
Universal Periodic Review (UPR) Stakeholder Submissions

Freedom of opinion, expression, and peaceful assembly

**SUBMISSION TO THE UNITED NATIONS
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ISLAMIC REPUBLIC OF IRAN**

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PEN America

IMPACT IRAN

Impact Iran



ARTICLE 19



All Human Rights for
All in Iran

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About the Submitting NGOs

PEN America stands at the intersection of literature and human rights to protect free expression in the United States and worldwide. We champion the freedom to write, recognising the power of the word to transform the world. Our mission is to unite writers and their allies to celebrate creative expression and defend the liberties that make it possible. Founded in 1922, PEN America is the largest of the more than 100 centers worldwide that make up the PEN International network. PEN America works to ensure that people everywhere have the freedom to create literature, to convey information and ideas, to express their views, and to access the views, ideas, and literatures of others.



Impact Iran is a coalition of 19 non-governmental organizations committed to advocating for human rights and driving positive change in Iran. Our coalition represents a diverse group of passionate individuals and organizations committed to amplifying the voices of Iranian civil society on the global stage. Each member organization brings unique expertise and experience to our collective mission, creating a powerful force for advocating for the rights and dignity of all individuals in Iran.

The logo for Impact Iran, consisting of the words "IMPACT IRAN" in white, uppercase letters on a solid orange rectangular background.

IMPACT IRAN

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

The logo for ARTICLE 19, featuring the words "ARTICLE 19" in white, uppercase letters on a red, stylized banner shape.

ARTICLE 19

The non-governmental organization **All Human Rights for All in Iran** was established in 2017. The history of this organization goes back to 2010 when a group of human rights defenders gathered in Geneva during the first Cycle of the Universal Periodic Review (UPR) of the Islamic Republic of Iran. We then began a project with the non-governmental Austrian organization Verein Südwind Entwicklungspolitik, participating in the Human Rights Council, delivering statements and organizing parallel events on human rights in the Islamic Republic of Iran through Südwind's support. This project, which had the financial support of the European Union and the Austrian Development Agency from 2012 to 2015, developed into our establishment as an organization. Working with our partners, we strive to improve the human rights situation in the Islamic Republic of Iran by drawing attention to the situation and its causes, at the local, regional, national, and international levels.

The logo for All Human Rights for All in Iran, featuring the words "ALL HUMAN RIGHTS FOR ALL IN IRAN" in white, uppercase letters on a black rectangular background.

ALL HUMAN
RIGHTS FOR
ALL IN IRAN

1. Introduction

1. In the 2019 report of the Working Group on the Universal Periodic Review (“UPR”) on the Islamic Republic of Iran (3rd cycle), Member States issued **at least 26 recommendations to the Government that explicitly refer to the rights to freedom of opinion, expression, peaceful assembly and association, access to information as well as human rights defenders, lawyers and media workers and the conduct of their work**. Iran “supported” six¹ and “noted” or “not supported” 20.²
2. Iran remains one of the most restrictive countries in the world regarding freedom of expression. In 2023, it ranked 147th out of 161 countries in ARTICLE 19’s Global Expression Report.³ Rights monitors have extensively documented recurring patterns of repressive and violent responses from State authorities to protests, with the use of unnecessary, disproportionate, and unlawful, including lethal force by security and police forces, unlawful killings and extrajudicial executions, large-scale arbitrary arrests, torture, and ill-treatment, gender-based and sexual violence, violations of fair trial and due process rights. State authorities have also increasingly used the death penalty as a tool of political repression, aimed at deterring those seeking to publicly voice opposition to State policies or the Government more generally. The State’s systemic failure to ensure accountability has been persistently documented. Authorities have taken concerted action to conceal the truth, prevent timely, independent reporting of violations including casualties, and undertaken arrests and trials of protesters while silencing those seeking accountability, including justice-seeking families. No senior official has ever been held to account in Iran for the grave human rights violations and crimes under international law committed, including in the context of the protests that have taken over the past four decades, feeding into the cycle of impunity.
3. In its March 2024 report, the Independent International Fact-Finding Mission on the Islamic Republic of Iran (“FFMI”) found that “many of the serious human rights violations it found in the context of the protests that began on 16 September 2022 also amount to crimes against humanity, specifically those of murder, imprisonment, torture, rape and other forms of sexual violence, persecution, enforced disappearance, and other inhumane acts, that have been committed as part of a widespread and systematic attack directed against a civilian population, namely women, girls and others expressing support for human rights.”⁴ Many of the patterns identified by the Mission have been repeatedly flagged by rights monitors over the years as the Government’s *modus operandi* for its responses to protests.

¹ A/HRC/43/12, 26.162, 26.167, 26.324, 26.325, 26.326, 26.329.

² A/HRC/43/12, paras. 26.140, 26.149, 26.150, 26.152, 26.155, 26.156, 26.157, 26.158, 26.159, 26.160, 26.161, 26.163, 26.164, 26.165, 26.166, 26.168, 26.169, 26.179, 26.327, 26.328.

³ ARTICLE19, “[The Global Expression Report 2023](#),” 05 July 2023.

⁴ A/HRC/55/CRP.1, para. 1615.

