, Arshia Takdastan and Mehdi Mohammadifard in Mazandaran Province; and Saeed Yaghoubi, Saleh Mirhashemi and Majid Kazemi in Isfahan Province.

[125] See https://isna.ir/xdMTZm.

[126] See www.amnesty.org/en/latest/news/2022/12/iran-horrifying-execution-of-young-protester-exposes-authorities-cruelty-and-risk-of-further-bloodshed.

[127] See https://khabaronline.ir/xjwtq (in Persian).

[128] See www.amnesty.org/en/latest/news/2022/12/iran-public-execution-of-majidreza-rahnavard-exposes-authorities-revenge-killings; https://p.dw.com/p/4KlLv; and www.radiofarda.com/a/32173915.html.

[129] See https://twitter.com/ksadjadpour/status/1603372103318773761?s=46&t=7MEaxRH79hDO_EWLfRZ2mQ.

[130] See https://en.iranhrs.org/hamid-and-farzaneh-ghareh-hassanlou-sentenced-to-death-and-prison.

III. Human rights concerns during the reporting period

A. Death penalty

63. The Special Rapporteur is alarmed at the sharp increase in executions in the country, in particular the exponential upsurge in the execution of drug offenders, the continuous execution of persons sentenced to death as child offenders, the resumption of public executions and the disproportionate use of the death penalty against persons belonging to ethnic and religious minorities during 2022. As of 4 December 2022, it was reported that at least 500 persons, including two persons sentenced as children and 13 women, had been executed in 2022,[131] the highest number of executions in the past five years. This is in comparison to at least 330 executions in 2021 and 267 in 2020.[132] Only 58 executions were reported by official sources for 2022. On 26 December 2022, a third person sentenced to death as a child was reportedly executed.[133]

64. The Special Rapporteur is extremely concerned at the sharp increase in the number of executions of drug offenders, estimated at 222 in 2022. This is in comparison to 126 in 2021 and 25 in 2020.[134]

65. Iranian authorities have continued to execute persons sentenced as children in violation of the State's international obligations under the Convention on the Rights of the Child[135] and the International Covenant on Civil and Political Rights.[136] Omid Alizehi, from the Baluch minority, and Mohammad Hossein Alizadeh, an Afghan national, both 17 at the time of the alleged offences, were executed in August 2022. Yousef Mirzavand was 16 years old at the time of his arrest; he was executed on 26 December 2022. At least 85 child offenders remain on death row.

66. On 1 September 2022, two lesbian, gay, bisexual and transgender rights activists, Zahra (Sareh) Sedighi and Elham Choobdar, were sentenced to death for vaguely worded and broadly defined charges of *efsad-e fil-arz*. A third co-defendant, Soheila Ashrafi from Urmia, currently held in Urmia Central Prison, is awaiting the verdict in her case.[137]

B. Ethnic, religious and other minorities

67. Ethnic minorities, including minority women, continued to be disproportionately affected by executions in 2022. At least 147 Baluchis, who only represent between 2 and 6 per cent of the total population, have reportedly been executed, representing 30 per cent of all executions, and more than half were executed on drug-related charges.

68. The Baha'i minority remained most severely persecuted, with a marked increase in arrests, targeting and victimization. The situation of more than a thousand Baha'is remained unresolved at various stages of the legal process. They were either waiting for a ruling on their cases or the enforcement thereof, including cases related to forms of harassment, such as arbitrary arrests; imprisonment and ill-treatment; raids on homes and confiscation of personal belongings; temporary release in lieu of unjustly heavy bail guarantees pending the conclusion of their trials; expulsion from or denial of entry to universities; raids on, and sealing of, business premises or refusal to issue work permits; confiscation of properties owned by Baha'is; confiscation and destruction of Baha'i cemeteries or continuous questioning of their ownership despite the presentation of legal deeds; prevention of the burial of deceased Baha'is; and many other instances that continue to entangle the Baha'is in the country's unjust judicial system.

