



IMPACT IRAN

Coalition Submission

To the UN Special Rapporteur on the situation of
human rights in the Islamic Republic of Iran

*Call for Submission - report to be submitted by the Special Rapporteur on the situation
of human rights in the Islamic Republic of Iran to the Human Rights Council*

55th Session, 2024

Summary

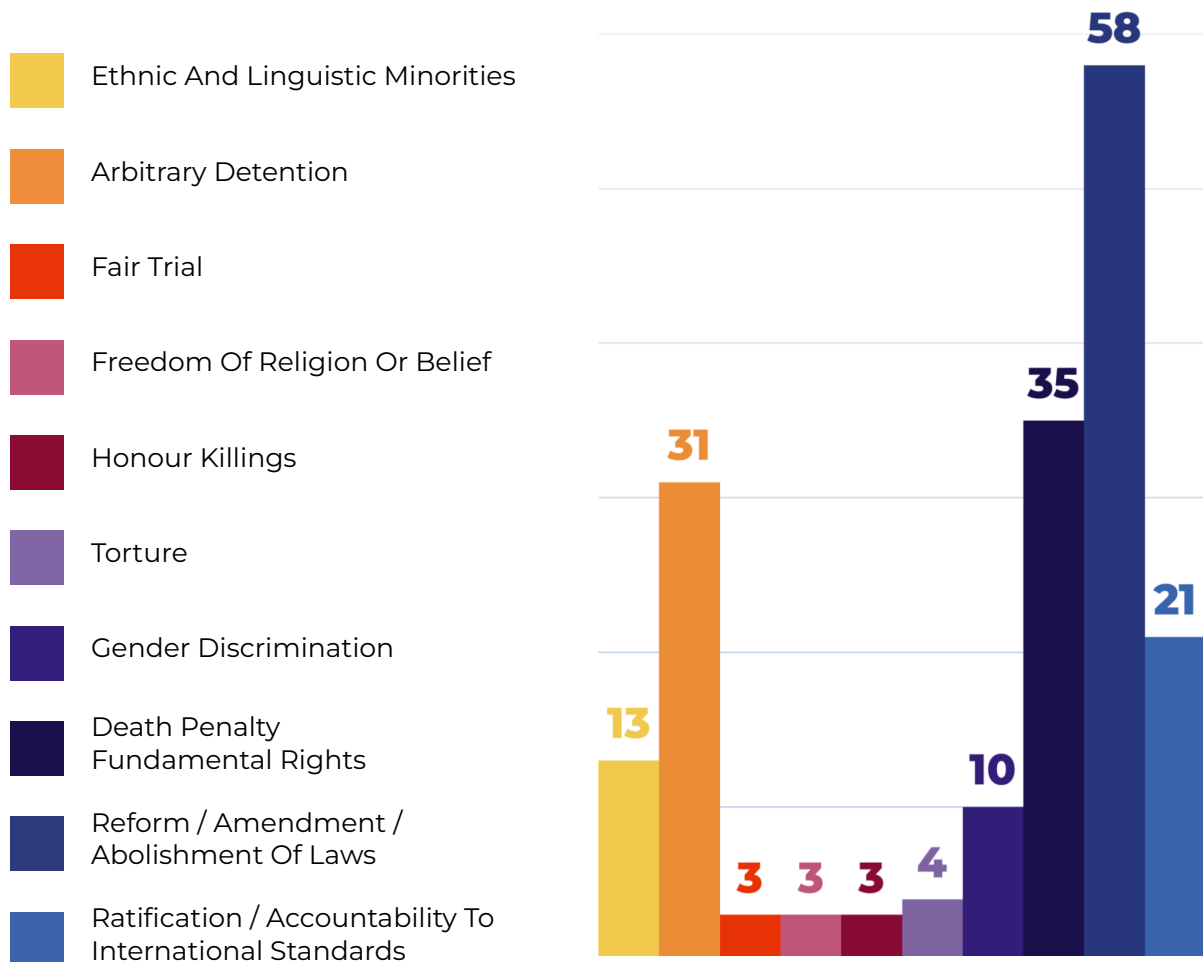
For its submission to the United Nations Special Rapporteur on the human rights situation in the Islamic Republic of Iran (“UNSR”), Javaid Rehman, Impact Iran Coalition has undertaken a comprehensive review of the mandate-holder's recommendations since the inception of their role. Our goal is to assess the current state of implementation of these recommendations in the Islamic Republic of Iran (“IRI”), particularly at this juncture as the mandate nears its conclusion.

Our analysis primarily concentrated on recommendations urging the ratification of international human rights instruments, as well as the repeal, amendment, or abolition of legislation that are incompatible with human rights laws and standards. This methodological approach facilitates clear and straightforward determinations of whether these key recommendations have been implemented. Accordingly, we have categorized the selected UNSR's recommendations by thematic areas.

Additionally, our submission includes a detailed examination of the UNSR's calls for the release of individuals detained arbitrarily, along with an overview of recommendations urging Iran to safeguard and fulfill the rights of minorities. Below is a summary overview of these selected recommendations and our conclusions regarding their implementation, followed by a detailed analysis.

For any further inquiries or detailed information about the data presented, please feel free to contact the Impact Iran secretariat and Impact Iran Coalition members.

SELECTED RECOMMENDATIONS from UN Special Rapporteur Javaid Rehman by Thematic Area



During the duration of their mandate, the UNSR issued

21 recommendations to the Islamic Republic of Iran **to ratify international human rights instruments.** The IRI has ratified **0** of these international instruments.

58

recommendations calling for the **reform / amendment / abolishment of laws that are incompatible with human rights standards.** The IRI has implemented **0** of these recommendations.

35

recommendations to the IRI to **amend / repeal / abolish laws that are incompatible with the right to life and other fundamental rights under international human rights law.** The IRI implemented **0** of these recommendations.

Between 2018 and 2023, the Islamic Republic of Iran executed at least **1735** individuals, including **19** individuals who had allegedly committed crimes while under the age of 18. Included in that number, **352** of these executions occurred in the four ethnic provinces of Western Azerbaijan, Eastern Azerbaijan, Sistan and Baluchistan, and Kurdistan.

At least 174 Baluch minorities were executed, accounting for 30% of the total executions in 2022, while only representing 2-6% of Iran's population. According to ECPM and Iran Human Rights NGO, 130 people were executed in the four ethnic provinces of Western Azerbaijan, Eastern Azerbaijan, Sistan and Baluchistan, and Kurdistan in 2022. This is more than double the number in 2021 (62), and in 2020 (60). These are two executions more than in 2020 (60) and represent an increase of more than 20% compared to 2019 and 2018, when 49 and 51 people, respectively, were executed in the four provinces.

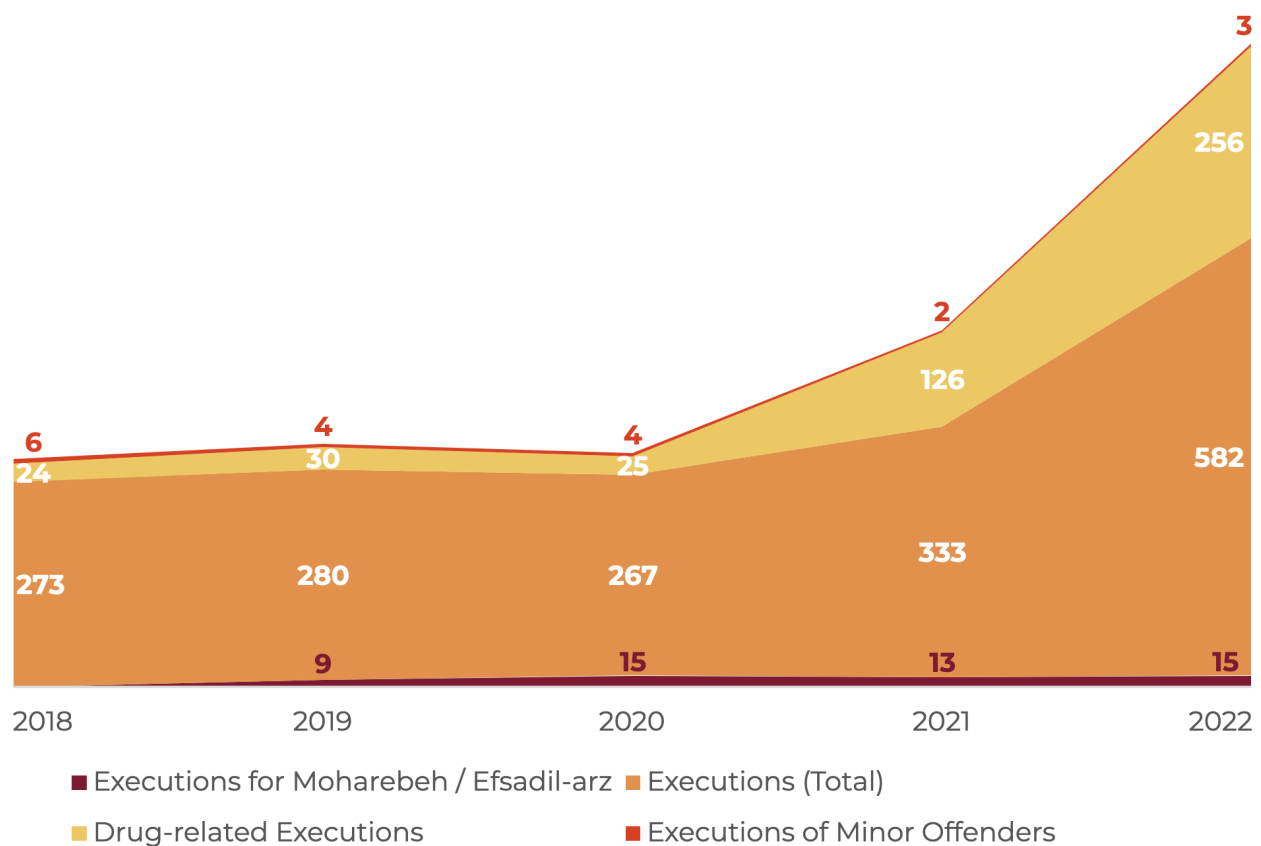
Executions under the law of *qisas* reportedly accounted for nearly 80% of executions in 2019. In 2020, 211 executions were carried out for murder charges based on *qisas* laws, 183 in 2021, and 288 in 2022.¹ This latter number is the highest number of annual *qisas* executions since 2010.

Following the widespread public protests that occurred after Jina Amini's death, courts sentenced seven protestors to death. Authorities executed two of the seven

¹ <https://www.ecpm.org/app/uploads/2023/04/Rapport-iran-2023-gb-280623-bdcouv.pdf>

individuals in December 2022, two in January 2023, and three in May 2023. Courts have sentenced at least two dozen protestors to death since the protests occurred, though the actual number is unknown.² The protestors that were sentenced to death and executed were charged with *moharebeh*.³ In November 2023, Iran Human Rights NGO reported an 8th execution Milad Zohrevand, a Malayer protester arrested during the “Woman, Life, Freedom” nationwide protests, who was secretly executed for murder charges in Hamedan Central Prison.⁴

Executions in the Islamic Republic of Iran



² Death Penalty Information Center, *Iran Executes Two Prisoners Arrested in Ongoing Protests, Threatens More to Follow* (Dec. 12, 2022), <https://deathpenaltyinfo.org/news/iran-executes-two-prisoners-arrested-in-ongoing-protests-threatens-more-to-follow>.

³ Amnesty International, *Iran: Executions of Tortured Protesters Must Trigger a Robust Reaction From the International Community* (May 19, 2023), <https://www.amnesty.org/en/latest/news/2023/05/iran-executions-of-tortured-protesters-must-trigger-a-robust-reaction-from-the-international-community/>.

⁴ <https://iranhr.net/en/articles/6339/>

During the duration of their mandate, the UNSR issued

10

recommendations for the IRI to amend / repeal / abolish laws so that its domestic legal framework aligns with the **right to non-discrimination, freedom from violence, including sexual and gender based violence, and other international human rights standards.** The IRI implemented **0** of these recommendations.

During the duration of the UNSR's mandate, Iran adopted at least **1** comprehensive law that further restricts the rights of women and girls in Iran. The State is currently actively in the process of adopting **1** law to further strengthen the imposition of the mandatory dress code for women.

4

recommendations for the IRI to amend / repeal / abolish **laws that are incompatible with the right to be free from torture and other international human rights laws and standards.** The IRI implemented **0** of these recommendations.

During the duration of the UNSR's mandate, ABC reported and documented at least **13** cases of flogging sentences.

3

recommendations to the IRI to amend / repeal / abolish **laws that are incompatible with the right to be free from sexual and gender-based violence, including domestic violence.** The IRI implemented **0** of these recommendations.

3 recommendations to the IRI to amend / repeal / abolish **laws are incompatible with the right to non-discrimination, the right to freedom of religion or belief**, and other international human rights laws and standards. The IRI implemented **0** of these recommendations.

During the duration of the mandate of the UNSR, the Government adopted **1** law that, in effect, restricts the right to freedom of religion or belief.

3 recommendations to the IRI to amend / repeal / abolish **international laws and standards of fair trial and due process**. The IRI implemented **0** of these recommendations.

31 recommendations to the IRI to **release individuals arbitrarily detained, including those who have been detained for exercising their right to freedom of expression, peaceful assembly and association**.

Despite receiving:

13 recommendations from the UNSR urging measures to **safeguard and fulfill the rights of minority groups in Iran**, the Government has **not taken action** in this regard. Instead, it persistently and systematically infringes upon the human rights of minority community members within the country.

DETAILED REPORT

RATIFICATION


Recommendations calling for the ratification of International Human Rights Instruments

x8 • “Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment”

A/76/160 70k, A/73/398 36, A/HRC/46/50 63b, HRC/49/75 69a, A/77/181 75a, HRC/52/67 76e, A/76/160 70k, A/75/213 55g

NOT IMPLEMENTED

The Government of the Islamic Republic of Iran has not ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, nor has taken any recent steps to engage in its ratification.

See more below under the section “Torture: Recommendations calling for the repeal of laws authorizing/facilitating the resort to torture and ill-treatment.” 

x7 • “Ratify the Convention on the Elimination of All Forms of Discrimination against Women”

HRC/46/50 65a, HRC/49/75 69f, A/77/181 75f, HRC/52/67 77c, A/78/326 86c, A/76/160 71f, A/75/213 55l

NOT IMPLEMENTED

The Government of the Islamic Republic of Iran has not ratified the Convention on the Elimination of All Forms of Discrimination against Women, nor has taken any recent steps to engage in its ratification.

See more below under the section “Women and Girls’ rights: Recommendations calling for the repeal/amendment of laws that discriminate on the basis of gender and/or that legalize/facilitate sexual and gender based violence” 📌

x4 • “Ratify all fundamental International Labour Organization conventions”

HRC/46/50 63h, A/HRC/49/75 69i, A/77/181 75i, A/76/160 71e

NOT IMPLEMENTED

The Islamic Republic of Iran has not ratified all fundamental International Labour Organization (“ILO”) conventions.

The International Labour Organization’s fundamental conventions, which are also referred to as core labor standards, cover areas of freedom of association and the right to collective bargaining (Conventions Nos 87 and 98), forced labor (Conventions Nos 29 and 105), child labor (Conventions Nos 138 and 182), and equality of opportunity and treatment (Conventions Nos 100 and 111). The Islamic Republic of Iran ratified 5 out of 8 fundamental conventions, all but the Conventions protecting workers’ right to freedom of association, right to collective bargaining, and the Minimum Age Convention.

However, even though Iran has not ratified all the core conventions of the ILO, the ILO’s 1998 Declaration recognizes an obligation for all member States to respect, promote, and realize the principles relating to the core labor standards arising from their very membership to the ILO. Iran is a founding member of the ILO.⁵

⁵ https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11110:0::NO::P11110_COUNTRY_ID:102800

x1 • “Ratify the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction”

A/77/181 74g

NOT IMPLEMENTED

The Islamic Republic of Iran has not ratified the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction.⁶

x1 • “Withdraw the general reservation to the Convention on the Rights of the Child”

A/76/160 70i

NOT IMPLEMENTED

The Islamic Republic of Iran has not withdrawn its general reservation to the Convention on the Rights of the Child, nor has it taken any recent steps to review such reservation.