2. Freedom of Expression and Peaceful Assembly

a. Legal Framework

4. In the 2019 report of the Working Group on the UPR on the Islamic Republic of Iran (3rd cycle) the Islamic Republic of Iran received **at least seven recommendations** specifically calling on the Government to adopt measures and align its domestic legislation relating to the right to freedom of expression and opinion, including the Islamic Penal Code, with the provisions of the International Covenant on Civil and Political Rights ("ICCPR").⁵ **The Government did not support any of those recommendations.** Based on the documentation detailed below, the drafters of the present submission assess that **none of these recommendations have been implemented.**
5. Iranian domestic legislation governing the rights to freedom of opinion, expression, and peaceful assembly, consistently criticized by UN experts for being vague and overly broad, grants Iranian authorities considerable leeway to silence free expression and suppress dissent. Human rights defenders, journalists, activists, and those exercising their human rights to freedom of expression are subjected to severe penalties, including long prison sentences, flogging (which constitutes torture), and even capital punishment, following unfair trials disregarding the most basic guarantees of fair trial and due process.
6. Yet, the Islamic Republic of Iran affirmed that "per Articles 24 and 27 of the Constitution, individuals and members of the civil society shall not be prosecuted by law for peacefully exercising their rights in accordance with the related rules and regulations."⁶ This affirmation is emblematic of the Islamic Republic of Iran's conditional and severely restrictive approach to free expression and peaceful assembly. Article 24 of Iran's Constitution claims to protect freedom of expression, but its exception for content "harmful to the principles of Islam or the rights of the public" allows for widespread censorship. While Article 27 of the Constitution ostensibly protects the right to freedom of peaceful assembly, the guarantee falls short of international standards by requiring that participants are not "in violation of the fundamental principles of Islam". Article 40 further allows for restrictions of rights, including peaceful assembly, if their exercise is deemed "injurious to others" or "detrimental to public interests."⁷ These conditions fail to meet requirements of international standards that limitations are necessary and proportionate, and in pursuit of one of a limited number of narrowly-drawn legitimate aims, per Article 19 of the ICCPR.
7. Similarly, the 2013 Islamic Penal Code⁸ maintains numerous vaguely worded provisions that in effect criminalize the exercise of the rights to freedom of opinion, expression, and peaceful assembly, and grant authorities broad interpretive powers to suppress dissent and peaceful activism. Among the most problematic provisions are Articles 262 and 286, respectively subjecting "insulting the Great Prophet of Islam" or imams and "sowing corruption on earth"

⁵ A/HRC/43/12, paras. 26.155, 26.156, 26.158, 26.159, 26.160, 26.166, 26.179.

⁶ A/HRC/43/12/Add.1 Para. 17.

⁷ "The Constitution of Islamic Republic of Iran", Iran Chambers Society, available at: <http://www.iranchamber.com/government/laws/constitution.php>.

⁸ The Islamic Penal Code available at: http://rc.majlis.ir/fa/law/print_version/845048.

to the death penalty. The latter include acts such as “spreading lies” when it disrupts public order and national security. Articles 498 and 610 criminalize forming a group or “gathering and colluding” that aim to “conspire” against the state or perturb national security. Articles 500, 513, and 514 punish anti-state “propaganda” and insulting the “sacred values of Islam,” religious figures or the Supreme Leader. Articles 638 and 639 impose penalties, including flogging, for breaching religious rules, such as not wearing the mandatory hijab, and for encouraging others to “violate public morals.”

8. Many domestic provisions criminalize protected rights while the ambiguity in language of national security offenses further enables the Iranian authorities to leverage these charges against protesters and others exercising their human rights, in particular against those promoting the human rights of members of ethnic minorities, or drawing attention to the government’s failure to respect the rights of minorities, and to discredit legitimate grievances as acts of “terrorism” or “separatism” or a threat to national integrity.
9. In addition, under Article 2 of the Law on Political Crimes, adopted in 2016, participation in an unauthorized assembly, even if it is peaceful, can effectively be considered a political offence.⁹ Unauthorized assemblies had previously been prohibited under the 1981 Law on the Activities of Parties, Populations and Political and Trade Unions and Islamic Associations or Recognised Religious Minorities.¹⁰

b. Recent legislative developments

10. International human rights law protects the right of women and girls to choose and express themselves freely, including by wearing or not wearing the *hijab*. Instead of taking steps to eliminate discrimination in law and practice, the government is currently in the process of introducing and/or reviewing draft laws that would add new restrictive and punitive measures to an already extensive body of laws and policies that criminalize protected rights including non-adherence to and protesting discriminatory and degrading compulsory veiling laws as well as challenging state laws and policies that discriminate against women and girls.
11. The “Bill to Support the Family by Promoting the Culture of Chastity and Hijab” was proposed on 21 May 2023 by the Government and the judiciary before parliament with the intention of further reinforcing public veiling requirements for women and girls. Since then, the Bill has undergone several amendments, including by expanding its provisions from 15 to 70 articles. The Bill criminalizes the exercise of human rights by defining as offenses acts such as “promotion of nudity, lack of chastity, lack of hijab, bad-dressing and acts against public decency that leads to disturbance of peace” (article 1, 10, 15, 21, 26, 38, 39).
12. A draft bill on Discretionary Punishments (which, if enacted, will replace the existing Book Five of the Islamic Penal Code) was reportedly prepared by the Judiciary’s Legal and Parliamentary Affairs Deputy Office and sent to the Government for review in December 2022. Among many problematic provisions, Article 179 of the draft bill would target “any individual who, online or

⁹ The 2016 Law on Political Crimes, available at: <https://rc.majlis.ir/fa/law/show/968421>.