69. Since July 2022, the 333 reported incidents of persecution included 80 arbitrary detentions, interrogations and unlawful arrests, and other incidents, such as beatings, workplace and home searches, confiscation and destruction of properties, denial of education,

[131] See https://iranhr.net/en/articles/5617.
[132] A/77/181, para. 10.
[133] See https://iranhr.net/en/articles/5677.
[134] See www.iranhr.net/en/articles/5170.
[135] Arts. 6 and 37 (a).
[136] Art. 6 (5).
[137] See https://iranhr.net/en/articles/5460.

economic pressure, court summonses and cemetery desecration. At least 92 Baha'is were in prison, including those under house arrest who were rigorously controlled with the use of electronic ankle bands. Those arrested include two former leaders of the Baha'i community, Mahvash Sabet and Fariba Kamalabadi, arrested on 31 July 2022; on 11 December 2022, they were sentenced to a second term of imprisonment for 10 years, after having already spent 10 years in prison.[138]

C. Continued arbitrary detention of foreign and dual nationals

70. The Special Rapporteur is extremely concerned at the arbitrary arrest, detention and harsh sentencing of foreign and dual nationals by the Iranian authorities, apparently to put pressure on foreign Governments for prisoner swaps or other returns. Swedish-Iranian national Ahmedreza Djalali, arbitrarily detained since 2016, remains at risk of execution.[139] In December 2022, Olivier Vandecasteele, a Belgium aid worker detained since February 2022, who was placed in solitary confinement, subjected to ill-treatment and inhumane conditions of detention, resulting in deteriorating health, was sentenced to 40 years of imprisonment and 74 lashes on charges of espionage. As of October 2022, at least 21 foreign and dual nationals reportedly remained detained, primarily on espionage charges,[140] among them are reportedly seven French nationals.[141] In November 2022, a spokesperson for the judiciary, Masoud Setayeshi, indicated that 40 foreign nationals had been arrested for their involvement in the protests.[142] Seven "British linked" individuals are among them.[143]

D. Accountability efforts for serious human rights violations

71. The Aban Tribunal, constituted to investigate human rights violations during the protests of November 2019, in its judgment of 1 November 2022, among other findings, unanimously established "beyond a reasonable doubt that the Iranian Government and the security forces … designed and implemented a plan to commit crimes against humanity of murder, imprisonment, enforced disappearances, torture and sexual violence in order to quell the protests and conceal the crimes committed".[144]

72. In July 2022, a Swedish court operating under the principle of universal jurisdiction convicted Hamid Nouri, a former prosecutor and prison official arrested at Stockholm airport in 2019, for his role in the torture and mass executions in the Islamic Republic of Iran during 1988, when reportedly thousands of political prisoners were executed on the orders of the then supreme leader, Ayatollah Khomeini. The court found Mr. Nouri guilty of war crimes and murder and sentenced him to life imprisonment.[145]

73. On 14 September 2022, a communication was submitted, under article 15 of the Rome Statute of the International Criminal Court, on behalf of the Association of Families of Flight PS752 Victims to the Office of the Prosecutor of the International Criminal Court, with information and evidence of potential war crimes and crimes against humanity committed by the Islamic Revolutionary Guard Corps, preceding and following the shooting down of the Ukrainian aircraft on 8 January 2020.[146]

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[138] See www.bic.org/news/unbelievable-injustice-mahvash-sabet-and-fariba-kamalabadi-sentenced-second-decade-prison-iran.

[139] A/77/181, para. 26; and A/HRC/WGAD/2017/92.

[140] See https://iranhumanrights.org/2018/05/who-are-the-dual-nationals-imprisoned-in-iran.

[141] See https://iranwire.com/en/politics/109748-two-more-french-nationals-held-in-iran-bringing-total-to-seven.

[142] See www.mehrnews.com/news/5637641 (in Persian).

[143] See www.theguardian.com/politics/2022/dec/26/british-dual-nations-urged-to-leave-iran-tehran-arrests-protest-crackdown.

[144] Aban Tribunal, Judgment, 1 November 2022, para. 552. Available at https://abantribunal.com/wp-content/uploads/2022/11/Aban-Judgment-Final.pdf.

[145] See www.aljazeera.com/news/2022/7/14/sweden-hands-life-sentence-to-ex-iranian-official-over-1988-purge.