When adopting the Convention on the Rights of the Child, the Islamic Republic of Iran issued a “general reservation” to the Convention, officially stating that: “The Government of the Islamic Republic of Iran reserves the right not to apply any provisions or articles of the Convention that are incompatible with Islamic Laws and the internal legislation in effect.”⁷

The following legislation passed by Iran’s Parliament in order to ratify the Convention into Iranian law echoes this reservation. The law formally adopts the Convention into Iran’s legal framework, however, “provided that if at any time or for any reason its content should contradict domestic laws or Islamic standards, the Islamic Republic of Iran is not obligated to adhere to it.”⁸ In other words, the law explicitly states that

⁶ https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XXVI-5&chapter=26&clang=en

⁷ Reservation of the Islamic Republic of Iran to the Convention on the Rights of the Child, issued upon ratification (13 July 1994)

available at: <http://treaties.un.org/doc/publication/unts/volume%201788/volume-1788-a-27531-english.pdf>

⁸ The Law Allowing Accession of the Islamic Republic of Iran to the Convention on the Rights of the Child (“NBCRC Law”),

domestic laws and undefined “Islamic standards” supersede the International Convention. The term “Islamic standards,” although not being defined under Iranian law, has been regularly interpreted and translated by authorities into laws and practices that are discriminatory.

In 2005, the Committee on the Rights of the Child found that Iran’s broad and imprecise reservation does not meet the necessary requirements for reservations, as it, in effect, negates many provisions of the Convention and undermines the object and purpose of the treaty.⁹ In 2016, answering the Committee once again on the issue during its periodic review of the status of Iran’s implementation of the Convention of the Rights of the Child, the Iranian delegation maintained that, according to Article 4 of the Constitution of Iran, laws and regulations should not contradict Islamic standards or teachings. A delegate then explained that the general reservation was in part issued due to the definition of the “child” under Article 1 of the Convention.¹⁰

(20 February 1994) available at: <http://rc.majlis.ir/fa/law/show/92374>

⁹ UN Committee on the Rights of the Child, Consideration of the Report submitted, (31 March 2005), CRC/C/15/Add.254, paras.

6-7, available at: http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2f-C%2f15%2fAdd.254&Lang=en

¹⁰ Article 1, CRC. “For the purposes of the present Convention, a child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier.”

DEATH PENALTY

35 recommendations calling for abolishing the death penalty and for the repeal/amendment of laws that are incompatible with the right to life

x10 • “Prohibit the execution of persons who committed crimes while below the age of 18”

HRC/40/67 73a, HRC/46/50 63a, HRC/49/75 68b, A/73/398 35, A/74/188 96d, A/74/188 96e, A/75/213 55f, A/76/160 70b, A/77/181 73b, A/78/326 86e

NOT IMPLEMENTED

The execution of children and those who have committed crimes while under the age of 18 years old is prohibited under international law, including under Article 37 of the Convention on the Rights of the Child (“CRC”), Article 6(5) of the International Covenant on Civil and Political Rights (“ICCPR”), to which Iran is a party. The death penalty is not to be imposed for crimes committed by persons under 18 years old, regardless of their age at the time of trial, sentencing or the execution of the capital punishment.¹¹

However, Iranian laws, including the Islamic Penal Code of 2013 (“IPC”), continue to impose the death penalty for those who have committed certain crimes while below the age of 18. While Article 146 of the IPC stipulates that persons who are not considered “mature” are not responsible for their crimes, Article 147 stipulates, on the other hand, that the age of maturity (and concurrently criminal responsibility) is 9 lunar years old for girls and 15 lunar years old for boys. Therefore, children of these ages and above may be sentenced as adults, including for crimes that are subject to the death penalty in Iran. These include crimes under the categories of *qisas* (crimes

¹¹ CRC General Comment No. 10 “Children’s rights in juvenile justice” (2007), para 75, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fGC%2f10&Lang=en

for which Islamic law specifies equal retaliation, “retaliation in kind,” or monetary compensation as possible punishment), such as the crime of murder, and *hadd* (crimes for which there are fixed punishments under Islamic law), such as crimes of adultery, homosexuality, apostasy, repeating offence of drinking alcohol, obscenity against the Prophet, theft, *moharebeh* (waging war with God), and *ifsad fel arz* (corruption on earth).¹²

Article 91 of the 2013 IPC allows judges to pronounce alternative sentences in circumstances where children “do not realize the nature of the crime committed or its prohibition, or if there is uncertainty about their full mental development, according to their age.” The Article further adds that “the court may ask for the opinion of forensic medicine or resort to any other method that it sees as appropriate in order to establish the full mental development [of the accused].” In 2014, Iran’s Supreme Court confirmed that all children on death row could apply for a retrial.¹³ In June 2015, Iran introduced reforms specifying that cases of children accused of a crime must be dealt with by specialized juvenile courts. Previously, children accused of capital crimes were generally prosecuted before the same courts as adults.¹⁴

However, these developments have not led to a decrease in the number of executions of individuals who allegedly committed crimes while under the age of 18 years old in Iran. Article 91 is vaguely worded and inconsistently and arbitrarily applied. In 2017, a number of UN special procedure mandate-holders considered that the absence of real impact on the rate of executions of children and those who have allegedly committed crimes while under the age of 18 in Iran stands as “conclusive proof of the failure of the 2013 amendments [to the IPC] to stop the execution of individuals sentenced to death as children.”¹⁵ In 2019, the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran found that the assessment of the mental development of the accused at the time of the offence, as mandated under Article 91 IPC, was “arbitrary and inconsistent, and at the sole discretion of the judge, who can choose whether to seek medical advice or not.”¹⁶

¹² The age of criminal responsibility of *ta’zir* crimes, such as drugs related offences, military espionage, disruption of the economic system, is 18 years old. Crimes under *ta’zir* are those that are mentioned in Islamic law but for which sanctions are defined at the discretion of the state.

¹³ <https://rc.majlis.ir/fa/law/show/133797>

¹⁴ The amendment to Criminal Procedure Code, Article 315 of the Code of Criminal Procedure calls for the establishment of one or several special juvenile branches in Provincial Criminal Courts (renamed Criminal Courts 1 under the Code of Criminal Procedure), with jurisdiction over all offences committed by people under 18 years of age which ordinarily fall, when committed by adults, under the jurisdiction of Provincial Criminal Courts or Revolutionary Courts. <https://shenasname.ir/laws/2327-keifari>

¹⁵ See OHCHR News, www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21547&LangID=E

¹⁶ Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, January 2019, <https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2F40%2F67&Language=E&DeviceType=Desktop>

Between 2016 and 2022, Iran Human Rights NGO identified only 21 cases where the death sentences of children and those who have allegedly committed crimes while under the age of 18 were commuted based on Article 91. No Article 91 commuted sentences were reported or recorded in 2022.¹⁷

Iran Human Rights and ECPM reported 6 executions of individuals who had allegedly committed crimes while under the age of 18 in 2018, 4 in 2019, 4 in 2020, 2 in 2021, and 3 in 2022.¹⁸ So far, at least 3 individuals who had allegedly committed crimes while below the age of 18 years old have been executed in 2023.

Arman Abdolali was executed in Rajai Shahr Prison on 24 November 2021 despite appeals by the international community, including UN Human Rights Experts.¹⁹

Mohammad Hossein Alizadeh was 17 years old when authorities arrested him for unintentionally committing murder when he defended his cousin against a street group attack in 2016. Authorities executed him on August 10, 2022.²⁰ Omid Alizehi was 17 years old when authorities arrested him for an alleged murder committed during a street fight. Authorities executed him on August 20, 2022.²¹ Yousef Mirzavand was 16 years old when authorities arrested him on charges of “initiating an armed robbery, carrying hunting weapons without a license, committing intentional assault with a weapon, murder, being accessory to murder, and conspiracy to escape trial.” Authorities executed him on December 26, 2022.²² In May 2023, Iranian authorities scheduled the execution of Hossein Shahbazi, who was under the age of 18 when the crime occurred. The execution has been “temporarily postponed,” but he remains at risk of execution.²³ In his 2022 report, the UN Special Rapporteur said he was “alarmed at the mental anguish – amounting to torture – caused by the practice of repeated transfers of child offenders to solitary confinement in preparation for their execution, only for the execution to be postponed at the last minute.”²⁴

¹⁷ <https://www.ecpm.org/app/uploads/2023/04/Rapport-iran-2023-qb-280623-bdcouv.pdf>

¹⁸ Death Penalty Information Center, *Iran Continues Aggressive Use of Death Penalty Despite International Condemnation* (May 24, 2023), <https://deathpenaltyinfo.org/news/iran-continues-aggressive-use-of-death-penalty-despite-international-condemnation>; Iran Human Rights and ECPM, *Annual Report on the Death Penalty in Iran 2022* (2023), 47.

¹⁹ <https://iranhr.net/en/articles/4986/>

²⁰ Iran Human Rights and ECPM, *Annual Report on the Death Penalty in Iran 2022* (2023), 79.

²¹ Iran Human Rights and ECPM, *Annual Report on the Death Penalty in Iran 2022* (2023), 79.

²² Iran Human Rights and ECPM, *Annual Report on the Death Penalty in Iran 2022* (2023), 79.

²³ Iran Human Rights, Juvenile Offender Hossein Shahbazi at Risk of Execution Despite Postponement, (27 May). Available online at <https://iranhr.net/en/articles/5949/>

²⁴ <https://undocs.org/A/HRC/49/75>

According to UN experts, there are currently at least 85 juvenile offenders on death row in Iranian prisons.²⁵ However, the actual number is likely to be significantly higher as there is limited available official information on those detained in Iranian prisons. Reportedly, authorities routinely arrest children accused of having committed capital crimes and maintain them in detention until they reach 18 years old to proceed with the execution.

x2 • “Increase the age of criminal responsibility for all to 18 years old”

HRC/40/67 73c, HRC/46/50 65d

NOT IMPLEMENTED

The Islamic Republic of Iran has not increased the age of criminal responsibility for all to 18 years old. Articles 146 and 147 of the Islamic Penal Code provide that persons who are not “mature” are not criminally responsible. The Islamic Penal Code sets the age of maturity for girls at nine lunar years (or 8.7 years) and for boys at 15 lunar years (or 14.6 years), meaning any child over these ages may be sentenced to death.

In addition, officials in the juvenile justice system retain considerable discretion in determining criminal responsibility.²⁶ Article 91 of the IPC, revised in 2013, allows judges to pronounce alternative sentences in circumstances where the children “do not realize the nature of the crime committed or its prohibition, or if there is uncertainty about their full mental development, according to their age.” The Article further adds that “the court may ask for the opinion of forensic medicine or resort to any other method that it sees as appropriate in order to establish the full mental development [of the accused].”

On May 27, 2020, the Guardian Council approved the "Child and Adolescent Protection Law." According to Article 1 of the law, a "child" is defined as any person who "has not reached the age of legal maturity," and an "adolescent" is defined as any person "below eighteen years of age who has reached the age of legal maturity." This law was presented by authorities as an effort to provide alternative punishments against those accused of having committed a capital crime while under the age of 18 years old. Article 2 emphasizes that "all people who have not reached the age of eighteen full solar years" are subject to this law. However, Article 25 stipulates that

²⁵ <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=27861&LangID=E>

²⁶ Human Rights Committee, *Fourth periodic report submitted by the Islamic Republic of Iran under article 40 of the Covenant, due in 2014* (Aug. 23, 2021) U.N.Doc. CCPR/C/IRN/4, ¶ 27.

the application of the law "will not prevent the implementation of the punishments of *hudud*, *qisas*, and *diyat*," and the application of punishments in cases where other laws prescribe "more severe punishments." As a result, the law essentially does not modify the legislation with regard to the application of the death penalty against alleged child offenders.²⁷

x8 • "Impose a moratorium on executions"

HRC/46/50 63a, HRC/49/75 68a, HRC/52/67 77a, A/73/398 35, A/75/213 55f, A/76/160 70a, A/77/181 73a, A/78/326 86d

x1 • "Impose a moratorium on drug-related executions"

A/77/181 73c

x7 • "Abolish the death penalty"

HRC/49/75 68, HRC/52/67 77a, A/73/398 35, A/75/213 55f, A/77/181 73, A/76/160 70, A/78/326 86d

NOT IMPLEMENTED

The Islamic Republic of Iran continues to impose the death penalty for a wide range of crimes. To this date, the State has not considered imposing a moratorium on executions.

In 2022, Iranian authorities executed 565 people.²⁸ According to a report by Iran Human Rights and ECPM, 288 (49%) of the individuals executed had been convicted of murder, the highest number in 15 years. Among the people sentenced to death

²⁷

<https://www.shenasname.ir/laws/6788-%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%AD%D9%85%D8%A7%DB%8C%D8%AA-%D8%A7%D8%B2-%D8%A7%D8%B7%D9%81%D8%A7%D9%84-%D9%88-%D9%86%D9%88%D8%AC%D9%88%D8%A7%D9%86%D8%A7%D9%86>

²⁸ Death Penalty Information Center, *Iran Continues Aggressive Use of Death Penalty Despite International Condemnation* (May 24, 2023), <https://deathpenaltyinfo.org/news/iran-continues-aggressive-use-of-death-penalty-despite-international-condemnation>; Iran Human Rights and ECPM, *Annual Report on the Death Penalty in Iran 2022* (2023), 47.

were 13 women and 3 people who allegedly committed crimes when they were under the age of 18. Another 256 people (44%), including three women, were executed after being convicted of drug-related offenses, up from 126 in 2021 and 10 times higher than in 2020.

According to Iran Human Rights, in 2022, Iran continued to execute members of ethnic minority groups disproportionately. Authorities executed 130 people in the four Iranian provinces of West Azerbaijan, East Azerbaijan, Sistan and Baluchestan, and Kurdistan, which are the home provinces to the Baluch, Turkish, and Kurdish ethnic minorities.²⁹ In addition, Sistan and Baluchestan provinces had the highest number of executions per capita.³⁰ In 2022, authorities across Iran executed 174 Baluch individuals, accounting for 30% of all executions in the country, while Baluch individuals constitute approximately 2-6% of Iran's overall population.³¹

In *qisas* cases (retribution in kind) for murder, if the victim's family chooses to implement retribution, authorities not only encourage them to attend the executions but also to personally carry out the execution by pulling the stool from under the feet of the person to be executed. Executions under the category of *qisas* crimes reportedly accounted for nearly 80% of executions in 2019. In 2020, 211 executions were carried out for murder charges based on *qisas* laws, 183 in 2021, and 288 in 2022.³² This latter number is the highest number of annual *qisas* executions since 2010.

In 2023, the Government continued to seek the death penalty and carry out executions for a wide range of crimes. Human rights monitors³³ report that in 2023, the number of persons executed skyrocketed, with over 790 persons being executed. Ethnic minorities are often flagrantly over-represented among those executed. More than 20% of those executed in 2023 belong to the Baluch minority, while they represent between 2 to 5% of the population. At least

²⁹ Iran Human Rights, *Execution of Ethnic Minorities in Iran in 2022* (Apr. 28, 2023), <https://www.iranhr.net/en/articles/5839/>. Kurdish people also live in Ilam, Kermanshah and Western Azerbaijan provinces.

³⁰ Iran Human Rights, *Execution of Ethnic Minorities in Iran in 2022* (Apr. 28, 2023), <https://www.iranhr.net/en/articles/5839/>

³¹ Iran Human Rights and ECPM, *Annual Report on the Death Penalty in Iran 2022* (2023), 85.