¹⁰ The 1981 Law on the Activities of Parties, Populations and Political and Trade Unions and Islamic Associations or Recognised Religious Minorities, available at: <https://rc.majlis.ir/fa/law/show/90226>.

offline, incites *bi-hijabi* [non-adherence to mandatory hijab] in any manner” and subject them to punishments such as imprisonment, flogging, a fine, and dismissal from governmental or public positions. As of July 2024, the draft Bill was still under governmental review and had not been formally introduced before Parliament.¹¹

13. In January 2021, the Parliament added two supplementary provisions to the Islamic Penal Code criminalizing “insulting legally-recognized religions, Islamic branches, and Iranian ethnicities” and, inter alia, “deviant educational or proselytizing activity that contradicts or interferes with the sacred religion of Islam”. These supplementary Articles further restrict free expression and religion or belief in Iran and aggravate an already extremely restrictive legal framework that authorities rely on to silence dissent and minority rights activism. The enactment of these amendments has raised significant concerns among human rights monitors, as they further extend the reach of state surveillance and control over personal beliefs and cultural expressions. Critics argue that rather than promoting tolerance and protection, these amendments provide new tools for authorities to target dissidents and the already persecuted minority communities under the pretext of preserving national harmony.¹²

c. In practice

Arbitrary arrests of those exercising their right to freedom of expression

14. The Islamic Republic of Iran received **at least 10 recommendations calling on the Government to release all detainees who have been imprisoned for exercising their rights** to freedom of expression and peaceful assembly and to hold those responsible for arbitrary arrests, detentions and acts of torture and ill-treatment against detainees to account.¹³
15. The Iran Prison Atlas database, managed by the NGO United for Iran, recorded the details of 1,305 prisoners detained on politically motivated charges in Iran as of July 2024. Tens of thousands of individuals were arrested only in connection with the “Woman, Life, Freedom” protests. In 2023, the UN Working Group on Arbitrary Detention observed “that vague and overly broad laws are consistently used in the Islamic Republic of Iran to criminalize the exercise of the rights to freedom of expression, association and peaceful assembly” a situation it had already denounced in 2021¹⁴ and 2018.¹⁵ Those who belong to minority or marginalized communities, and experience one or more forms of discrimination, including on the basis of religion or belief, ethnicity, political opinion, sex, gender identity or sexual orientation, are at particularly high risk of reprisal for exercising their rights.
16. **Emblematic case of Baktash Abtin:** Mr. Abtin, poet, screenwriter, filmmaker, and a board member of the Iranian Writers’ Association (IWA), died on 8 January 2022 in state custody as a

¹¹ “Iran: Siege on women and girls intensifies as authorities deceive the world”, ARTICLE 19, 12 April 2023; Report of the Secretary-General on the situation of human rights in the Islamic Republic of Iran, A/HRC/53/23, para. 42, 15 June 2023.

¹² Article 19, “Iran: New Penal Code provisions as tools for further attacks on the rights to freedom of expression, religion, and belief”, 6 July 2022.

¹³ [A/HRC/43/12](#), paras. 26.140, 26.149, 26.150, 26.155, 26.163, 26.157, 26.159, 26.163, 26.169.

¹⁴ [A/HRC/WGAD/2021/85](#), para.41.

¹⁵ [A/HRC/WGAD/2018/19](#), para. 33.

result of repeated state refusal to provide him with adequate medical care after he contracted COVID-19.¹⁶ He had been imprisoned for 16 months on the charges of “gathering and colluding to commit crimes against national security” and “propaganda against the State”. The UN Working Group on Arbitrary Detention, following a complaint submitted by PEN America and the Raoul Wallenberg Centre for Human Rights,¹⁷ concluded that the deprivation of liberty of Baktash Abtin, together with three other members of the IWA, Keyvan Bajan, Reza Khandan Mahabadi, and Arash Ganji, was arbitrary.¹⁸

Patterns of unlawful force, including lethal force, against protesters

17. **November 2019:** on 14 November 2019, the Government announced the increase in prices of subsidized fuel by 50% and its rationing. The announcement triggered country-wide protests with people taking to the streets against corruption, political repression, high inflation and long-standing and generalized economic hardship. The protests were met with the use of unlawful force, including lethal force by state authorities throughout the country, resulting in unlawful and extrajudicial killings and severe injuries, with minority provinces being disproportionately affected.¹⁹ Around 7,000 persons were arrested and detained according to a spokesperson for Iran’s Parliamentary Committee for National Security and Foreign Policy. Many were tried in proceedings failing to adhere to the most basic fair trial and due process guarantees with some resulting in the pronouncement and implementation of death sentences. Authorities subjected many to draconian prison sentences on vague grounds in connection with their participation in and/or support of the protests.
18. **July 2021:**²⁰ On 15 July 2021, protests broke out in at least 26 cities in Khuzestan province, majoritarily populated with ethnic Ahwazi Arabs, over water shortages, as well as grievances over restrictions to basic human rights and political governance. Security forces unlawfully used lethal force, including live ammunition and metal pellets, to crush the protests, killing and and injuring protesters.²¹ In November 2021, several protests took place in Isfahan, culminating with thousands of farmers and others rallying on 19 November, to decry the drying up of the Zayandehrood river, the diversion of its water to neighboring provinces, and the impact of drought on local livelihoods. The protests were also violently repressed by security forces who used ammunition violating the absolute prohibition on torture and ill-treatment, including metal pellets, leading to head, face, and eye injuries and the arrest of at least 200 individuals.²²
19. **May 2022:** In early May 2022, protests over rising food prices began in Khuzestan province and spread to Chaharmahal and Bakhtiari province in southwestern Iran. Additional protests occurred between 23 and 31 May in Abadan, Khuzestan, following a deadly collapse of a