[146] See www.theguardian.com/world/2022/sep/14/our-lives-are-destroyed-families-take-fight-for-truth-of-flight-752-to-icc.

E. Other concerning events

74. On 15 October 2022, incidents including a fire, explosions and shootings took place in the notorious Evin prison in Tehran, which holds political prisoners and foreign and dual nationals, resulting in at least eight deaths and more than 60 persons injured.[147] On 26 October 2022, at least 15 persons were reportedly killed and 40 injured in an attack at a Shia religious site in Shiraz, with the terrorist group Da'esh claiming responsibility.[148] On 12 August 2022, the author Salman Rushdie was stabbed multiple times in New York. Although the Iranian authorities denied any links with this attack, they continually uphold the 1989 fatwa by the late supreme leader, Ayatollah Khomeini, formally condemning Mr. Rushdie to death and, subsequent to the attack in August, blaming him for crossing a "red line" over Islam through his writings.[149]

IV. Conclusions and recommendations

75. **The Special Rapporteur pays tribute to all those who have continued to communicate information despite the heavy risks taken by all those in the Islamic Republic of Iran reporting on human rights violations. On the basis of the large amount of information and testimonies received and after having reviewed all available evidence, the Special Rapporteur presents the following conclusions:**

(a) **The so-called investigations into the death of Jina Mahsa Amini were neither credible nor transparent and have failed the minimum requirements of impartiality and independence.[150] Available evidence provided by various independent informants, as well as the reported comments from reliable medical sources, point to State culpability, violence and brutality;**

(b) **Since the start of the protests, the highest levels of the State have instigated violence and instructed the security forces to "confront the enemies". In line with these martial instructions, Iranian security forces, in what appears to be a policy followed in all regions of the country and particularly in Kurdish and Baluchi regions, have killed hundreds of protestors, including children. These killings amount to arbitrary deprivation of life in violation of article 6 of the International Covenant on Civil and Political Rights, to which the Islamic Republic of Iran is a State party;[151]**

(c) **In breach of its international obligation guaranteeing the right not to be subjected to arbitrary arrest or detention, the Iranian authorities have proceeded to the mass arrest and detention of thousands of persons as a punishment for the legitimate exercise of their rights to freedom of expression and opinion, peaceful assembly and association, specifically targeting students, human rights defenders, civil society activists, journalists and lawyers. The Iranian authorities have also violated their obligations under the Convention on the Rights of the Child by arresting and arbitrarily detaining children taking part in demonstrations and sending them to "psychological centres" for correctional purposes or to adult detention centres;**

(d) **The Special Rapporteur is alarmed at the execution of two protesters and the reported sentencing to death of several others after sham trials, violating the right to a fair trial and denying the right to due process. He reiterates that all death sentences and consequent executions constitute arbitrary deprivation of life;**

(e) **Reports of systematic torture and ill-treatment of protesters, including allegations of gender-based and sexual violence and rape and torture of children and**

[147] See www.reuters.com/world/middle-east/exclusive-deadly-iran-jail-fire-erupted-police-clashed-with-inmates-sources-say-2022-10-20.

[148] See www.aljazeera.com/news/2022/10/26/attack-on-shiraz-shrine-kills-15-iranian-state-media.

[149] See www.theguardian.com/books/2022/aug/15/iran-says-salman-rushdie-and-supporters-to-blame-for-his-attack.

[150] Human Rights Committee, general comment No. 36 (2018), para. 28.

[151] Ibid., paras. 13 and 17.

young persons, are deeply shocking and perpetrators of these very grave crimes in international law must be identified and held accountable;

(f) **Severe violations of the rights to life, liberty and security of person, the right not to be subjected to torture or cruel, inhuman or degrading treatment or punishment, the right not to be subjected to rape and other forms of sexual violence, and the right not to be subjected to arbitrary arrest or detention have been documented since the start of the protests as part of an apparent policy instigated at the highest level of the State to crush the protests at all costs. The scale and gravity of these violations point to the possible commission of international crimes, notably the crimes against humanity of murder, imprisonment, enforced disappearances, torture, rape and sexual violence, and persecution.**