³² <https://www.ecpm.org/app/uploads/2023/04/Rapport-iran-2023-gb-280623-bdcouv.pdf>

³³ Impact Iran members data: Abdorrahman Boroumand Center, Human Rights Activists in Iran, Iran Human Rights NGO, The Association with Human Rights in Kurdistan - Geneva (KMMK-G), KURDPA. The Iranian Government does not publish official statistics of capital offenses carried out in various provinces of the country.

106 executions occurred in May 2023 alone.³⁴ According to KMMK-G, between January 1st to 30th November 2023, at least 181 of the total of those executed were Kurds.³⁵

The individuals who were executed had been sentenced to death for a variety of charges, including terror-related crimes, drug offences, and blasphemy.³⁶ For example, on May 8, 2023, authorities executed Yousef Mehrdad and Seyed Sadrollah Fazeli Zare for “insulting the prophet,” “blasphemy,” “insulting the prophet’s mother,” and “belittling the Quran.”³⁷ According to reports, the charges stemmed from peaceful speech that Mr. Mehrdad and Mr. Zare broadcast on social media.³⁸

x5 • “Remove the death penalty for offences other than “the most serious crimes,” pending abolishment of the death penalty”

HRC/40/67 70a, HRC/43/61 68d, HRC/49/75 68c, A/74/188 96c, A/76/160 70c

NOT IMPLEMENTED

In its latest General Comment on Article 6, the Human Rights Committee explicitly stipulated that the term “the most serious crimes” must “be read restrictively and appertain only to crimes of extreme gravity, involving intentional killing. Crimes not resulting directly and intentionally in death [...], although serious in nature, can never serve as the basis, within the framework of Article 6, for the imposition of the death penalty. In the same vein, a limited degree of involvement or of complicity in the commission of even the most serious crimes, [...], cannot justify the imposition of the death penalty.”

The death penalty continues to be applied in the Islamic Republic of Iran to a wide range of offences that do not meet the threshold of “most serious crimes.” The death

³⁴ Death Penalty Information Center, *Iran Continues Aggressive Use of Death Penalty Despite International Condemnation* (May 24, 2023), <https://deathpenaltyinfo.org/news/iran-continues-aggressive-use-of-death-penalty-despite-international-condemnation>

³⁵ <https://www.kmmk-ge.org/wp-content/uploads/2023/12/KMMK-G-Interim-Report-on-the-Situation-of-Human-Rights-in-Kurdistan-of-Iran-for-the-period-1st-January-to-November-30-2023-SHM.pdf>

³⁶ Human Rights Watch, *Iran: Alarming Surge in Executions* (May 12, 2023), <https://www.hrw.org/news/2023/05/12/iran-alarming-surge-executions>.

³⁷ Human Rights Watch, *Iran: Alarming Surge in Executions* (May 12, 2023), <https://www.hrw.org/news/2023/05/12/iran-alarming-surge-executions>.

³⁸ Human Rights Watch, *Iran: Alarming Surge in Executions* (May 12, 2023), <https://www.hrw.org/news/2023/05/12/iran-alarming-surge-executions>.

penalty may be applied to crimes under the category of *hadd/huddud*, *qisas*, and *taz'ir*. *Hadd* crimes have fixed punishments under Sharia and Islamic laws. Crimes that are automatically punished with the death penalty include:

- Sexual offences, such as incest, rape, *zena* (adultery), *lavat* (sodomy or consensual homosexual penetrative sex), *tafkhez* (intercrural sex) where the “active party” is non-Muslim and the “passive party” is Muslim;
- Offences against the State and religion: *efsad-fil-arz* (corruption on earth), *moharebeh* (enmity against God), *baghy* (armed rebellion), *sabot-nabi* (insulting the prophet) and *ertedad* (apostasy).
- Repeat offences on the fourth occasion: theft, adultery, sodomy, *mosahegheh* (lesbian sexual intercourse), intercrural sexual intercourse, pimping, insulting the prophet, alcohol consumption, *qadf* (false accusation of sodomy or adultery).

The death penalty is also the automatic sentence for *qisas* or retribution-in-kind for “intentional murder,” which, due to a lack of grading and reported disregard for intent or circumstances in trials, includes both intentional and unintentional killings. *Ta'zir* crimes punishable by the death penalty include drug-related offences.

According to Iran Human Rights NGO, on 8 July 2020, Morteza Jamali was executed in Mashhad Central Prison after he was convicted of alcohol consumption for the fourth time.³⁹ In April 2021, two men were sentenced to death for insulting the prophet.⁴⁰ According to KMMK-G, Mrs. Nasrin (Nasim) Niazzy from Wermê was executed on 17 March 2023 on charges of espionage for Israel.⁴¹

In June 2021, the Parliament passed a draft bill that proposes to make reporting on human rights violations, including the death penalty, a capital offence.⁴²

³⁹ <https://iranhr.net/en/articles/4312>

⁴⁰ <https://iranhr.net/en/articles/4710/>

⁴¹

<https://www.kmmk-ge.org/wp-content/uploads/2023/12/KMMK-G-Interim-Report-on-the-Situation-of-Human-Rights-in-Kurdistan-of-Iran-for-the-period-1st-January-to-November-30.-2023-SHM.pdf>

⁴² Iran Human Rights “Draft Bill Targeting Citizen Journalists Passed in Iran Parliament” accessed August 22, 2023, <https://iranhr.net/en/articles/4766/>.

x1 • “Amend legislation to allow judges discretionary powers to consider extenuating circumstances or choose the imposition of more lenient punishments in individual cases”

A/77/181 73d

NOT IMPLEMENTED

The Islamic Republic of Iran has not amended its legislation to allow judges discretionary powers to consider extenuating circumstances or choose to impose more lenient punishments in individual cases. See more below 📌.

x1 • “Immediately end mandatory death sentences and secret and public executions, and remove stoning as a punishment from the Islamic Penal Code”

A/76/160 70e

x1 • “Amend legislation to ensure that any person sentenced to death, including on the basis of qisas, can seek pardon or commutation from the State”

A/HRC/40/67 70a

NOT IMPLEMENTED

The Islamic Republic of Iran has not ended mandatory death sentences and secret and public executions nor removed stoning as a punishment from the Islamic Penal Code. During the period of the mandate of the UN Special Rapporteur Javād Reḥmān, Iran has not amended its legislation to ensure that any person sentenced to death, including on the basis of *qisas*, can seek pardon or commutation from the State.

Mandatory executions and judges’ discretionary powers

Hadd crimes are crimes under Iranian law that have fixed, mandatory punishments based on Sharia and Islamic laws and other authoritative sources. Crimes that are automatically punished with the death penalty include:

- Sexual offences, such as incest, rape, *zena* (adultery), *lavat* (sodomy or consensual homosexual penetrative sex), *tafkhez* (intercruel sex) where the “active party” is non-Muslim and the “passive party” is Muslim;
- Offences against the State and religion: *efsad-fil-arz* (corruption on earth), *moharebeh* (enmity against God), *baghy* (armed rebellion), *sabot-nabi* (insulting the prophet) and *ertedad* (apostasy).
- Repeat offences on the fourth occasion: theft, adultery, sodomy, *mosahegheh* (lesbian sexual intercourse), intercruel sexual intercourse, pimping, insulting the prophet, alcohol consumption, *qadf* (false accusation of sodomy or adultery).

The death penalty is also the automatic sentence for *qisas* or retribution-in-kind for “intentional murder,” which, due to a reported lack of grading and disregard for intent or circumstances in trials, includes both intentional and unintentional killings.

In *qisas* cases, the state places the responsibility for choosing the punishment on the victim’s family or next of kin. They can choose retaliation by the death penalty, accept monetary compensation, called *diya* (or blood money), or forgive the defendant. Where the next of kin choose retribution, the victim’s next of kin or their representative must be present at the execution.⁴³ According to Iran Human Rights NGO, the next of kin are also encouraged to carry out the executions themselves and the organization has received several reports of family members conducting executions, with the last case taking place in March 2021, where a daughter carried out her mother’s execution.⁴⁴

The Government of the Islamic of Iran noted that the State was not intervening in the commutation or pardon of sentences in cases of *qisas*, which “is only possible on the basis of the request of the owners of the blood.” Ultimately, if the victim’s next of kin does not grant pardon in exchange for *diyyah*, the sentence must be executed, with no option for the accused to seek pardon or commutation from the State.

In the above cases, the judge does not have leeway to decide the imposition of a more lenient punishment.

⁴³ Article 43(ch) of Regulation 9000/27863/100, 17 June 2019 “Regulations on the Enforcement of *hodud*, death penalty, amputation, *qisas* of life, body parts and injury, *diyat*, flogging, exile, loss of country, compulsory residence and prohibition of residence in certain places or areas” <https://rc.majlis.ir/fa/law/show/115267>

⁴⁴ <https://iranhr.net/en/articles/4668/>

Secret executions

Approximately 88% of all executions reported by ECPM and Iran Human Rights NGO in their 2022 report (511 executions) were not announced by the authorities. Some of the executions were carried out secretly, without the family or the lawyer being informed, and some have simply not been announced by the official media. The actual numbers are believed to be much higher. Officially announced executions have been decreasing in line with the increase in drug-related executions. Only 12% of executions were officially reported, compared to 16.5% in 2021 and an average of 33% in 2018–2020.⁴⁵

Public executions

According to ECPM and Iran Human Rights NGO, Iran continues the practice of public executions, including in the presence of children. Authorities often publicize public executions in advance and hold these executions in public or residential spaces.⁴⁶ In 2022, authorities held public executions of Iman Sabzikar and protester Majidreza Rahnavaard in Shiraz and Mashhad.⁴⁷ These executions were the first public executions recorded since 2020.⁴⁸ Authorities carried out a public execution of Soleiman Salamat on 25 May 2023, and children were reportedly present in the audience.⁴⁹ On 18 June 2023, authorities reportedly carried out another public execution of an unnamed man in Khuzestan province.⁵⁰ Afghan nationals Mohammad Ramez Rashidi and Naeim Hashem Ghotali, were publicly hanged on 8 July 2023.⁵¹ Days later, authorities executed two more men in Fouladshahr.⁵²

Executions by stoning

In 2002, then-head of the Judiciary, Ayatollah Shahroudi, issued a ban on stoning. However, stoning remains a punishment for the act of adultery committed by a

⁴⁵ <https://www.ecpm.org/app/uploads/2023/04/Rapport-iran-2023-gb-280623-bdcouv.pdf>

⁴⁶ The Advocates for Human Rights, The World Coalition Against the Death Penalty, Iran Human Rights, Impact Iran, and ECPM, *Islamic Republic of Iran's Compliance with International Covenant on Civil and Political Rights Treaty: Suggested List of Issues Prior to Reporting* (Minneapolis, USA, June 2020), ¶¶ 21-23.

⁴⁷ Iran Human Rights and ECPM, *Annual Report on the Death Penalty in Iran 2022* (2023), 15.

⁴⁸ Iran Human Rights and ECPM, *Annual Report on the Death Penalty in Iran 2022* (2023), 45.

⁴⁹ Iran Human Rights, *Iran Human Rights Demands Strong Response to Public Execution in Maragheh*, May 25, 2023, <https://iranhr.net/en/articles/5943/>.

⁵⁰ Iran Human Rights, *Unidentified Man Publicly Hanged in Bandar-e-Deylam Beach Park*, June 19, 2023, <https://iranhr.net/en/articles/6003/>.

⁵¹ Iran Human Rights, *Afghan Nationals Mohammad Ramez Rashidi and Naeim Hashem Ghotali Publicly Hanged*, July 8, 2023, <https://iranhr.net/en/articles/6042/>.

⁵² Iran Human Rights, *2 Men Publicly hanged in Isfahan; 4 Public Hangings in a Week*, July 13, 2023, <https://iranhr.net/en/articles/6054/>.

woman and a man who meet the condition of *ehsan* under the 2013 Islamic Penal Code. Article 225 of the 2013 Islamic Penal Code sets the punishment for “Zena-e mohsene” (sexual relationship outside of marriage between man and woman, where one or both of the people involved are married) as stoning, but states that “if the execution of the stoning punishment is not possible,” an alternative punishment shall be imposed by the court’s proposal and after the head of the Judiciary’s approval.

While there have been no executions by stoning reported in recent years, in 2013 the spokesman for the Iranian Parliament’s Justice Commission confirmed that while the Penal Code no longer prescribes stoning, it remains a valid punishment under Shari’a law, which is enforceable under the Penal Code.⁵³ A directive issued by the Head of Judiciary in June 2019 gave a detailed description of how death sentences by hanging, stoning, and crucifixion should be implemented.⁵⁴ Iran Human Rights NGO reported that in 2020, political prisoner Hedayat Abdullahpour was secretly executed by a firing squad, a method not used since the 1980s.⁵⁵

x1 • “Ensure that legislation provides a clear definition for all criminal offences that are punishable by death”

A/76/160 70f

NOT IMPLEMENTED

Iran’s legislation continues to impose the death penalty for crimes that are not clearly defined.

The crime of *moharebeh* (“enmity against God”) is defined under Article 279 of the Islamic Penal Code (2013) as “drawing a weapon on the life, property or chastity of people or to cause terror as it creates the atmosphere of insecurity.” It is left to the discretion of the judge to punish a crime of *moharebeh* with either the death penalty, crucifixion, amputation of the right arm and the left leg, or banishment.⁵⁶

⁵³ <https://www.radiozamaneh.com/53576>

⁵⁴ <https://rc.majlis.ir/fa/law/show/1152670>

⁵⁵ <https://iranhr.net/en/articles/4294>

⁵⁶ The Islamic Penal Code (2013), Articles 282 and 283, English translation, Iran Human Rights Documentation Center, <https://iranhrdc.org/english-translation-of-books-i-ii-of-the-new-islamic-penal-code/>

The crime of *efsad fel arz* (“corruption on earth”), which carries the death penalty, is similarly vague. Under Article 286 of the new penal code, a *mofsed* (a person who commits *efsad fel arz*) refers to a person who “commits crimes against individuals’ physical integrity, crimes against national security, causes disruption to the economic structure of the country, commits arson and destruction, distributes poisonous or dangerous substances, or runs corruption and prostitution centers.” The charge also refers to the scale of the damage done: the accused can be found guilty of spreading corruption if he or she “causes severe disruption to the public order of the country or causes extensive damage to the physical integrity of individuals or private and public property, or spreads corruption or prostitution on a large scale.” There is no clear definition of what “large scale” exactly means, making the offence cover a large array of activities and behaviors.

Further adding to the lack of clarity and unpredictability of Iranian law, under Article 220 of the Islamic Penal Code and Article 167 of the Iranian Constitution, a judge has the discretion to refer to Islamic law – namely authoritative Islamic sources and fatwas (a ruling on a point of Islamic law given by a recognized authority) – to convict and sentence individuals to crimes and punishments not explicitly codified by domestic law.

The Human Rights Committee explicitly stipulated that the imposition of the death penalty cannot “be based on vaguely defined criminal provisions, whose application to the convicted individual would depend on subjective or discretionary considerations the application of which is not reasonably foreseeable.”

Revolutionary courts have jurisdiction over crimes against national and external security, *moharebeh* (“enmity against God”), *efsad-e fel-arz* (“corruption on earth”), *baghi* (“armed rebellion against the state”), “gathering and colluding against the Islamic Republic,” armed activities, arson and “destruction and plunder of resources with the purpose of opposing the system,” “insulting the founder of the Islamic Republic and the Supreme Leader,” all smuggling of restricted items and drug-related offences. Revolutionary Courts in Iran are infamous for conducting trials that almost always, if not systematically, violate the rights of due process and fair trial, especially in cases involving human rights defenders and civil activists or members of religion or belief, ethnic or linguistic minorities. This is particularly alarming as these courts issue the most capital punishment sentences.