¹⁶ <https://pen.org/advocacy-case/baktash-abtin-keyvan-bajan-reza-khandan-mahabadi/>

¹⁷ <https://pen.org/press-release/un-ruling-demands-iran-release-persecuted-writers/>

¹⁸ [A/HRC/WGAD/2022/46](https://www.hrc.org/report/a/hrc/wgad/2022/46)

¹⁹ Amnesty International “[IRAN: DETAILS OF 321 DEATHS IN CRACKDOWN ON NOVEMBER 2019 PROTESTS](#)” 29 July 2022.

²⁰ [IRN 37/2021](#)

²¹ Amnesty International, [Iran: Security forces use live ammunition and birdshot to crush Khuzestan protests, 23 July 2021](#); ARTICLE 19, [Iran: Bullets, detention and shutdowns: the authorities’ response to protests in Khuzestan](#), 28 July 2021.

²² [A/HRC/49/75](#)

building. Iran's security forces used unlawful force, including live ammunition, birdshot, tear gas, and water cannons, to suppress the protests. Authorities also imposed localized internet shutdowns and mobile network disruptions. This violent repression resulted in at least four deaths and more injuries.²³

20. **September 2022:** On 16 September 2022, 22-year-old Kurdish woman Jina Amini – also known by her government registered name Mahsa Amini – died in custody after she was arrested and detained by Iran's so-called “morality police” for allegedly not wearing the “proper” *hijab*. The FFMI established that Iran's security forces used a range of weapons and ammunition, including military grade weapons such as assault rifles and submachine guns, as well as birdshot and metal pellets, killing hundreds of protesters and bystanders, including children, and severely injuring many more.²⁴ It concluded that the authorities committed the crimes against humanity, including of murder, in the context of the protests. A majority of casualties and arrests affected members of minorities, including Kurds and Baluchis.²⁵ The Government arbitrarily executed at least nine men in connection with the protests.

3. Media Freedom and Safety of Journalists

21. In the 2019 report of the Working Group on the Universal Periodic Review on the Islamic Republic of Iran, **the Government received two recommendations** explicitly calling on the state to cease the censorship of the media, guarantee the freedom of expression of journalists without reprisal²⁶, **which the Islamic Republic did not support**. On the other hand, the Government **supported three recommendations** calling on the state to “implement legislation that seeks to promote and protect the rights to freedom of the media, speech and religion”²⁷, “protect human rights defenders and media workers”²⁸ and “to hold to account the perpetrators of intimidation and reprisals against human rights defenders and journalists”²⁹. The drafters of this submission assess that **none of the recommendations have been implemented** by the Islamic Republic of Iran since 2019.

a. Legal framework

22. The 1986 Press Law and its subsequent amendments significantly obstruct independent media,³⁰ threatening outlets with forced closure by judicial order for potential infringements of the law, encouraging self-censorship. The Press Law limits the publication of material deemed critical of key political figures, including the Supreme Leader and the President. The law

²³ Amnesty International, “[Iran: They are shooting brazenly: Iran’s militarized response to May 2022 protests](#)” 3 August 2022.

²⁴ United 4 Iran, [Iran Prison Atlas](#).

²⁵ <https://sammyjamie94.wixsite.com/kmmk-ge>

²⁶ [A/HRC/43/12](#), paras. 26.158, 26.168

²⁷ [A/HRC/43/12](#), para. 26.162

²⁸ [A/HRC/43/12](#), para. 26.326

²⁹ [A/HRC/43/12](#), para. 26.324

³⁰ The Press Law and its subsequent amendments up until 2002 is available at : <http://irandataportal.syr.edu/press-law>.

mentions that publications should “duly [observe] Islamic criteria and public and private rights”, thus restricting and criminalizing critical reporting. It also provides twelve conditions under which the press might be censored, including “publishing heretical articles”, “spreading fornication and forbidden practices”, and “propagating and spreading overconsumption”.³¹

23. Although the Government supported a recommendation to “Implement fully the relevant laws to hold to account the perpetrators of intimidation and reprisals against human rights defenders and journalists”,³² there is no evidence indicating any action in that direction since 2019. Article 4 of the Press Law states that “No government or non-governmental authority has the right to impose pressure on the press or to censor and control the press in order to publish an article.” Article 5 also states that those in violation of Article 4 shall be sentenced to up to two years’ dismissal from office or permanent dismissal from public service if their violations are repeated. Despite these laws and numerous reports that indicate pressure and censorship done by security and judicial authorities, no government or non-governmental official has been tried under these articles so far.