A. Recommendations to the Government of the Islamic Republic of Iran

76. **The Special Rapporteur recommends that the Government, the judiciary and the parliament as appropriate:**

(a) **Accept full responsibility for the death in custody of Jina Mahsa Amini and take immediate appropriate remedial actions; conduct an independent, impartial, thorough, effective, credible and transparent investigation into her death and ensure that all perpetrators responsible are held accountable;**

(b) **Ensure that lethal force is used only when strictly unavoidable to protect life, in accordance with principle 9 of the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, and that everyone is allowed to participate in lawful and peaceful assemblies, in accordance with article 21 of the International Covenant on Civil and Political Rights;**

(c) **Immediately release all those arrested, detained and sentenced and, in particular, those sentenced to death, since 16 September 2022, for the peaceful exercise of their rights to freedom of opinion, expression, assembly and association;**

(d) **Immediately end all forms of violence, torture and ill-treatment of protesters, including sexual violence and harassment of girls and women, issue urgent instructions to all law enforcement and prison authorities in this respect and ensure that all perpetrators responsible for violence, torture and ill-treatment, including sexual violence and harassment of girls and women, are held accountable;**

(e) **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 the right to a fair trial, in accordance with article 14 of the International Covenant on Civil and Political Rights; 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 accepted as evidence; and ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.**

77. **The Special Rapporteur also recommends that the Iranian authorities:**

(a) **Immediately abolish, through legislation, the death penalty for all offences and, pending abolition of the death penalty, impose an immediate moratorium on executions, including executions for drug offenders, and commute all death sentences;**

(b) **Amend the Constitution, repeal existing gender-discriminatory laws, including regulations that impose mandatory dress codes, and abolish all regulations and procedures whereby women's dress or behaviour in public or private life are monitored or controlled by State agencies, and introduce laws and policies to ensure complete equality for women and girls in public affairs, including in employment and in personal and family laws, and introduce effective legislation and administrative policies to end violence against women and girls, including by repealing legislation that mitigates, or exonerates perpetrators of, gender-based violence;**

(c) **Ratify the Convention on the Elimination of All Forms of Discrimination against Women without reservations and ensure that domestic laws and practices are in full compliance with this Convention and with other international obligations;**

(d) **Ensure that human rights defenders, including women human rights defenders, lawyers, journalists, and foreign and dual nationals and their families are not threatened with or subjected to harassment, violence, arbitrary arrest, deprivation of liberty or life or other arbitrary sanctions and immediately release all those arbitrarily detained or arrested;**

(e) **Protect the rights of all persons belonging to ethnic, religious and sexual minorities; eliminate all forms of discrimination against them in law and in practice and release all those imprisoned for exercising their right to freedom of religion or belief, to enjoy their own culture or to use their own language;**

(f) **Immediately release all foreign and dual nationals arbitrarily detained;**

(g) **Take all measures necessary to mitigate the effects of sanctions, meet the Government's obligations concerning economic and social rights, including those related to the protection of vulnerable groups, and establish transparent financial mechanisms to ensure that trade in medicines and other essential humanitarian items continues;**

(h) **Restore full engagement and cooperation with the Special Rapporteur and fully cooperate with the international fact-finding mission, including by allowing the Special Rapporteur and the fact-finding mission to conduct visits to the country.**

B. Recommendations to the international community

78. **The Special Rapporteur urges the international community to continue to prioritize human rights issues, including by:**

(a) **Supporting accountability efforts with respect to human rights violations and possible crimes under international criminal law committed since the start of the protests in September 2022, as well as calling for accountability with respect to long-standing emblematic events that have been met with persistent impunity, including the enforced disappearances and summary and arbitrary executions of 1988 and the protests of November 2019;**

(b) **Fully engaging with the Iranian authorities within United Nations mechanisms, in particular the Human Rights Council, and in bilateral and multilateral arrangements;**

(c) **Continuing to apply targeted sanctions for organizations and individuals that carry out serious violations of human rights and to make full use of the principle of universal jurisdiction to ensure accountability for perpetrators of human rights violations and crimes under international law;**

(d) **Supporting Iranian people by further enhancing provisions for access to the Internet.**

79. **The Special Rapporteur urges States imposing 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.**