In 2022, authorities executed 15 people for the crimes of *moharebeh* (enmity against God) and *efsad-fil-arz* (corruption on Earth).⁵⁷ Authorities use these vague offences to address a wide range of behaviors, and the application of these laws can be highly

⁵⁷ Iran Human Rights and ECPM, *Annual Report on the Death Penalty in Iran 2022* (2023), 47-48.

subjective. For example, as reported by ECPM and Iran Human Rights NGO, in June 2022, authorities executed Abdol Latif Mordai for “*moharebeh* through drawing a weapon on people with the intention of inciting and creating terror,” and they executed Firuz Mousalu for “*moharebeh* and *baghy* through membership in the Kurdistan Workers’ Party.”⁵⁸ In July 2022, authorities executed Mohammad Hatami and Farzad Garavand for *moharebeh* for their participation in an armed robbery.⁵⁹

The 2023 report by Iran Human Rights and ECPM calls attention to the use of the death penalty to silence freedom of expression and association in the context of the anti-government unrest that stemmed from the September 2022 custodial death of Jina (Mahsa) Amini after she was arrested for allegedly wearing her headscarf incorrectly. Following the widespread public protests that occurred after Jina Amini’s death, courts sentenced seven protestors to death. Authorities executed two of the seven in December 2022, two in January 2023, and three in May 2023. Courts have sentenced at least two dozen protestors to death since the protests occurred, though the actual number is unknown.⁶⁰ The protestors that were sentenced to death and executed were charged with *moharebeh*.⁶¹

⁵⁸ Iran Human Rights and ECPM, *Annual Report on the Death Penalty in Iran 2022* (2023), 49.

⁵⁹ Iran Human Rights and ECPM, *Annual Report on the Death Penalty in Iran 2022* (2023), 49.

⁶⁰ Death Penalty Information Center, *Iran Executes Two Prisoners Arrested in Ongoing Protests, Threatens More to Follow* (Dec. 12, 2022), <https://deathpenaltyinfo.org/news/iran-executes-two-prisoners-arrested-in-ongoing-protests-threatens-more-to-follow>.

⁶¹ Amnesty International, *Iran: Executions of Tortured Protesters Must Trigger a Robust Reaction From the International Community* (May 19, 2023), <https://www.amnesty.org/en/latest/news/2023/05/iran-executions-of-tortured-protesters-must-trigger-a-robust-reaction-from-the-international-community/>.

WOMEN'S & GIRLS' RIGHTS

10 recommendations calling for the repeal/amendment of laws that discriminate on the basis of gender and/or that legalize/facilitate sexual and gender-based violence

x3 • “Repeal all laws and regulations that impose mandatory dress code and abolish all regulations and procedures whereby women’s dress or behaviour in public or private life are monitored or controlled by state agencies”

HRC/46/50 65h, HRC/52/67 77b, A/78/326 86f

NOT IMPLEMENTED

The Islamic Republic of Iran has not repealed all laws and regulations that impose mandatory dress code and abolish all regulations and procedures whereby women’s dress or behavior in public or private life are monitored or controlled by state agencies. The Government has engaged in the process of adopting new laws and regulations to further strengthen the imposition of the mandatory hijab.

Current laws and practices

The main punishment for not complying with the compulsory veil is found under a Note to Article 638 of the Islamic Penal Code (IPC), which penalizes women and girls with ten days to two months imprisonment or a fine. In addition, Article 638 sanctions any act deemed “offensive” or violating “public prudency” with a sentence

of ten days to two months imprisonment or up to 74 lashes. Women and girls not wearing the compulsory veil are regularly sentenced under both provisions.

In addition to the penalties under Article 638 IPC, women and girls who do not wear the veil in public are regularly charged with compounded offenses and sentences, significantly increasing the severity of the punishment. For instance, not wearing the veil in public is often considered in court as “disturbing public order” and “modesty.” As a result, a woman might receive a 10-day sentence for the act of not wearing the veil in and of itself, plus eight months imprisonment and 74 lashes for “disturbing public order” (Article 618 IPC), and another 74 lashes for “committing an outrage on public modesty” (Article 638 IPC), and another 74 lashes, imprisonment or fine for public displaying of items that “offend chastity and public morals” (Article 640 IPC). Article 23 of the 2013 IPC allows the judge to add “complementary” sentences for “*hadd*, *qisas*, or *ta’zir* punishments from sixth to first degree,” that are “proportionate to the crime committed and the characteristics of those sentences,” such as a ban on the use of telephones and social media, temporary job termination, travel ban, house arrest, denial of access to public services, dismissal from public employment, “compulsory education.” Crimes such as disturbing/committing an outrage on/offending public order and/or public modesty fall under the *ta’zir* category of punishments, enabling the judge to increase further sentences against women and girls charged for not wearing the compulsory veil.

The compulsory veil also extends online, and women and girls may face similar penalties for non-compliance in addition to bans on media and online social activities for “insulting morality and public decency” and “publishing immodest pictures on social media.”⁶²

Moreover, women not wearing the veil and those supporting them also face severe criminal charges such as “encouraging prostitution by promoting being unveiled” (Article 639 IPC) or “incitement to/providing the means/facilitating the commission of a crime” (Article 43 IPC), as well as national security charges such as “gathering and colluding against national security” (Article 610) and “propaganda against the state” (Article 500). UN experts have repeatedly criticized these national security charges as overbroad and arbitrary, and their application against women and girls not complying with the compulsory dress code is an example of the impact of vague criminal provisions and how authorities can use them to sanction a broad range of behaviors. National security charges can lead to punishments ranging from three-month imprisonment to the death penalty (if these charges are additionally

⁶² Charges based on Article 14 2010 Computer Crimes Law, among others, [https://www.article19.org/data/files/medialibrary/2921/12-01-30-FINAL-iran-WEB\[4\].pdf](https://www.article19.org/data/files/medialibrary/2921/12-01-30-FINAL-iran-WEB[4].pdf)

considered by the judge as carried out as “emnity against god” or *moharebeh*, or “corruption on earth,” *efsad-e-fel-arz* they may carry the death penalty).

Since early summer 2023, there has been a surge in reports of judges imposing sentences for “offenses” not grounded in general law, in addition to the penalties imposed under the Islamic Penal Code. For instance, acts of “abnormal and antisocial behavior” or “anti-Iranian behavior,” although cited by judges in recent trials, have no basis in Iranian law. According to some of these judges, non-compliance with the compulsory veil promotes “sexual depravity” or aids foreign entities in disrupting internal affairs. Relying on the principle of the judge’s knowledge, for these created “offenses,” judges have moved further away from established law, imposing sanctions that have no basis in law, such as compulsory counseling sessions, mandatory corpse washing at morgues, and cleaning duties at governmental buildings. Several judges have even established diagnoses of “antisocial personality disorder” or “anti-family personality disorder” against women appearing without the veil in public and have mandated treatment at official psychology and counseling centers.⁶³

The “Law on the Implementation of Strategies for the Development of the Culture of the Chastity and Hijab”⁶⁴ grants police officers the authority to “declare the limits and legal definition of modesty and standards of improper hijab” and to “take legal steps to confront individuals with improper hijab,” in effect positioning them as adjudicators, arbiters, and enforcers of the compulsory veil. Beyond this provision, there is no clear legal framework that outlines the nature and extent of law enforcement activities that may be carried out under this mandate. Moreover, the Government has perpetuated an enabling environment for the national police and other law enforcement agencies to devise and execute their own regulations for enforcing the compulsory veil without undergoing legal scrutiny. Since 2022, the police have been increasingly adopting a series of measures without legal oversight to compel and punish women and girls for not wearing the compulsory veil. One notable measure adopted by the police allows officers to detain women and girls who do not comply with compulsory veiling in order to force them to sign a written document stating that they will not repeat the “offense.” Those who refuse to sign or breach the veil requirement after signing can face various punitive actions, including travel restrictions and exclusion from public or governmental roles. While already in force, this sanction, which appears in the Draft Bill on Discretionary Punishments, does not exist under established Iranian law.

⁶³ <https://www.hra-news.org/2023/hranews/a-42337/> ; <https://www.khabaronline.ir/news/1791134/حکم-جدید-لیلا-بلوکات-اعلام-شد> ; <https://www.eghtesadnews.com/بخش-اخبار-سایر-ر-سانه-ها-61/586086-حکم-دادگاه-از-اده-صمدی-به-دلیل-کشف-حجاب> ; <https://vokalapress.ir/ممن-ر-ای-شستن-میت-به-عنوان-مجازات-تکمیلی> ; <https://www.hra-news.org/2023/hranews/a-42126/> ; <https://dadresi.net/ساعت-20٪از-انه-20٪خدمت-DB%B0%20٪عدم-20٪,عایت-20٪حجاب-27٪#:~:text=حکم-جایگزین-حبس,بر-ای-متهم-به-عدم-ر-عایت-ح> 20٪به-20٪عنوان-20٪نظافتچی,تیران-20٪,20٪ادارات-20٪,ایسته-20٪شد

⁶⁴ <http://www.ostan-ks.ir/media/1524223/gostareshplusfarhangplusefaf.pdf>

According to HRA, between 2011 and September 2023, a total of 665 women and activists have faced arrests in Iran under the Islamic Penal Code Articles 638, 639, and 698, all related to alleged violations of hijab and morality laws. For instance, on July 14, 2022, editor and storyteller Sepideh Reshnou was arrested and subjected to a brutal beating.⁶⁵ She subsequently required hospitalization, was coerced into recording a confession, and was formally charged. Additionally, she was prohibited from attending school for two semesters. In another case, a university journalism student named Melika Karagozlu was arrested after posting a video in which she protested against mandatory hijab rules. She was compelled to pay a significant fine of eight million tomans and faced a four-year prison sentence, which was later suspended.

On 8 April 2023, Iran's Chief of Police unveiled a new strategy termed the "hijab and chastity project," which employs facial recognition technology to identify and report women and girls not wearing the veil in public spaces.⁶⁶ The use of mass surveillance technology, such as facial recognition at such a scale, in addition to standing in clear violation of the rights to privacy, equality, and non-discrimination, exacerbates a climate of fear and intimidation. The Chief of Police also announced the use of digital technology to identify women not wearing the compulsory veil while in a vehicle, subsequently sending them an initial SMS warning. "Repeat offenses" led to a second SMS mandating the vehicle's immobilization for 15 days, with a third violation resulting in the vehicle's confiscation. Highlighting the sheer scale and impact of these measures, on 14 June 2023, the police's spokesperson, Saeed Montazer-Almahdi, revealed that since the measures' inception, nearly one million warning SMS messages were sent to women seen without a veil in their cars. Additionally, 133,174 SMS messages mandating vehicle immobilization for two weeks were sent, 2,000 cars were confiscated, and over 4,000 "repeat offenders" were referred to the judiciary nationwide.⁶⁷

It was reported to KMMK-G that on 16 September 2023, Armita Garawand, a Kurdish 16 years old girl born in Kermashan, had suffered a brain injury and was in a coma following a violent encounter with authorities in Tehran's Shohada metro station. On November 2nd, 2023, authorities publicly announced that Armita was dead. KMMK-G obtained testimonies from relatives who reported experiencing pressure and intimidation from authorities not to communicate on Armita's case. Authorities also prohibited Armita's family from burying her in Kermashan.⁶⁸

⁶⁵ <https://spreadingjustice.org/from-forced-veiling-to-forced-confessions/>

⁶⁶ <https://www.hamshahrionline.ir/news/753855/های-از-امروز-دور-بین-حجابی-و-بی-حجابی-با-بدحجابی-و-بی-حجابی-از-امروز-دور-بین-های>

⁶⁷ <https://www.etemadonline.com/بخش-اجتماعی-23/617677-نیر-وی-انتظامی-عفاف-حجاب>

⁶⁸

<https://www.kmmk-ge.org/wp-content/uploads/2023/12/KMMK-G-Interim-Report-on-the-Situation-of-Human-Rights-in-Kurdistan-of-Iran-for-the-period-1st-January-to-November-30-2023-SHM.pdf>

State agencies, spanning national, provincial, and municipal levels, along with public institutions such as banks, universities, and healthcare centers, have entrenched practices of promulgating repressive regulations and policies against women and girls not complying with the compulsory veil. These are not anchored in law or follow any legal process but are rather predicated on a nebulous state-mandated obligation to “promote virtue” and enforce “public morality.” Such practice has intensified in its severity since the onset of 2022. Typically, public authorities impose a gamut of administrative, economic, and social sanctions against women and girls who do not comply with the compulsory veil when they seek public service or employment or when they are employees. Throughout 2023, a staggering number of women have been subjected to denial of access to essential services based on regulations and internal directives devised and implemented by public institutions to sanction women not complying with veiling laws. Many have been denied education, with instances of being barred from sitting final exams or facing suspension or expulsion from universities. Others have been denied access to healthcare, banking services, and public transportation. Many have also been denied public employment opportunities or have been dismissed from their positions.⁶⁹ A notable instance of this trend was on 27 April 2023, when the mayor of Tehran, Alireza Zakani, unveiled a “hijab and chastity plan,” exclusive to the municipality. This plan leverages a special municipal security force (*yegan-e hefazat-e shahrdari*) to prohibit women and girls who do not wear the compulsory veil from entering the metro system.⁷⁰

Since April 2023, the National Police and the Office of the Prosecutor have disseminated multiple directives urging citizens, business owners, and employees to assist authorities in enforcing the compulsory veil. These directives lack legal grounding, and neither the Police nor the Office of the Prosecutor possesses a clear legal mandate to issue them. According to these directives, failing to enforce the mandatory veil when, for instance, doing commerce or in the context of private business activities could result in substantial fines and forced business closure. Following the release of these directives, law enforcement agencies have sealed dozens of establishments, including cafes, restaurants, tourist attractions, pharmacies, private doctors’ offices, and shopping centers, citing non-compliance with veil regulations.⁷¹ The Police had already been sanctioning businesses before the issuance of these directives based on similar grounds, and reports have documented the forcible closure of at least 458 businesses between March 2022 and April 2023.⁷²

⁶⁹ <https://www.irna.ir/news/85072242/بیانیه-وزارت-آموزش-و-پرورش-در-خصوص-حجاب-و-عفاف> ;
<https://www.iranintl.com/202306048423> ;

<https://www.irna.ir/news/85170645/هاشمی-هنرمندان-را-احمایت-می-کنیم-اما-قانون-گریز-را-تاب-نمی-آوریم-فیلم>

⁷⁰ <https://www.rouydad24.ir/fa/news/336223/اجرای-طرح-عفاف-و-حجاب-در-مترو-وی-تهران-فیلم>

⁷¹ <https://www.radiofarda.com/a/hejab-police-iran/32375585.html> ; <https://aftabnews.ir/fa/news/832630/> ;
<https://www.bbc.com/persian/articles/cn0eqgqk3jo>

⁷² <https://www.en-hrana.org/at-least-458-businesses-closed-to-enforce-compulsory-hijab/?hilite=hijab>

On 17 May 2023, the Prosecutor's Office issued a communiqué to airline companies, urging pilots to act as "judicial officers" and ensure passengers' compliance with the compulsory veil. The communiqué grants pilots the authority to deny boarding to those not meeting the dress requirements.⁷³ While the letter has no clear legal grounding, it nonetheless lends a degree of formal legitimacy to its enforcement. On 14 June 2023, Saeed Montazer-Almahdi stated that 108,211 reports had been gathered regarding "offenses" occurring at business premises, and 300 "offenders" identified and referred to the judiciary.⁷⁴

The constitutional duty of "promoting virtue and preventing vice" (Article 8 Constitution) is consistently invoked by the State as a justification to compel people in Iran to enforce penalties against women and girls not complying with the compulsory veil. Authorities have repeatedly urged private individuals to enforce veiling laws per this mandate and consistently introduced regulations to institutionalize punishments for those who deviate from the Government's interpretation of the constitutional duty. The absence of a clear legal framework that delineates the specifics of "promoting virtue and preventing vice" and its practical implications for private entities and individuals, in addition to a permissive environment for gender-based discrimination and violence, have resulted in women and girls facing everyday harassment, intimidation, threats, and even direct physical attacks by individuals claiming to act under the constitutional duty, all in impunity and at the acquiescence of the State.⁷⁵ The National Police and the Judiciary have proactively disseminated multiple directives urging citizens, business owners, companies, and staff to assist authorities in enforcing veiling laws. According to these directives, failing to fully implement the compulsory veil during the conduct of business activities, for instance, could result in substantial fines and forced termination of business.