b. In practice: the repression of journalists

24. Iran ranks 177 out of 180 in Reporters without Borders’ Press Freedom Index.³³ Iranian authorities continuously retaliate against journalists perceived as criticising the state, promoting minority or oppositional viewpoints, and reporting on corruption or human rights violations. Violations of the rights of those who voice dissent include denial of access to legal counsel, use of torture including to extract forced confessions, lengthy detention without charge, and privacy violations. For every journalist subject to judicial harassment, many more are intimidated into self-censorship in fear of reprisal. Estimates suggest hundreds of journalists have been jailed since 2011. Among emblematic cases are:

- a. After 17 months in jail, journalists **Niloufar Hamed** and **Elaheh Mohammadi** were released on bail in January 2024 following lodging an appeal against their sentences of 13 and 12 years respectively. They were sentenced by a Revolutionary Court in 2023 which found them guilty of “spreading propaganda”; “gathering and colluding to commit crimes against national security”; and “collaborating with a hostile government” in connection with their coverage of the arrest and death in custody of Jina Mahsa Amini. The two women are among the 30 women journalists who have been interrogated, arrested or jailed in Iran since 16 September 2022 for their coverage of Ms. Amini’s death and the “Woman, Life, Freedom” protest movement. At least 80 journalists have been detained since then.³⁴ Women journalists, including those reporting from outside Iran, faced serious threats with attacks ranging from death threats to invasive comments targeting their personal lives.

³¹ Iranian Press Law, Article 6.

³² [A/HRC/43/12](#), para. 26.324.

³³ Reporters without Borders, “[Country fact-file: Iran.](#)”

³⁴ <https://rsf.org/en/rearrests-two-pardoned-journalists-shows-any-freedom-iran-conditional>

- b. On 5 March 2023, **Ali Pourtabatabaei**, a prominent journalist in Qom, was arrested by Iran's Revolutionary Guard Corps for investigating the poisoning attacks on school girls.³⁵ In a press release issued on 16 March 2023, the UN human rights special procedures expressed grave concern about his arrest and the fact that his fate remained unknown. Mr. Pourtabatabaei was released on 16 April 2023. However, he was tried on 10 August 2023 on charges of "spreading lies" for his reporting on school poisonings in Iran.

4. Freedom of Expression Online

25. As concluded by the FFMI "The gradual closing of the digital space over the last two decades, has increasingly become part of the Government's armoury of tools and tactics for silencing and punishing those protesting or acting in solidarity as well as shielding themselves from accountability."³⁶

a. Legal framework

26. Iran's domestic legal framework allows a wide range of Government security institutions unchecked control over access of people in Iran to cyberspace as well as regulating content. The restrictions on online expression imposed by the Computer Crimes Law and its criminalization of content protected by international human rights law, violate article 19 of the ICCPR.³⁷ Grounds such as "chastity" and "public morality", "propaganda against the system" or content against officials and governmental and public institutions do not constitute legitimate grounds for restrictions under Article 19(3) ICCPR. This is further exacerbated by the lack of opportunities for appeal or independent oversight of decisions related to such restrictions.
27. Under the Computer Crimes Law, women may face penalties for "insulting morality and public decency" and "publishing immodest pictures on social media" with non-compliance with mandatory *hijab* online and punishment such as bans on media and online social activities.³⁸
28. Read in conjunction with provisions in the Islamic Penal Code and the Press Law, provisions of the Computer Crimes Law either fall within the scope of protected conduct or lend itself to broad interpretation to potentially include conduct that would fall within the scope of protected freedom of expression under international human rights law.³⁹
29. The continued development of the National Information Network (NIN), a project which the authorities say aims to create a national 'secure' and 'clean' Internet, has had a major role in facilitating Internet shutdowns. NIN has given the government the confidence to eliminate

³⁵ See "Iranian authorities arrest reporter who covered schoolgirl poisonings", RSF, 8 March 2023; See also "[The arrest of Ali Portbatabaei, following the serial poisoning in the schools of Qom](#)", Radio Farda, 15 March 2023.

³⁶ FFMI CRP para 1197.

³⁷ See, "Islamic Republic of Iran: Computer Crimes Law", p.17 ARTICLE 19, 2012.

³⁸ "Islamic Republic of Iran: Computer Crimes Law", ARTICLE 19, 2012.

³⁹ Such "offences" could include those pertaining to "insulting religion" (Article 513), "spreading false rumours or writing about acts that are not true", (Article 698).