The Draft Bill on Discretionary Punishments

The Judiciary's Legal and Parliamentary Affairs Deputy Office has been developing, for the past two years, a draft bill entitled "Discretionary Punishments"⁷⁶ which, if enacted, would replace the existing Book Five of the Islamic Penal Code. The draft continues to criminalize women and girls for not wearing the compulsory veil and

⁷³ <https://www.isna.ir/news/1402021710665/>

⁷⁴ <https://www.etemadonline.com/بخش-اجتماعي-23/617677-نير-وي-انتظامي-عفاف-حجاب/>

⁷⁵ <https://www.en-hrana.org/woman-arrested-in-sabzevar-after-confrontation-over-hijab/?hilit=hijab>

⁷⁶

<https://www.ekhtebare.ir/%D9%BE%DB%8C%D8%B4%D9%86%D9%88%DB%8C%D8%B3-%D9%84%D8%A7%DB%8C%D8%AD%D9%87-%D8%AA%D8%B9%D8%B2%DB%8C%D8%B1%D8%A7%D8%AA-%D9%86%D8%B3%D8%AE%D9%87-%D8%A2%D8%A8%D8%A7%D9%86-%DB%B1%DB%B4%DB%B0/>

expands the scope of offences and severity of punishments associated with the mandatory dress code.

For example, Article 178 of the draft bill mandates judicial bodies to take women and girls who do not adhere to compulsory veiling into custody to compel them to sign a written undertaking stating they would not repeat the “offence.” Women who refuse to sign such undertaking or those who refuse to adhere to compulsory veiling after signing the written undertaking would face “social punishments” of the 8th degree under the Islamic Penal Code, which includes monetary fines, restriction on freedom of movement, dismissal from or denial of public, law or media employment, restrictions of access to public services such as banking services, mandatory “educational, religious or moral” courses, etc.

Under Article 179 of the draft, “anyone who incites not adhering to compulsory veiling in any manner” online or offline, an offence typically leveraged against women and girls who appear in public without compulsory veiling as well as those engaging in any acts of protests, would face “a degree six punishment”⁷⁷ which may include imprisonment from 91 days to 6 months, a monetary fine from ten million Rials to twenty million Rials, 11 to 30 lashes, and social punishments for up to six months. If repeated, the sentence increases to imprisonment between 6 months to 2 years, 31 to 74 lashes, a monetary fine from 20 million to 80 million Rials, or social punishments for six months to five years.

The draft bill is still under governmental review and has not been formally introduced to the Parliament. Some of the measures outlined in the current draft of the Bill on Discretionary Punishments now appear in the Draft Bill to Support the Family by Promoting the Culture of Chastity and Hijab.

Draft Bill to Support the Family by Promoting the Culture of Chastity and Hijab currently under Parliamentary and Guardian Council review

The Judiciary’s Legal and Parliamentary Affairs Deputy Office drafted a set of provisions seeking to expand the scope of criminal “offences” in connection with mandatory hijab and to increase the stipulated punishments for such acts significantly. The draft bill, entitled “Hijab And Chastity,” was initially sent to the Government with nine articles.⁷⁸ The Government then submitted a revised draft

⁷⁷ Under Iran’s Islamic Penal Code, there are three types of punishments: “Hadd” (for crimes for which there are fixed punishments under Islamic law), “Qisas” (for crimes for which Islamic law specifies equal retaliation or monetary compensation as possible punishment) and Ta’zir punishments for crimes that are mentioned in Islamic law but for which sanctions are defined at the discretion of the state. Ta’zir punishments are divided into eight degrees, eight being the least severe. See Article 19, Iran’s Islamic Penal Code.

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<https://shenasname.ir/tarh/54083-%d9%85%d8%aa%d9%86-%da%a9%d8%a7%d9%85%d9%84-%d9%84%d8%a7%db%>

with 15 articles to the Parliament on May 21, 2023.⁷⁹ The Legal and Judicial Commission of the Parliament reviewed and edited the Government's revised draft, increasing the number of articles to 70, before submitting it for parliamentary review on July 27th.⁸⁰ The title was then changed to "Bill to Protect the Family by Promoting the Culture of Chastity and Hijab." On 13 August 2023, the Parliament voted to invoke Article 85 of the Constitution, allowing a parliamentary committee to review the draft without public debate. On 20 September, the Parliament adopted a modified draft version containing 71 Articles. The Parliament also defined a 3-year period of experimental implementation for the draft once it is vetted by the Guardian Council and before its complete ratification.⁸¹ The latest draft was sent to the Guardian Council for Constitutional and Islamic law review. On October 24, 2023, the spokesperson of the Guardian Council revealed that the Council had reviewed the draft, found several issues, and thus decided to send the draft back to the Parliament for an update.⁸² Notably, the Guardian Council noted that several terms used in the draft were ambiguous, such as "indecenty" and the behaviors the term may designate, which are not defined under the draft or any other legislation. The Guardian Council also highlighted other ambiguities, including regarding how the draft would interact with the authority of the Supreme Council of the Cultural Revolution, a body that is also mandated to oversee the implementation of the principles of hijab and chastity by governmental agencies. The Council noted that Article 70 of the draft, which stipulates "the code of conduct, how to identify the perpetrators of bad hijab, bad clothing, discovering the hijab, and how to notify the judicial authority, how to determine legal punishments and apply the legal sentences of reduction, suspension, and other individualized sentences by the judicial authority, and how to announce the writ to create public deterrence publicly" must be approved by the Head of the Judiciary, seemingly confers legislative authority to the Judiciary, which would be contrary to the Constitution.

The draft is currently under the Parliament's review to address the Guardian Council's notes.

[8c%d8%ad%d9%87-%d8%ad%d9%85%d8%a7%db%8c%d8%aa-%d8%a7%d8%b2-%d9%81%d8%b1%d9%87%d9%86%d8%af-%d8%b9%d9%81%d8%a7%d9%81-%d9%88-%d8%ad%d8%ac](https://shenasname.ir/tarh/54083-%d9%85%d8%aa%d9%86-%da%a9%d8%a7%d9%85%d9%84-%d9%84%d8%a7%db%8c%d8%ad%d9%87-%d8%ad%d9%85%d8%a7%db%8c%d8%aa-%d8%a7%d8%b2-%d9%81%d8%b1%d9%87%d9%86%d8%af-%d8%b9%d9%81%d8%a7%d9%81-%d9%88-%d8%ad%d8%ac)

⁷⁹

<https://shenasname.ir/tarh/54083-%d9%85%d8%aa%d9%86-%da%a9%d8%a7%d9%85%d9%84-%d9%84%d8%a7%db%8c%d8%ad%d9%87-%d8%ad%d9%85%d8%a7%db%8c%d8%aa-%d8%a7%d8%b2-%d9%81%d8%b1%d9%87%d9%86%d8%af-%d8%b9%d9%81%d8%a7%d9%81-%d9%88-%d8%ad%d8%ac>

⁸⁰

<https://www.ekhtebare.ir/%d9%85%d8%aa%d9%86-%d9%86%d9%87%d8%a7%db%8c%db%8c-%d9%84%d8%a7%db%8c%d8%ad%d9%87-%d8%ad%d9%85%d8%a7%db%8c%d8%aa-%d8%a7%d8%b2-%d8%ae%d8%a7%d9%86%d9%88%d8%a7%d8%af%d9%87-%d8%a7%d8%b2-%d8%b7%d8%b1%db%8c/>

⁸¹ <https://www.ekhtebare.ir/متن-نهایی-لایحه-عفاف-و-حجاب-مصوبه-کمیسی/amp/>

⁸² <https://www.isna.ir/news/1402080201201/>

UN experts have expressed grave concerns over this draft bill, which “could be described as a form of gender apartheid, as authorities appear to be governing through systemic discrimination with the intention of suppressing women and girls into total submission.”⁸³ The draft notably introduces new provisions and criminal punishments for women and girls who do not comply with the compulsory veiling laws and other overbroad and vaguely defined dress requirements and increases the severity of penalties of pre-existing related offences. As proposed, the draft compels women and girls to adhere to the dress requirements or see themselves facing severe repercussions, ranging from being denied employment opportunities, access to public services such as education and healthcare, and essential commodities to passport confiscations, exorbitant fines, and incarceration. The draft relies extensively on state authorities but also requires private actors such as commercial establishments, offices, and companies to participate in the enforcement of the law and implement its sanctions. Doing so, the draft in effect, moves away from legal proceedings and increases the pervasiveness of the regime of punishments, expectedly resulting in the social and economic paralysis of women and girls not complying with the compulsory veiling laws. The draft mentions the need for broader gender segregation in city planning (e.g., public beaches, urban spaces), public transport, universities, administrative centers, educational institutions, parks, tourist locations, and hospital treatment sections.⁸⁴ Already in April 2023, the UN experts had expressed alarm at the repressive enforcement of Iranian hijab laws, which they view as a manifestation of gender-based persecution.⁸⁵ State authorities have been using extensive surveillance cameras and face-recognition technology to monitor adherence to dress requirements, which observers have described as a method designed to enforce compliance through fear.⁸⁶

x2 • “Repeal the law on “youthful population” and other laws that violate the rights of women and girls,”

HRC/49/75 69f, A/77/181 75f

NOT IMPLEMENTED

⁸³

<https://www.ohchr.org/en/press-releases/2023/09/irans-proposed-hijab-law-could-amount-gender-apartheid-un-experts>

⁸⁴ <https://www.hra-iran.org/en/wp-content/uploads/2023/09/English-Final-reopt-hijab-bill-.pdf>

⁸⁵

<https://www.ohchr.org/en/press-releases/2023/04/repressive-enforcement-iranian-hijab-laws-symbolises-gender-based>

⁸⁶

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

The Islamic Republic of Iran has not repealed the law on “youthful population” and other laws that violate the rights of women and girls.

In November 2021, the Guardian Council ratified the “Youthful Population and Protection of the Family” law,⁸⁷ which aims to boost the country’s fertility rate in Iran. The law has been denounced by UN experts as being clearly in “contravention of international law,” violating “the rights to life and health, the right to non-discrimination and equality, and the right to freedom of expression.” Art. 61 of the new law vaguely stipulates that, if carried out on a large scale, abortion would fall under the crime of “corruption on earth” and would carry the death penalty.⁸⁸

x2 • “Revise legislation to eliminate child marriage”

HRC/49/75 69g, A/77/181 75g

x1 • “Implement measures to end child marriage, including by increasing the minimum age of marriage to 18 years”

HRC/46/50 65c

NOT IMPLEMENTED

The Islamic Republic of Iran has not revised legislation to eliminate child marriage.

In 2016, the Committee on the Rights of the Child stated that the legal age of marriage in the Islamic Republic of Iran “gravely violated rights under the Convention [on the Rights of the Child] and placed children, in particular girls, at risk of forced, early and temporary marriages, with irreversible consequences on their physical and mental health and development.”⁸⁹

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<http://nazarat.shora-rc.ir/Forms/frmShenasname.aspx?id=Bffc3DPSti0=&TN=I7tLyhyOobj0SooAFUE3m68PnpG7MrUN>

⁸⁸

<https://www.ohchr.org/en/press-releases/2022/01/iran-repeal-crippling-new-anti-abortion-law-un-experts?LangID=E&NewsID=27817>

⁸⁹ CRC/C/IRN/CO/3-4, para. 27-28 <https://undocs.org/en/CRC/C/IRN/CO/3-4>

Child marriage continues to be permitted under Iranian law. The legal minimum age for marriage is 13 years old for girls and 15 years old for boys.⁹⁰ However, younger children who have reached puberty can marry with parental consent and court approval.⁹¹ The predefined age of puberty under Iranian law, and the age of legal majority, is 9 lunar years for girls and 15 lunar years for boys.⁹²

In 2018, an amendment to Article 1041 of the Civil Code which would have banned the marriage of girls under the age of 13 and raised the standard age of marriage for girls from 13 to 16 years old – while allowing earlier marriage with the legal guardian's consent and legal permission – was rejected by the Parliament's Committee for Judicial and Legal Affairs. The bill was sent back to the government for amendments and has been pending ever since. To justify the parliamentary judiciary commission's rejection, then-chairman, Mr. Allahyar Malkshahi, claimed that "there were arguments in the field of medicine and psychology which have led to the rejection of the plan," according to media sources.⁹³

Under the official interpretation of Shari'a law in Iran, marriages (*Aghd* in Farsi) of girls as young as 9 lunar years are permitted, although such marriages cannot be officially registered, given the legal minimum age. Young girls are also subjected to temporary religious marriages in Iran, which do not have to be registered, known as *sigheh*.

With the permission of the court, the legal guardian has the right to marry for, and on behalf of, a minor daughter - legally sanctioning forced marriage.⁹⁴ Iran's Government affirmed in 2019 that when a case of forced marriage is reported to the Judiciary and a judicial case is filed, the forced marriage can be dissolved, and those who facilitated the forced marriage are prosecuted.⁹⁵ However, in law and practice, children lack access to legal recourse as they cannot file lawsuits without the representation of their legal guardians when under 15 years old.⁹⁶ Official data provided by the National Organization for Civil Registration shows that the number of child marriages is increasing each year in Iran.⁹⁷ Since the Committee's previous report, more than one million child marriages have reportedly been registered.

⁹⁰ Article 1041 of the Civil Code as amended up until December 2000

⁹¹ Iran Human Rights Documentation Center, https://iranhrdc.org/wp-content/uploads/pdf_en/LegalCom/Womens_Rights_Commentary_389929723.pdf

⁹² Committee on the Rights of the Child, 2016, CRC/C/IRN/CO/3-4, paras. 27-28 <https://undocs.org/en/CRC/C/IRN/CO/3-4>

⁹³ Tasnim, خبرگزاری تسنیم - ملکشاهی: طرح "افزایش سن ازدواج دختران" بازنگری می‌شود - اخبار سیاسی - اخبار تسنیم, <https://tn.ai/1941311>

⁹⁴ Iran Human Rights Documentation Center, https://iranhrdc.org/wp-content/uploads/pdf_en/LegalCom/Womens_Rights_Commentary_389929723.pdf

⁹⁵ Universal Periodic Review, 2019, Reply of the Islamic Republic of Iran, <https://undocs.org/en/A/HRC/43/12/Add.1>

⁹⁶ Islamic Penal Code, Book 2, arts. 146 and 147.

⁹⁷ The National Institution of Registry www.sabteahval.ir/avej/tab-1499.aspx

Between 2018 and 2022, a total of 474,946 child marriages have been recorded. Among them, 458,566 marriages involved girls under 18, and 51,521 of them were 13 years old or younger.⁹⁸ In April 2023, the state-owned Statistical Centre of Iran reported over 20,000 child marriages with girls under the age of 15 between March and December 2022.⁹⁹ Numbers, however, are likely to be higher as many child marriages go unregistered.

x1 • “Amend the Constitution and legislation to expressly state that all political and judicial positions are open to women and men”

HRC/46/50 65i

NOT IMPLEMENTED

The Islamic Republic of Iran has not implemented legislation to expressly state that all political and judicial positions are open to women and men.

Women have a limited presence in decision-making bodies in the country:

- Women cannot hold the position of Supreme Leader.
- Candidates for the presidency in Iran must be what the Constitution refers to as *Rajol-E-Siasi* (“political men”).¹⁰⁰ Though some argue that the phrase as a whole could be understood as “political persons,” without a specification as to gender, the Guardian Council of the Constitution, a body of Islamic and Constitutional law jurists responsible for vetting candidates for elections, has never approved a woman to stand in presidential elections or elections to the Assembly of Experts.¹⁰¹
- Additionally, no woman has ever served on the Guardian Council.¹⁰²

⁹⁸ <https://www.sabteahval.ir/avej/Page.aspx?mId=49826&ID=3256&Page=Magazines/SquareshowMagazine>

⁹⁹

<https://www.isna.ir/news/1402012814970/%D8%A7%D8%B2%D8%AF%D9%88%D8%A7%D8%AC-%D8%A8%D9%87-%D9%86%D8%A7%D9%85-%DA%A9%D9%88%D8%AF%DA%A9%D8%A7%D9%86-%D8%A8%D9%87-%DA%A9%D8%A7%D9%85-%D8%AE%D8%A7%D9%86%D9%88%D8%A7%D8%AF%D9%87>

¹⁰⁰ Art 115, Constitution of Iran.

¹⁰¹ The Assembly of Experts is a constitutional body with authority to appoint or dismiss the Supreme Leader. It is a 88-member body, elected by direct popular vote, among candidates vetted by the Guardian Council.

¹⁰² The Guardian Council is a body mandated to 1) bring parliamentary resolutions in line with Constitutional and Islamic law, 2) supervise elections and 3) vet candidates seeking to run in local, parliamentary, presidential and Assembly of Experts elections. The Guardian Council is composed of 12 members, six constitutional law experts elected by the Parliament and six experts of Islamic law appointed by the Supreme Leader.

- Nor on the Expediency Council.¹⁰³

There are no legal limits on the ability of women to vote or become a candidate for parliament or the City and Village Councils. However, the Guardian Council is known to arbitrarily disqualify women candidates from running for election. For example, in the run-up to the 2020 elections, the Guardian Council disqualified 60 percent of women candidates.

There are several mechanisms that ostensibly accept complaints regarding violations of individuals' rights, including the right to participate in elections without discrimination, such as the Article 90 Commission of the parliament (established based on Article 90 of the Constitution, offering a mechanism to citizens to file a complaint against any of three branches of power) and the Oversight Bodies for the exercise of Citizenship Rights in the country's provincial courts. However, no evidence suggests that complaints to these bodies are independently reviewed and investigated. Regarding complaints about the election process or candidate vetting, election law designates the Guardian Council as the arbitrator, which is the body responsible for the impugned decisions.

There are currently no female ministers in the Government's cabinet. No provincial governors are women. Former President Hassan Rouhani's government appointed three women as "county governors" out of 430 positions across the country.¹⁰⁴ However, all three of them were replaced by current President Ebrahim Raisi. As of September 2023, only one woman was serving as Vice-President (Women and Family Affairs), and another one as county governor in the current government.¹⁰⁵

Women currently occupy only 5.8 percent (16 out of 290) of parliamentary seats in the new parliament elected in February 2020, compared to 17 percent in the previous parliament.¹⁰⁶

The percentage of women candidates registered to run in the February 2020 city council election increased from 6.3 in 2016 to 8 percent. The number of women elected in city and village councils increased from 4029 to 5990 following the 2020 election.¹⁰⁷

¹⁰³ The body, whose members are all appointed by the Supreme Leader, was initially established as an arbitration body between parliament and the Guardian Council. The body serves as the Supreme Leader's advisory arm, formulating "general policies for the state" and overseeing the implementation of those policies on the behalf of the Supreme Leader.

¹⁰⁴ Executive rankings at the provincial level: 1) Governor, 2) County Governor, 3) District Governor, 4) Village President.

¹⁰⁵ <https://www.donya-e-eqtasad.com/fa/tiny/news-3837523>

¹⁰⁶ <https://newspaper.hamshahronline.ir/id/104282/>

¹⁰⁷ <https://irna.ir/xjD4b9>

Under Iranian law, women cannot be appointed as judges. This rule is based on an interpretation of Shari'a according to which judging is done only by men, and women cannot issue rulings.¹⁰⁸ While women can hold the position of 'legal advisers,' a role that allows them to oversee case proceedings or sit on three-person Appeals Court panels, they cannot render final verdicts, which must be signed by a judge.¹⁰⁹ According to statements issued by the Deputy of Human Resources of the Judiciary, Alireza Amini, in October 2017, there were about 1,000 women legal advisers in the Iranian judiciary, who hold positions in family courts, appeals courts and the Supreme Court. Again, these positions are advisory and have no decision-making power.¹¹⁰ In its National Report to the Universal Periodic Review in 2019, the Government reported that "more than 970 female judges work in the Judiciary"¹¹¹ while the total number of judges reportedly reached 10,000 in 2015.¹¹² In 2016, Tehran's general prosecutor appointed for the first time two women as investigators (investigating magistrates) in the juvenile court of Tehran.

In its State party's report to the Human Rights Committee, Iran's Government shared the number of women employed as "administrative staff of the Judiciary" with a total number indicating 1077.¹¹³ As highlighted above, and as suggested by "administrative staff", women can only be employed in advisory or assisting positions in the Judiciary and do not have decision-making power whatsoever.

x1 • "Amend the Constitution, repeal existing gender-discriminatory laws"

HRC/52/67 77b

NOT IMPLEMENTED

The Islamic Republic of Iran has not amended the Constitution nor repealed existing gender-discriminatory laws.

Article 3 of the Constitution of the Islamic Republic of Iran stipulates that it is the duty of the State to work towards "the abolition of all forms of undesirable

¹⁰⁸ The law of conditions for the election of judges of the judiciary: <https://rc.majlis.ir/fa/law/show/90547>

¹⁰⁹ The law of conditions for the election of judges of the judiciary: <https://rc.majlis.ir/fa/law/show/90547>

¹¹⁰ See; <http://www.iribnews.ir/009NnJ> ; and <https://www.yjc.ir/00QghG>

¹¹¹ UPR 2019, National Report, Islamic Republic of Iran, <https://undocs.org/A/HRC/WG.6/34/IRN/1>

¹¹² Hiring 3,700 Judges During The Fifth Development Plan, 700 Women Active In Judiciary," Mizan News, September 16, 2015, <https://www.mizanonline.com/fa/news/77228/قضاای-700-زن-در-امور-قضائی>

¹¹³ Fourth periodic report submitted by the Islamic Republic of Iran, CCPR/C/IRN/4, para. 164

discrimination and the provision of equitable opportunities for all, in both the material and the intellectual spheres.” Article 20 guarantees that all citizens of Iran, men and women, enjoy equal protection of the law and of rights “in conformity with the Islamic criteria.” Article 21 emphasizes that “the government must ensure the rights of women in all respects, in conformity with Islamic criteria”. According to Article 4 of the Constitution, the Guardian Council of the Islamic Republic of Iran is entrusted with defining and determining the framework of what constitutes the “Islamic criteria” or standards. Among the 12 non-elected members of the Guardian Council, only the six male clerics directly appointed by the Supreme Leader are responsible for such tasks. While the aforementioned provisions supposedly safeguard the human rights of women and protect them from discrimination, such legal guarantees only exist as long as they are in conformity with “Islamic criteria.” The opportunity for interpretation allowed under qualifications such as “in conformity with Islamic criteria” has often resulted in provisions that discriminate or have a discriminatory impact on various grounds, including gender.

The Iranian Islamic Penal Code (2013) is largely based on the Government’s interpretation of Islamic Sharia precepts and contains provisions that directly discriminate between girls and boys under the criminal justice system. One of the most telling examples is the age of criminal responsibility, which is set at nine lunar years for girls (equivalent to eight years, nine months) and fifteen lunar years for boys (equivalent to fourteen years, seven months).

Additionally, a large number of provisions under the Iranian Civil Code are discriminatory towards women. These provisions notably include the legal age of marriage,¹¹⁴ the share of inheritance,¹¹⁵ and the right to divorce.¹¹⁶ In marriage, the Civil Code provides rights to the husband over those of the wife,¹¹⁷ notably by establishing the position of the ‘head of the family’ as the exclusive prerogative of the husband. Under Iranian law, the husband is entitled to control aspects of his wife’s life¹¹⁸ and to demand that she performs her “duties.”¹¹⁹

¹¹⁴ Article 1041, Civil Code of the Islamic Republic of Iran. <https://iranhrdc.org/the-civil-code-of-the-islamic-republic-of-iran/>

¹¹⁵ Articles 861 to 948, Civil Code of the Islamic Republic of Iran. <https://iranhrdc.org/the-civil-code-of-the-islamic-republic-of-iran/>

¹¹⁶ Article 1133, Civil Code of the Islamic Republic of Iran. <https://iranhrdc.org/the-civil-code-of-the-islamic-republic-of-iran/>

¹¹⁷ Articles 1102 to 1119, 1133 to 1142, Civil Code of the Islamic Republic of Iran. <https://iranhrdc.org/the-civil-code-of-the-islamic-republic-of-iran/>

¹¹⁸ For instance, under Article 1117 of the Civil Code of the Islamic Republic of Iran “The husband can prevent his wife from occupations or technical work which is incompatible with the family interests or the dignity of himself or his wife.” <https://iranhrdc.org/the-civil-code-of-the-islamic-republic-of-iran/>

¹¹⁹ Article 1108, Civil Code of the Islamic Republic of Iran. <https://iranhrdc.org/the-civil-code-of-the-islamic-republic-of-iran/>

With regards to women's right to work, a husband can prevent his spouse from pursuing an occupation which he believes to be against family values or harmful to his or her reputation.¹²⁰

There is no law prohibiting an employer from seeking a husband's permission for a woman to work, and employers have been reportedly requiring engaged or married women to provide a written statement of permission from their husbands in order to be hired.¹²¹

Structural discrimination deeply entrenched in the Iranian legal system ultimately translates to widespread discrimination against women in all aspects of their lives.

¹²⁰ Civil Code of the Islamic Republic of Iran, Art.1117 < <https://shenasname.ir/laws/6664> >

¹²¹ Human Rights Watch, 'It's A Men's Club': Discrimination against Women in Iran's Labour Market, May 2017

TORTURE

4 recommendations calling for the repeal of laws authorizing/facilitating the resort to torture and ill-treatment

x3 • “Repeal laws authorizing the use of torture and ill-treatment as a form of punishment”

HRC/46/50 63b, A/75/213 55h, A/76/160 70k

NOT IMPLEMENTED

The Islamic Republic of Iran has not repealed laws authorizing the use of torture and ill-treatment as a form of punishment.

The Penal Code of the Islamic Republic of Iran imposes corporal punishment for a significant number of crimes. Iran’s penal law provides for about 149 offences that are punishable by flogging, according to the Abdorrahman Boroumand Center. Articles 386 to 416 of the Code contain regulations permitting imposing a range of punishment under *qisas-e ozv* (retaliation for injured limb or body part). Such punishments include the amputation of limbs, mutilation, and blinding. Under Article 278 of the Penal Code, when certain conditions are met, the crime of theft can lead to the “amputation of the full length of four fingers of the right hand of the thief [...]”.

Article 38 of the Constitution of the Islamic Republic of Iran prohibits torture and other ill-treatment, but only when it is “used to extract an admission of guilt or to obtain information.”

Additionally, Article 39 prohibits all affronts to the dignity of detained or imprisoned persons. Similarly, Article 578 of the Islamic Penal Code asserts that “any civil servant or judicial or non-judicial agent who corporally mistreats and abuses an accused

person in order to force him to confess shall be sentenced.”¹²² Such provision is reiterated under Article 60 of the Code of Criminal Procedure, while Article 169 of the Prison Regulations prohibits “corporal punishment of the accused or convicts, and imposing violent, excruciating or humiliating punishments, in all penal institutions and prisons.” Punishments for committing such acts against a detainee or prisoner are found under Article 587 of the Islamic Penal Code. It is important to note that although Iranian law generally prohibits torture and certain abusive practices during interrogations, with some exceptions, it does not provide a definition of torture per se. Torture and other ill-treatment inflicted on an individual for a purpose other than that of extracting confessions and/or information is not, therefore, explicitly prohibited and, as a result, may not be prosecuted.

Prisoners in the Islamic Republic of Iran are often exposed to the risk of being held in solitary confinement for prolonged periods of time, which may amount to torture. While Article 175 of Iran’s Prison Regulations stipulates that solitary confinement should not exceed 20 days, the UN Standard Minimum Rules for the Treatment of Prisoners (or the Nelson Mandela Rules) consider solitary confinement for more than 15 days as prolonged solitary confinement. The Human Rights Committee stipulated that the prolonged solitary confinement of detainees may amount to torture or other cruel, inhuman, or degrading treatment or punishment. Reports of prolonged solitary confinement, sometimes lasting several months, are regular in the Islamic Republic of Iran.

There are institutions competent to receive and investigate complaints of torture and ill-treatment in the Islamic Republic of Iran. The Supervision and Inspection Board, established under the Law on Respect for Legitimate Freedoms and Safeguarding Citizen’s Rights, monitors compliance with policies and laws and confronts those who breach them. The Board’s tasks include submitting “the complaints it receives to the relevant bodies and pursuing the investigation until it yields an outcome,”; “deploying inspection groups to the bodies,”; and “preparing reports on the implementation of laws in the country every three months and making them available to the public.” Additionally, the Supervision and Inspection Board set up a database enabling victims and witnesses to submit their complaints. During the 2019 Universal Periodic Review, the Islamic Republic of Iran stated that “the prosecutors, through judges stationed in prisons as well as the Secretariat of the Protection of Citizenship Rights and provincial supervisory boards, conduct regular inspections and investigate any reports or complaints” with regard to allegations of torture. No readily available information might indicate that complaints have been properly investigated and adjudicated by the Board or the Secretariat.

¹²² Islamic Penal Code of the Islamic Republic of Iran (2013), English translation, Iran Human Rights Documentation Center, <https://iranhrdc.org/islamic-penal-code-of-the-islamic-republic-of-iran-book-five/>

x1 • “Enact laws prohibiting the punishments of flogging and amputations”

A/73/398 36

Articles 386 to 416 of the Code contain regulations permitting the imposition of a range of punishment under *qisas-e ozv* (retaliation for injured limb or body part). Such punishments include the amputation of limbs, mutilation, and blinding. Under Article 278 of the Penal Code, when certain conditions are met, the crime of theft can lead to the “amputation of the full length of four fingers of the right hand of the thief [...]”