access to free and unrestricted international traffic during critical moments like protests, as the majority of national infrastructure remains on Iran's NIN, such as banking, e-commerce, national and insecure messaging and social media, as well as hospital networks. Aggressive policies to favor and subsidize use of national platforms hosted on NIN, including local social media and messaging platforms, is of particular concern given broad content-based criminal offenses, criminalisation of encryption technologies, and wide-reaching surveillance enabled by the Computer Crimes Law of 2010.⁴⁰

b. Recent legislative developments

30. The Parliament is currently reviewing the "Protecting Internet Users' Privacy Bill," which would further restrict freedom of expression online and tighten regulations on foreign and domestic online platforms, effectively "isolat[ing] the country from the global internet," according to UN experts.⁴¹ Even though the Bill is still under review, the Supreme Council of Cyberspace has already issued directives that, in effect, implement some provisions of the Bill.⁴²
31. In August 2020, a Bill entitled: "Regulatory System for Cyberspace Services Bill" to regulate cyberspace in Iran, particularly the messaging platforms was tabled in Parliament. In January 2023, the Government of Iran stated that this Bill, which is known more widely as the "User Protection Bill", was "sent in the form of a draft to research centers for further examinations".⁴³ However, there have been reports that the provisions of the Bill are already being implemented. If enacted, the Bill risks leading to increased or even complete communication blackouts in Iran,⁴⁴ and carries a multitude of risks to the exercise of human rights, including freedom of expression, by increasing bandwidth limits, the control over access to online information as well as to digital technologies and online platforms.⁴⁵

⁴⁰ "Tightening the Net: Iran's National Internet Project," ARTICLE 19, 2016.
<https://www.article19.org/resources/tightening-the-net-irans-national-Internet-project/> "The Ayatollah Comes for the Internet," Mahsa Alimardani, 19 November 2019.
<https://www.nytimes.com/2019/11/19/opinion/iran-internet-ban.html>

⁴¹ <https://www.ohchr.org/en/press-releases/2022/03/un-human-rights-experts-urge-iran-abandon-restrictive-internet-bill>

⁴² <https://www.article19.org/resources/iran-draconian-internet-bill/>

⁴³ See response by the "High Council for Human rights of the Islamic Republic of Iran to Other Letter of the Special Rapporteur on freedom of expression and opinion", OL IRN 29/2021, 11 January 2023.

⁴⁴ See joint statement by 50+ Rights Groups, "Iran: Human Rights groups sound alarm against draconian Internet Bill", 17 March 2022.

⁴⁵ "Iran: Tightening the Net 2020. After Blood and Shutdowns", p. 14, ARTICLE 19, September 2020, "Tightening the Net: Concerning Moves to Enforce User Protection Bill", ARTICLE 19, 4 November 2021.

c. In practice

Arrests of individuals for exercising their right to freedom of expression online

32. State authorities have a long history of arresting and prosecuting persons in connection with their online activities, including on social media platforms.⁴⁶ In response to online mobilization by the people, including influential voices in the creative community such as musicians, actors, and filmmakers, state authorities regularly summon, arrest, detain, prosecute, convict and sentence persons in connection with content posted on social media platforms. Judiciary officials and intelligence agents routinely subject civil and political activists, including activists who campaign on social media, as well as against journalists and women's rights activists, to torture and ill-treatment while in detention in particular to coerce them into "confessing" guilt to fabricated charges. Since the onset of the September 2022 protests, and more recently the death of Ebrahim Raisi, state surveillance of online activities has significantly ramped up, leading to the arrest and prosecution of numerous individuals for their digital expressions of dissent:
- a. Former literary editor and online activist **Hossein Shanbehzadeh** was arrested by Islamic Republic of Iran intelligence officials on 4 June 2024 in Ardabil, northwestern Iran. Iranian authorities have reportedly accused Shanbehzadeh of "espionage" and "insulting sanctities" in connection with posts on Facebook and X. During his incarceration, authorities have kept Hossein Shanbehzadeh in solitary confinement and tortured him in an attempt to force him to 'confess' to the fabricated charges brought against him.⁴⁷
 - b. **Saman Yassin**, a Kurdish musician and artist, was arrested on 2 October 2022, after vocally supporting the protests, including in several Instagram posts. Yassin was charged with "*moharebeh*" (waging war on God) and was initially sentenced to death, which was later overturned, though he remained in jail. He has reported that the authorities have subjected him to a catalogue of physical and psychological torture in detention, including mock executions and forced psychiatric hospitalization.
 - c. **Toomaj Salehi**, a rapper and vocal critic of the government, was similarly arrested in October 2022 and charged with crimes that are punishable by death, including "corruption on earth". Salehi was held in solitary confinement for 252 days before being transferred to the general ward of the prison. He has reported that he was subjected to torture while in custody. Salehi was sentenced to six years and three months in prison in July 2023.⁴⁸ In November 2023, Iran's Supreme Court struck down Salehi's six-year prison sentence, referred the case back to the court of first instance, and released him on bail. Iranian

⁴⁶ ARTICLE 19, "[Iran: Arrest of Instagram celebrities part of efforts towards filtering the platform](#)", 11 July 2018.

^[31]Committee to Protect Journalists, "Iranian authorities arrest journalist Mohammad Mosaed for tweets amid internet shutdown", 25 November 2019, Accessed at:

<https://cpj.org/2019/11/iranian-authorities-arrest-journalist-mohammad-mos.php>

^[32] Centre for Human Rights in Iran, "Iran Cracks Down on Instagram Celebrities as It Tightens Noose on Freedom of Speech and Expression", August 2019, Available at:

<https://iranhumanrights.org/2019/08/iran-cracks-down-on-instagram-celebrities-as-it-tightens-noose-on-freedom-of-speech-and-expression/>

⁴⁷<https://www.article19.org/resources/iran-hossein-shanbehzadeh-targeted-social-media-crackdown-continues/>

⁴⁸ <https://www.article19.org/resources/iran-protest-killings-plans-for-execution/>

security forces rearrested Salehi 12 days later after he spoke out about the torture he had endured while in detention.⁴⁹ He was sentenced to death by Isfahan's Revolutionary Court on 24 April 2024 on the charge of "corruption on earth". As of July 2024, his death sentence was overturned and his case was sent for retrial.

Internet shutdowns

33. Rights monitors have identified a pattern of internet disruptions and shutdowns to restrict connectivity in particular at protest times and locations since at least 2009. This has further deteriorated since the November 2019 protests. In many instances, the cities where internet shutdowns have been most extreme have witnessed authorities and security forces intensifying their use of unlawful and lethal force.
- a. Iran's 2019 November shutdowns were unprecedented in length and reach. The Supreme National Security Council had ordered a shutdown, with connectivity rates reportedly dropping to five per cent from their usual levels.⁵⁰ Between at least 16 and 20 November 2019, a near total Internet shutdown⁵¹ enabled an information blackout on the protests, limiting the ability of participants to communicate freely, including to document abuses by security forces, and placing barriers to international monitors – including UN human rights experts – and their efforts to document the unfolding situation in the country.⁵²
 - b. The Government resorted to similar internet shutdown tactics in the context of the protests triggered on 16 September 2022. Minority populated provinces, such as Kurdistan and Sistan and Baluchestan, were particularly subjected to internet disruptions. Internet connectivity was severely restricted, and almost shut down in Zahedan on 30 September 2022 during the Friday prayer, and in the lead-up to the "Bloody Friday"⁵³ - which resulted in the highest number of protest killings in one day during the protests - and continued disruptions after.

5. Protection of the right to privacy online

34. The Iranian government has continued to tighten its control over its Internet infrastructure in violation of international privacy standards.

⁴⁹ <https://www.sharghdaily.com/fa/tiny/news-905987>

⁵⁰ https://www.youtube.com/watch?v=pWlF3i_1Kl8 ; A/75/287, paras 14-21; A/HRC/43/61, paras 5-9; A/HRC/46/50, paras 14-18; A/HRC/47/22, paras 7, 27-29.

⁵¹ ARTICLE 19, "Iran: Tightening the Net 2020. After Blood and Shutdowns", September 2020 (between 16 and 21 November 2019), p. 17; Open Observatory of Network Interference, "Iran's nation-wide Internet blackout: Measurement data and technical observations", 23 November 2019.

⁵² <https://www.article19.org/wp-content/uploads/2020/09/TTN-report-2020.pdf>

⁵³ [A/HRC/55/CRP.1](#) para 1024 and Iran Human Rights Documentation Center "[Bloody Friday in Zahedan](#)", 19 October 2022.

a. Legal Framework

35. Article 10 of the Cyber Crime Law criminalizes “concealing data, changing passwords, and/or encoding data that could deny access of authorized individuals to data, computer and telecommunication systems.” The article is framed in such a broad way so as to essentially criminalize any technologies or practices, including encryption, that may obstruct state authorities’ ability to access data.
36. Draft legislation such as “Managing Social Messaging Apps”, which is under review by the Parliamentary Cultural Committee, if passed in its current form, threatens to grant further control of Iran’s internet infrastructure to security forces, and can also enforce the use of domestic messaging apps which lack privacy and data protections, and which are particularly prone to government surveillance.
37. The Iranian government has so far failed to implement comprehensive data protection in line with international standards.
38. The current legislative data protection and online privacy vacuum means that legal protections and safeguards are not available to those arrested or detained for their online activities, or for those impacted by data and privacy breaches.

b. Recent legislative developments

39. In October 2019, Iran’s top internet policy-making body, the Supreme Council for Cyberspace, passed the ‘Valid Identity System in Cyberspace’ resolution, which outlines its future plans to require all online interactions between two entities to be conducted using a valid form of ID, and traceable. Such a policy threatens to seriously undermine user privacy online, and if implemented fully, would effectively bring an end to online anonymity. This has serious implications for all internet users in Iran, but particularly for journalists and political activists.

c. In practice

40. Iranian authorities have resorted to a variety of digital means to prevent protests and punish protesters, including through Internet shutdowns and disruptions and various forms of online surveillance. They regularly use content available publicly on social media accounts to incriminate protesters as well as those obtained through surveillance on private messaging apps and monitoring of mobile connections and geolocalisation through phone apps.
41. Advanced surveillance technologies, including facial recognition software, were deployed in response to the “Woman, Life, Freedom” protests to identify and target protestors, as well as women and girls defying compulsory *hijab* laws, further stifling the movement and instilling fear among its supporters. Tactics included forced takeover of devices; the use of infrastructural systems to monitor mobile connections; as well as surveillance to monitor protesters and women in public spaces.