In the Islamic Republic of Iran, at least 149 crimes continue to be punishable by flogging. The laws related to flogging are broad and encompass a wide array of acts recognized as crimes. Flogging is foreseen for offenses such as consumption of alcohol, drug use and petty drug dealing, theft, adultery, “flouting” of public morals, illegitimate relationships, and mixing of the sexes in public.¹²³

According to ABC, flogging is also used in interrogations,¹²⁴ but its use is more often reported in the case of political detainees from specific political or ethnic groups. Judges also have the latitude to mete out corporal punishment for those sentenced to death. In such cases, the flogging is carried out before the execution to maximize the convict’s suffering.¹²⁵

Iranian authorities do not systematically or thoroughly release information on flogging sentences or their implementation. Reports of flogging cases appear in the Iranian media occasionally, though only rarely from small towns and villages. A number of Iranians interviewed by ABC have reported being aware of cases of lashing of vulnerable individuals, such as drug addicts, that have not been reported in the media or elsewhere. The Head of Mazandaran Courthouse stated in an interview reported by Iran Students News Agency on December 31, 2012 that a total

¹²³ For a list of acts punishable by flogging in Iranian law, see: <https://www.iranrights.org/library/document/3643>

¹²⁴ E.g. **Nour Ahmad Hassan-Zehi**, a Baluch political prisoner taken into custody by agents of the Ministry of Information in March 2011, reported being bound to a device called a “miracle bed” and beaten with cables on the soles of his feet during interrogations (<https://www.iranrights.org/library/document/3136>)

¹²⁵ <https://www.iranrights.org/library/document/3169>

of 46,180 judicial rulings had been carried out in the province in the course of eight months. Among these cases, he said, 10,815 cases resulted in flogging.¹²⁶

ABC has reported and documented the following cases of flogging sentences since the beginning of the mandate of the UNSR:

- Human rights lawyer Amirsalar Davoudi, arrested on 20 November 2018, was sentenced by Branch 15 of the Revolutionary Court to 30 years in prison and 111 lashes including for reporting on human rights violations through a Telegram mobile messaging app and giving media interviews.¹²⁷
- A young woman arrested on charges of having “satanic relations” with a man other than her husband has been sentenced in 2017 to two years of washing corpses in morgues and 74 lashes at the decision of a judge at Tehran’s Branch Five Criminal Court.¹²⁸
- Peyman Nodinian, a Board of Directors’ member of the Teachers’ Association was accused of “insulting a public officer on duty” and Branch 105 of the Islamic Revolutionary Court of Sanandaj (Kurdistan) sentenced him to lashes and suspended imprisonment. The 20 lashes sentence was carried out at the Enforcement Branch of Sanandaj Courthouse in March 2014.
- A 14 year-old boy was sentenced to six months in prison and 30 lashes for stealing pigeons from his neighbor’s roof in February 2013 by a court in Birjan, Khorasan Province. The judge sentenced the boy despite the fact that the pigeons were returned and the plaintiff withdrew his complaint.¹²⁹
- A sentence of 80 lashes for Zaman (Saheb) Feda’i, a Christian convert, implemented at Evin Prison on November 15, 2020 on charge of alcohol consumption for drinking communion wine at a home church service, handed down in the fall of 2017. Less than a month earlier, Feda’i had returned to Evin from his first furlough. Feda’i was arrested in a May 2016 raid on a home church service in Rasht, Gilan Province along with four other converts.¹³⁰
- A sentence of 74 lashes for labor activist and laid-off Pars Khodro auto company employee Davoud Rafi’i, was implemented at Evin Prison on November 26, 2020, on charge of insulting the Minister of Labor, following Rafi’i’s participation in a protest at which he displayed a placard critical of the Minister. The sentence had been issued by a Tehran court and upheld by Branch 36 of the Appeals Court of Tehran Province. The sentence was implemented after Rafi’i, free on bail, had reported to the Evin Prosecutor’s

¹²⁶

iranrights.org/library/document/2307/flogging-in-mazandaran-a-total-of-10815-individuals-received-lashes-in-eight-months

¹²⁷ See Amnesty International urgent action: <https://www.iranrights.org/library/document/3587>

¹²⁸ <https://www.iranrights.org/library/document/3190>

¹²⁹ <https://www.iranrights.org/library/document/2732>

¹³⁰ <https://www.iranrights.org/library/document/3816>

Office to follow up on his case; he had not been informed the sentence had been finalized.¹³¹

- Political prisoner Chia Aghabeigpour, an ethnic Kurd, was given 70 lashes at Bukan Prison on February 23, 2022 for a conviction of "propaganda against the regime to the benefit of an anti-regime political group" issued by the Revolutionary Court of Bukan.¹³²
- On May 8, 2022, four individuals (names unknown) were flogged in the yard of Langaroud Prison after being convicted by the Special Economic Court in connection with a real estate fraud scheme. The four were flogged in the presence of individuals who had lost money in the scheme.¹³³
- Amir Azizi, a Tehran University student of architecture arrested in the crackdown on protests sparked by the death of Mahsa Amini, was given 74 lashes on the charge of "agitating the public mind by way of cyberspace" on December 14, 2022, at Greater Tehran Prison. The verdict was issued by Branch Two of the Revolutionary Court on November 22, 2022 and upheld by Branch 36 Appeals Court of Tehran Province on December 13, 2022.¹³⁴
- A Baluch prisoner (name unknown) charged with theft was flogged in public in the presence of military and judicial officials in Delgan, Sistan and Baluchistan Province, on February 2, 2023.¹³⁵
- On April 3, 2023, two young men charged with consuming alcohol and recording and circulating a video of the act on social media during the Ramadan period were given 80 lashes in public at the scene of the alleged crime at the "Gohar Park" recreational athletic complex in the city of Sirjan, according to the local Public and Revolutionary Prosecutor. The verdict was issued by Branch 101 of Criminal Court 2 of Sirjan County.¹³⁶
- Sometime around January 2023 (precise date not mentioned in available reports), Zahra Teymouri, a Master's student in psychology at Tehran University who had been arrested in the crackdown on protests sparked by Mahsa Amini's death, was given 74 lashes on charge of "disrupting public order." The verdict was issued by Branch 105 of Criminal Court One of Shahryar and confirmed by the Branch 36 Appeals Court of Tehran Province.¹³⁷
- On June 25, 2023, Christian convert Zaman Feda'i was given 80 lashes at the Branch One Criminal Sentence Implementation of the Evin Prosecutor's Office for "delay in returning to prison."¹³⁸

¹³¹ <https://www.iranrights.org/library/document/3819>

¹³² <https://www.iranrights.org/library/document/3950>

¹³³ <https://www.iranrights.org/library/document/3942>

¹³⁴ <https://www.iranrights.org/library/document/3991>

¹³⁵ <https://www.iranrights.org/library/document/3995>

¹³⁶ <https://www.iranrights.org/library/document/4035>

¹³⁷ <https://www.iranrights.org/library/document/3994>

¹³⁸ <https://www.iranrights.org/library/document/4054>

The degrading nature of flogging deters many victims from reporting on their cases. Furthermore, not all reported flogging sentences are implemented. Some sentences can be replaced by fines, and, in some cases, political and other factors affecting local authorities' decisions or corruption in the judiciary could result in the waiving of a reported sentence.

The Human Rights Committee has explicitly stated that flogging, amputation and stoning are not compatible with the International Covenant on Civil and Political Rights (ICCPR).¹³⁹

¹³⁹ UN Human Rights Committee (HRC), CCPR/C/79/Add.85, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolNo=CCPR/C/79/Add.85&Lang=en

HONOUR KILLING

3 recommendations calling for the repeal of laws that mitigates/exonerates perpetrators of violence against women and girls

x3 • “Repeal legislation that mitigates, or exonerates perpetrators of, violence against women and girls, including for so-called honour killings and criminal acts within marriage”

HRC/46/50 65e, A/HRC/49/75 69h, A/76/160 70g

NOT IMPLEMENTED

The Islamic Republic of Iran has not repealed legislation that mitigates or exonerates perpetrators of, violence against women and girls, including for so-called honour killings and criminal acts within marriage.

The Islamic Penal Code provides various exemptions for husbands, fathers, and grandfathers who kill or assault their female relatives. Article 630 of the Islamic Penal Code (2013) exempts husbands from criminal liability and *qisas* if he commits murder, assault and/or battery against his wife if the husband catches their wife committing a zina offence (adultery) with another man. There also exist exemptions in the Islamic Penal Code for fathers and grandfathers who kill their children, including in the context of “honour killing.”¹⁴⁰ Moreover, adultery can be sentenced with the death penalty in Iran, including the death penalty by stoning.¹⁴¹

Iran does not have any laws which specifically criminalize domestic violence. Cases of domestic violence can be prosecuted as crimes of bodily assault. Rape is not classified as a distinct crime under Iranian law but is considered a crime of *zina*

¹⁴⁰ Islamic Penal Code, 2013, Art. 301

¹⁴¹ Islamic Penal Code, arts. 221-32.

(sexual relations outside of marriage) without consent.¹⁴² The legal definition for 'coerced zina' is restricted to forced vaginal and anal penetration by a penis - therefore excludes other forms of penetration - and only when the perpetrator and the victim are unmarried - therefore explicitly excludes marital rape.¹⁴³ Beyond rape, no other form of sexual assault is specifically criminalized under the Islamic Penal Code.

Moreover, numerous articles in the country's Civil Code actively undermine the already severely limited legal protections for women against domestic violence:

- Article 630 of the Islamic Penal Code (2013) exempts husbands from criminal liability and qisas (retribution in kind) if he commits murder, assault and/or battery against his wife if the husband catches their wife committing a zina offence (adultery) with another man.¹⁴⁴ There are also exemptions in the Islamic Penal Code for fathers and grandfathers who kill their children.¹⁴⁵
- Article 1105 of Iran's Civil Code states that "in relations between husband and wife, the position of the head of the family is the exclusive right of the husband." 'Disobedience' to the husband can be used as a legal ground for battery.¹⁴⁶
- Article 1117 forbids a woman from leaving the matrimonial home without the husband's permission¹⁴⁷ unless she is able and willing to go to court to prove she is endangered. This leaves Iranian women deeply vulnerable to violence, especially given the evidentiary requirement of witnesses¹⁴⁸ and the fact that a female witness's testimony is worth half that of a man's.¹⁴⁹
- Article 1108 stresses that if a wife refuses to have sex with her husband without a 'legitimate excuse,'¹⁵⁰ she is not entitled to 'spousal maintenance.' Although

¹⁴² Article 221 of the Islamic Penal Code (2013), Iran Human Rights Documentation Centre, <https://iranhrdc.org/english-translation-of-books-i-ii-of-the-new-islamic-penal-code/>

¹⁴³ Iran Human Rights Documentation Center, 2020, <https://iranhrdc.org/access-to-justice-for-victims-of-sexual-violence-in-iran/>

¹⁴⁴ Islamic Penal Code, English Translation, Iran Human Rights Documentation Center, <https://iranhrdc.org/islamic-penal-code-of-the-islamic-republic-of-iran-book-five/>

¹⁴⁵ Islamic Republic of Iran, Islamic Penal Code, Article 301

¹⁴⁶ Iran Human Rights Documentation Centre https://iranhrdc.org/wp-content/uploads/pdf_en/LegalCom/Womens_Rights_Commentary_389929723.pdf

¹⁴⁷ Article 1114 outlines that, "the wife must stay in the dwelling that the husband allots for her unless such a right is reserved to the wife."

¹⁴⁸ Victims wishing to file a complaint for domestic violence must present two adult male witnesses. "The standard [of proof] for testimony in all offences shall be two male witnesses; unless in zina, livat, tafkhiz, and mosaheqeh which shall be proved by four male witnesses" Article 199 of the Islamic Penal Code (2013), Iran Human Rights Documentation Center, 2020, <https://iranhrdc.org/access-to-justice-for-victims-of-sexual-violence-in-iran/>

¹⁴⁹ Islamic Penal Code, 2013, Articles 74, 75 199, English Translation, Iran Human Rights Documentation Center, <https://iranhrdc.org/islamic-penal-code-of-the-islamic-republic-of-iran-book-one-book-two/>

¹⁵⁰ A reasonable and valid excuse for a wife to refuse sexual relations is when the husband has contracted a venereal disease. Iran Human Rights Documentation Centre, https://iranhrdc.org/wp-content/uploads/pdf_en/LegalCom/Womens_Rights_Commentary_389929723.pdf

the legal minimum age for marriage is 13 years old under Iranian law,¹⁵¹ girls as young as 9 lunar years (around 8.5 calendar years) can marry, subject to parental consent and court approval.¹⁵² Therefore, 9 lunar years old married girls and older are also subject to the Civil Code Article 1108's obligation to fulfill the sexual needs of their husbands. In 2017, the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran found that Article 1108 of the Iranian Civil Code "might even condone sexual abuse".¹⁵³

There is a dearth of recent, official data on the prevalence of domestic violence in Iran. The last official and published study on domestic violence carried out in Iran dates back 2004. The study showed that about 66 percent of women sampled responded that they had been subjected to domestic violence in the first year of their marriage.¹⁵⁴ Despite the lack of comprehensive official data, cases of domestic violence are regularly reported and considered widespread in the Islamic Republic of Iran. In July 2019, the head of the Medical Examiner's Office of Tehran Province reportedly announced that more than 16,420 cases of domestic violence had been reported to the office, a number consistently increasing since at least 2017.¹⁵⁵ In February 2019, deputy of social affairs of the State's Welfare Organization, Habibollah Massoudi Farbod, reportedly announced that during 2018, about 10,000 calls relating to violence against women were made to the public social welfare hotlines.¹⁵⁶ In April 2020, Mahmoud Aligoo, the head of the Department of Social Harms of the State's Welfare Organization reportedly announced a dramatic increase in the number of cases of domestic violence, as Iran was going through a government-mandated

¹⁵¹ Article 1041 of the Civil Code as amended up until December 2000, NGO Submission to the Committee on the Rights of the Child, 2016, https://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/IRN/INT_CRC_NGO_IRN_19809_E.pdf

¹⁵² Iran Human Rights Documentation Centre, https://iranhrdc.org/wp-content/uploads/pdf_en/LegalCom/Womens_Rights_Commentary_389929723.pdf

¹⁵³ Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, 2017, <https://www.refworld.org/docid/58bd7e2b4.html>

¹⁵⁴ The study was undertaken by the Women's Centre for Presidential Advisory, the Interior Ministry and the Ministry of Higher Education of the Islamic Republic of Iran and published in 2004. The study was conducted based on questionnaires and only main cities were visited. Moradian, A., Domestic Violence against Single and Married Women in Iranian Society, The Chicago School of Professional Society, August 2009 <https://iranian.com/2009/09/10/domestic-violence-against-single-and-married-women-in-iranian-society/> ; Ceasefire Centre for Civilian Rights, Centre for Supporters of Human Rights and Minority Rights Group International September 2019, <https://www.justice.gov/eoir/page/file/1203136/download> ; See also <https://www.isna.ir/news/8307-07024/انتایج-طرح-ملي-بررسی-خشونت-خانگی-علیه-زنان-در-28-استان-اعلام>

¹⁵⁵ Human Rights Activists News Agency, 2019, <https://www.en-hrana.org/increase-in-domestic-violence-in-tehran-more-than-16-thousand-cases-were-filed>

¹⁵⁶ Human Rights Activists News Agency, 2020, <https://www.en-hrana.org/domestic-violence-increased-during-coronavirus-quarantines-and-stay-at-home-orders>

lockdown to combat the spread of the virus COVID-19.¹⁵⁷ Yet, cases of domestic violence are believed to be largely underreported.

As of September 2023, the Bill for the Protection, Dignity, and Security of Women Against Violence, first announced in 2011, was still going through its adoption process. In January 2020, the U.N. Secretary-General had already expressed concerns about the slow progress of the bill. The Secretary-General also noted that “critical articles were reportedly removed from the initial proposal of the Executive, including provisions protecting women from various forms of violence and criminalizing domestic violence.” The Parliament adopted on April 11, 2023, the general content of the draft. MPs can now register proposals on the details of the bill, which will then go through a review article by article (currently 57 articles) in a plenary session. It is unclear when such review will take place.¹⁵⁸

FREEDOM OF RELIGION OR BELIEF

3 recommendations calling for the repeal / amendment of laws that authorize/facilitate discrimination on the basis of FoRB

¹⁵⁷ Human Rights Activists News Agency, 2020, <https://www.en-hrana.org/domestic-violence-increased-during-coronavirus-quarantines-and-stay-at-home-orders> ; IRNA, 2020, <https://bit.ly/2VRztcz>

¹⁵⁸ <https://www.ekhtebare.ir/?p=77544> ; <http://www.yjc.ir/00ZHvP> ; <https://www.isna.ir/news/1401112519101/>

x1 • “Amend article 13 of the Constitution to ensure that all religious minorities and those who do not hold any religious beliefs are recognized and able to fully enjoy the right to freedom of religion or belief”

A/74/188 96a

NOT IMPLEMENTED

The Islamic Republic of Iran has not amended Article 13 of the Constitution.

The Constitution of the Islamic Republic of Iran names the Twelver Ja’fari School of Shia Islam as the state religion and stipulates that “other Islamic schools are to be accorded full respect, and their followers are free to act in accordance with their own jurisprudence in performing their religious rites” (Article 12). Article 13 of the Constitution provides that the Zoroastrian, Jewish, and Christian Iranians “are the only recognized religious minorities” under Iranian law. Because there are no laws safeguarding the right of religious minorities to worship, maintain places of worship or assemble, the structural exclusion of other religious minorities leaves them without legal protection to manifest and practice their religion or Belief.