42. There have been reports about the use of national technologies such as locally-operated platforms for taxis or food delivery sharing user data with authorities to geolocate and arrest protesters and activists.⁵⁴ The use of private technology in the context of systematic and severe state repression further exacerbates existing concerns for freedom of expression and access to a safe and secure internet.
43. Rights monitors have also documented patterns of online surveillance, defamation, smear campaigns in the form of “doxing”, “trolling”, and online harassment targeting in particular human rights defenders, activists and those who criticize the Government. The Iranian authorities, far from combatting online violence, are suspected to be orchestrating online attacks against prominent journalists, activists, human rights defenders, and government critics.
44. Similarly, authorities have been increasingly resorting to a technological and automated approach to the implementation of new policies and new legislative initiatives such as the ‘Hijab and Chastity Bill’. Authorities have announced the use of facial recognition technology to monitor and penalize women for not adhering to discriminatory and degrading mandatory *hijab* laws.⁵⁵

6. Human Rights Lawyers and Defenders

45. Signaling a united concern among UN State Members, in the 2019 report of the Working Group on the UPR on the Islamic Republic of Iran (3rd cycle) the Islamic Republic of Iran received **at least 12 recommendations** relating to the situation of human rights defenders, lawyers, and journalists.
46. The Islamic Republic of Iran **did not support eight recommendations calling specifically to ensure the protection of human rights defenders, lawyers, and journalists**, including by ceasing arbitrary arrests and release those arbitrarily detained, end their harassment, including judicial harassment, and remove restrictions preventing them from conducting their peaceful human rights activities.⁵⁶ On the other hand, the Islamic Republic of Iran **supported five recommendations** calling on the Government to create an enabling environment⁵⁷ and ensure that human rights defenders, lawyers, and journalists are not subjected to intimidation or arbitrary arrest in connection with their work,⁵⁸ fully guarantee the right to freedom of expression⁵⁹ and to hold to account the perpetrators of intimidation and reprisals against them.⁶⁰ **The drafters of the submission assess that none of the 12 recommendations,**

⁵⁴ <https://twitter.com/1500tasvir/status/1579434816646549504>

⁵⁵ <https://www.article19.org/resources/iran-tech-enabled-hijab-and-chastity-law-will-further-punish-women>
<https://www.article19.org/resources/iran-tech-enabled-hijab-and-chastity-law-will-further-punish-women>

⁵⁶ 26.161; 26.165; 26.327; 26.179; 26.156; 26.157; 26.149; 26.150

⁵⁷ 26.325, 26.329

⁵⁸ 26.167.

⁵⁹ 26.326.

⁶⁰ 26.324.

supported and not, have been implemented by the Islamic Republic of Iran since its last UPR in 2019.

47. Authorities have systematically subjected human rights defenders, lawyers and journalists to threats, attacks, intimidation and harassment, arbitrary arrests and detention, torture and other ill-treatment, including sexual and gender-based violence, and unfair trials on national security or public order charges merely for speaking out or taking part in protests, and thus exercising their rights to freedom of expression, association, and peaceful assembly. Even when released after serving long prison sentences, human rights defenders, lawyers, and journalists have faced bans on their leaving the country, participating in gatherings, engaging in online communications, and on exercising their profession.

- a. Iran Human Rights NGO documented 150 cases of human rights defenders, lawyers, and journalists who have been harassed, intimidated, and imprisoned since the protests that began on September 16, 2022, and who have been “collectively sentenced to more than 541 years in prison and 577 lashes” solely for carrying out their work and activities.⁶¹ Human rights activist and 2023 Nobel Peace Prize Laureate **Narges Mohammadi** has been arrested 13 times, convicted five times, and received prison sentences totalling more than 35 years. Adding further cases brought against her in January 2022, October 2022, and January 2024, she has now been sentenced to 13 years and two months in prison, as well as 154 lashes on trumped-up charges, including “acting against national security.” She has been denied contact with her family since November 2023.⁶²
- b. PEN America’s Freedom to Write Index tracks the detention and imprisonment of writers around the world for their writing or otherwise exercising their freedom of expression.⁶³ Since the first edition of the Index was published in 2019, Iran has always ranked among the top four countries jailing writers. Organizations representing writers and opposing state censorship such as the Iranian Writers Association have faced consistent pressure and harassment. Writers including author **Narges Mohammadi**, translator **Anisha Asadollahi**, writer **Keyvan Mohtadi**, and poet **Golrokh Ebrahimi Iraee** have all been charged with “propaganda against the state” (Article 500) and, as of July 2024, remained imprisoned in connection with exercising their right to freedom of expression. In 2023, the government of Iran was responsible for jailing the most women writers of any country in the world, with at least 15 women behind bars for their writing. PEN America reports that in 2023, female writers and activists were sentenced and/or jailed for opposing mandatory *hijab* laws, including poet **Sepideh Rashnu**, who was sentenced in two cases in late 2023⁶⁴, and human rights advocate **Nasrin Sotoudeh**, who was briefly re-arrested in October 2023 while attending the funeral of Armita Geravand.⁶⁵ Meanwhile, women political prisoners such as **Mahvash Sabet** engaged in sustained writing and activism on themes of women’s and human rights from behind bars.

⁶¹ https://iranhr.net/media/files/HRD_2023_Eng_Final.pdf

⁶² <https://narges.foundation/freenarges/>

⁶³ <https://pen.org/report/freedom-to-write-index-2023/>

⁶⁴ <https://pen.org/press-release/pen-america-strongly-denounces-imprisonment-of-sepideh-rashno/>

⁶⁵ <https://pen.org/press-release/arrest-of-nasrin-sotoudeh-is-an-outrage/>