Article 19 of the Constitution guarantees that all people enjoy equal rights, “whatever the ethnic group or tribe to which they belong,” and that “color, race, language, and the like, do not bestow any privilege”.¹⁴ However, the Constitution omits an explicit provision recognizing religion or belief as a protected characteristic. Article 20 of the constitution states, “All citizens of the country, both men and women, equally enjoy the protection of the law and all human, political, economic, social, and cultural rights, in conformity with Islamic criteria.” Additionally, Article 23 of the Constitution stipulates that “the investigation of individuals’ beliefs is forbidden, and no one may be molested or taken to task simply for holding a certain belief.”

Such shortcomings in the legal framework set the structure for the institution of discriminatory policies and practices against religious minorities in the Islamic Republic of Iran. Many elements of Iran’s domestic legal framework discriminate between Shia Muslims and Muslim and non-Muslim minorities. Members of religious minorities are routinely denied employment and restrictions on access to education and other basic services and are disproportionately targeted with arbitrary detention and sentences based on national security charges.

In the context of a State that considers itself Shia by law, such measures imposing restrictions on the basis of religion or belief may well amount in practice to coercion to renounce or to convert to a minority faith and as such are incompatible with the prohibition of discrimination based on religion or belief under Article 18 of the Covenant. The Human Rights Committee stipulated that the “recognition of a religion as a State religion should not result in any impairment of the enjoyment of any of the rights under Article 18, nor in any discrimination against adherents of other religions or non-believers, since the right to freedom of religion and belief and the prohibition of discrimination do not depend on the recognition as an official religion or belief”.¹⁵⁹ Iranian penal sanctions, policies and practices instituted against religious minorities may well amount to attempts to compel believers or non-believers to adhere to their religious belief and congregations, to recant their religion or belief or to convert. The Human Rights Committee has stated that such conduct is inconsistent with Article 18 of the ICCPR.¹⁶⁰

x1 • “Amend all articles in the Islamic Penal Code that discriminate on the basis of religion or belief”

A/74/188 96b

x1 • “end the criminalization of the peaceful expression of faith”

A/74/188 97g

NOT IMPLEMENTED

The Islamic Republic of Iran has not amended all articles in the Islamic Penal Code that discriminate on the basis of religion or belief.

¹⁵⁹ Human Rights Committee Concluding Observations, 3 August 1993, CCPR/C/79/Add.25
https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolNo=CCPR%2fC%2f79%2fAdd.25&Lang=en

¹⁶⁰ UN Human Rights Committee (HRC), CCPR General Comment No. 22: Article 18 (Freedom of Thought, Conscience or Religion), 30 July 1993, CCPR/C/21/Rev.1/Add.4, available at: <https://www.refworld.org/docid/453883fb22.html>

The Islamic Penal Code (“IPC”) prescribes different penalties depending on the religion of the perpetrator and/or the victim of a number of crimes. For example, in cases of murder, the IPC sanctions the practice of *qisas* (retaliation in kind), which allows the family of the murder victim to opt for the execution of the murderer. However, this practice is applied discriminatorily under the IPC on the basis of religion and belief. If a Muslim or member of a recognized minority kills a follower of an unrecognized religion, the family of the victim has no resort to *qisas*.

The lack of legal safeguards enables the Iranian authorities to weaponize the Islamic Penal Code and criminalize a vast array of peaceful activities such as attending a house church or being part of religious conferences as criminal acts on the basis that they can threaten the existence of the Islamic Republic and thus constitute a national security threat. The Iranian judiciary has reportedly been using articles such as 498, 499 and 500 of the Iranian Penal Code to prosecute minority faith adherents for such activities.¹⁶¹

Members of religion or belief minorities are regularly targeted for apostasy-related charges. Under Article 220 of the Islamic Penal Code and Article 167 of the Iranian Constitution, a judge may refer to Islamic law to rule on crimes not explicitly defined in the law. As apostasy is considered a *hadd* offence (a crime for which a fixed punishment is derived from the Qur’an or the Hadith⁵³), a judge may still invoke Articles 220 of the Penal Code and Article 167 of the Constitution to convict and sentence individuals accused of apostasy on this basis. Commonly, however, the Iranian judiciary resorts to national security charges instead of apostasy. Because

x1 • “Repeal the established gozinesh requirements and any other policies that condition access to employment on the basis of individual beliefs”

A/74/188 96f

NOT IMPLEMENTED

The Islamic Republic of Iran has not repealed the gozinesh requirements and any other policies that condition access to employment on the basis of individual beliefs.

While Iranian law theoretically forbids the investigation of individual beliefs (Art. 23 Constitution), discrimination in access to employment is institutionalized through

¹⁶¹ Articles 498 (“establishing a group that aims to disrupt national security”), 499 (“membership in a group that aims to disrupt national security”), and 500 (“spreading propaganda against the system”)

the practice of *gozinesh*, a mandatory screening process set forth in the Selection Law based on Religious and Ethical Standard of 1995. As described by the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, the process “involves investigations conducted by the Supreme Selection Council and the Ministry of Intelligence into the acceptability of an applicant’s beliefs, previous political opinions and affiliations” and is intended to ensure that applicants “adhere to and have knowledge of Islam, follow the theory of *Velayat-e-faqih* (rule of an Islamic jurist under Shi’ite Islam) and are loyal to the Islamic Republic of Iran.”¹⁶² Not only is *gozinesh* in contradiction of Article 23 of the Constitution, it also bars minorities or anyone who are unable or unwilling to accept these requirements from seeking employment in the public sector. Members of religious and ethnic minorities have reportedly been the target of denial of employment in the Islamic Republic of Iran.

In 1991, the Government institutionalized a policy against Baha’i citizens in a memorandum entitled ‘The Baha’i Question’, produced by Iran’s Supreme Revolutionary Cultural Council and approved by the Supreme Leader. The document outlines a series of measures aiming at restricting Iranian Baha’is access to education, economic and cultural life. Although the Government affirmed that the Baha’is had not been singled out for discrimination,¹⁶³ the document remains in force today. On 26 March 2018, the Supreme Leader Ali Khamenei issued, via his website, a new religious decree (fatwa) concerning “association and dealing with Baha’is”. He stated that, “[y]ou should avoid any association and dealings with this perverse and misguided sect.” Baha’is continue to be categorically barred from public sector employment, and they also face serious restrictions in the private sector. For example, the authorities sometimes refuse to issue commercial licenses to Baha’is and have shut down scores of Baha’i-owned businesses for closing on Baha’i holy days.

In addition to restrictions based on the *gozinesh* requirements, according to the Constitution of the Islamic Republic of Iran, candidates for the presidency must follow the official religion of the State, as well as for members of the Assembly of Experts, the Guardian Council or the Expediency Council, excluding Muslim and non-Muslim minorities from holding high governmental positions.

¹⁶² Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, 18 July 2019, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N19/222/62/PDF/N1922262.pdf?OpenElement>

¹⁶³ Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, 18 July 2019, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N19/222/62/PDF/N1922262.pdf?OpenElement>

FAIR TRIAL

3 Recommendations calling for the repeal/amendment of laws that are incompatible with the right to fair trial

x2 • “Amend the Penal Code and the Code of Criminal Procedure to Ensure that confessions alone are not sufficient for admission of guilt”

HRC/40/67 70c, HRC/43/61 68f

Article 38 of the Constitution of the Islamic Republic of Iran prohibits torture and other ill-treatment, but only when it is “used to extract an admission of guilt or to obtain information.” Additionally, Article 39 prohibits all affronts to the dignity of detained or imprisoned persons. Similarly, Article 578 of the Islamic Penal Code asserts that “any civil servant or judicial or nonjudicial agent who corporally mistreats and abuses an accused person in order to force him to confess shall be sentenced.” Such provision is reiterated under Article 60 of the Code of Criminal Procedure, while Article 169 of the Prison Regulations prohibits “corporal punishment of the accused or convicts, and imposing violent, excruciating or humiliating punishments, in all penal institutions and prisons.” Punishments for committing such acts against a detainee or prisoner are found under Article 587 of the Islamic Penal Code. It is important to note that although Iranian law generally prohibits torture and certain abusive practices during interrogations, with some exceptions, it does not provide a definition of torture *per se*. Torture and other ill-treatment inflicted on an individual for a purpose other than that of extracting confessions and/or information is not, therefore, explicitly prohibited and, as a result, may not be prosecuted.

Even with the existence of these provisions, the prohibition on admitting evidence obtained through ill-treatment is only formulated as a general principle. Iranian laws do not contain “detailed provisions on the inadmissibility of unlawfully obtained confessions and other tainted evidence,” which is considered by the Committee Against Torture as “one of the essential means in preventing torture.”¹⁶⁴ For example,

¹⁶⁴ Committee Against Torture, Report to the General Assembly, A/54/44, para. 45, referring to Yugoslavia.

while Article 169 of the Islamic Penal Code and Article 360 of the Code of Criminal Procedure (2015) stipulate that a confession obtained under duress or involuntarily shall be inadmissible before a court, there is no provision on what constitutes an involuntary confession and who bears the burden of proving that a statement has been made voluntarily. The Penal Code and Criminal Code remain silent regarding specific procedures of investigation judges and prosecutors should follow in order to establish whether a confession is lawful and admissible. Such assessment appears to be at the discretion of the judge.

The Iranian criminal justice system continues to rely heavily on confessions as admissible evidence.¹⁶⁵ Confessions obtained under torture and other ill-treatment are facilitated by the denial of prompt access to legal counsel and encouraged by courts that routinely admit such “confessions” as evidence. Confessions are the State’s most common means of proving guilt in capital cases.¹⁶⁶

According to Iran Human Rights NGO and ECPM, since the Islamic Republic’s inception in 1979, authorities have used “televised confessions” as a propaganda tool aimed at creating fear and justifying the heavy sentences handed down to the government’s political opponents and activists. Authorities extract such confessions after subjecting a suspect to physical or/and psychological torture, lengthy solitary confinement, threats, or promises of reduction in the gravity of the sentence.¹⁶⁷ Authorities often air these confessions following arrest, before legal proceedings have even commenced, or after public protests to a sentence, or prior to execution, as a means of reducing public backlash.¹⁶⁸ In the 2022 nationwide protests following the death in custody of Jina (Mahsa) Amini, Iran Human Rights concluded that physical torture, sexual assault, and rape were not merely isolated incidents but that authorities were systematically engaging in such acts against protesters to force false self-incriminating confessions.¹⁶⁹ In a January 2023 resolution, the EU Parliament condemned “in the strongest terms the systematic use of torture, including sexual violence as a weapon, in Iranian prisons.”¹⁷⁰

Iranian authorities have promulgated disinformation about capital cases against protestors, but reports suggest that authorities have tortured protesters to extract confessions, which courts have subsequently used as evidence to support

¹⁶⁵ Under Article 171 of the Islamic Penal Code, confessions are accorded the primary weight. Islamic Penal Code (2013) English translation, Iran Human Rights Documentation Center, <https://iranhrdc.org/english-translation-of-books-i-ii-of-the-new-islamicpenal-code/>

¹⁶⁶ Iran Human Rights and ECPM, *Annual Report on the Death Penalty in Iran 2022* (2023), 41.

¹⁶⁷ Iran Human Rights and ECPM, *Annual Report on the Death Penalty in Iran 2022* (2023), 42.

¹⁶⁸ Iran Human Rights and ECPM, *Annual Report on the Death Penalty in Iran 2022* (2023), 42.

¹⁶⁹ Iran Human Rights and ECPM, *Annual Report on the Death Penalty in Iran 2022* (2023), 38.

¹⁷⁰ Iran Human Rights and ECPM, *Annual Report on the Death Penalty in Iran 2022* (2023), 39.

convictions and death sentences.¹⁷¹ For example, in December 2022, authorities executed protesters Mohsen Shekari and Majidreza Rahnavard after releasing their videotaped confessions in which they had visible injuries, including a bruised and bloodied face and a broken arm.¹⁷²

x1 • “Make fundamental reforms to the criminal justice system through the replacement of the diya system with State-administered custodial sentences for convicted defendants fully in accordance with international human rights law”

A/76/160 70d

Under Iranian law, crimes under the law of *qisas* call for “retribution in kind” and is grounded in the official interpretation of Islamic law and Shari’a. The State considers that provisions under *qisas* fall under the private sphere and, as such, it cannot interfere.¹⁷³

The victim’s next of kin can pardon or commute the sentence of the accused of a crime of *qisas* by accepting *diya* (compensation known as “blood money”). There are several institutions that can intervene to mediate cases of individuals sentenced with *qisas*, notably in order to commute *qisas* into *diya* sentences (blood money). These institutions include a reconciliation commission, a working group tasked to support mediation with the victim’s next of kin, conflict resolution council branches, and the Women and Children and Protection Office of the judiciary. There is no readily available information that indicates the number of cases received, reviewed, and addressed by these institutions.

According to Iran Human Rights NGO and ECPM, the State determines the indicative amount of *diya* each year, but does not set a cap or upper limit. Nor does the State currently subsidize the *diya* for people who have been convicted but who do not have the ability to pay.¹⁷⁴ The absence of an upper limit allows the victim’s family to demand an amount that is greater than the minimum amount set by the State. Moreover, the absence of an upper limit operates as a bar to State subsidization of

¹⁷¹ Iran Human Rights and ECPM, *Annual Report on the Death Penalty in Iran 2022* (2023), 51.

¹⁷² Iran Human Rights and ECPM, *Annual Report on the Death Penalty in Iran 2022* (2023), 52.

¹⁷³ The Advocates for Human Rights, The World Coalition Against the Death Penalty, Iran Human Rights, Impact Iran, and ECPM, *Islamic Republic of Iran’s Compliance with International Covenant on Civil and Political Rights Treaty: Suggested List of Issues Prior to Reporting* (Minneapolis, USA, June 2020), ¶¶ 45-51.

¹⁷⁴ Iran Human Rights and ECPM, *Annual Report on the Death Penalty in Iran 2022* (2023), 93.

the *diya* for accused persons who cannot afford to pay.¹⁷⁵ There is no separate and public system for seeking pardon or commutation.

¹⁷⁵ Iran Human Rights and ECPM, *Annual Report on the Death Penalty in Iran 2022* (2023), 93.

ARBITRARY DETENTION

31 recommendations calling for the release of those arbitrarily detained

Estimating the exact number of individuals arbitrarily detained in the Islamic Republic of Iran is difficult. The lack of comprehensive detention data from the Iranian Government, combined with the frequent and repeated arrests of individuals exercising their freedom of expression, complicates this task. These individuals may be intermittently detained on various or unspecified charges, released on bail, or in many cases, sentenced and imprisoned.

In September 2021, the UN Working Group on Arbitrary Detention, addressing the case of Austrian-Iranian Kamran Ghaderi, deemed his detention arbitrary. The Working Group concluded: “In its 28-year history, the Working Group has adopted numerous opinions in relation to the Islamic Republic of Iran. The Working Group is concerned that this indicates a systemic problem with arbitrary detention in the country, which amounts to a serious violation of international law.”

Given this context, it appears that the Islamic Republic of Iran has not fully implemented the recommendations of the UNSR regarding the release of arbitrarily detained individuals. While some may have been released during the UNSR's mandate, many reportedly continue to be held in Iranian detention facilities, as further detailed below.

x10 • “Ensure that human rights defenders, including women human rights defenders, and lawyers and journalists are not threatened with or subjected to intimidation, harassment, arbitrary arrest, deprivation of liberty or other arbitrary sanction, and release all those detained in connection with their work”

A/HRC/40/67 70j, A/HRC/43/61 68j, A/HRC/46/50 63d, A/HRC/49/75 69c, A/HRC/52/67 77d, A/74/188 97c, A/75/213 55k, A/76/160 71a, A/77/181 75c, A/78/326 86i

The Islamic Republic of Iran has not released all human rights defenders, lawyers, and journalists detained in connection with their work.

According to United For Iran's Prison Atlas about 328 individuals are currently detained in Iranian prisons for various human rights-related activities, including as part of their activism, work as journalists and lawyers, teachers, or family members seeking justice.¹⁷⁶ The situation is fluid as these individuals may be intermittently detained on various or unspecified charges, released on bail, or in many cases, sentenced and imprisoned.

Human Rights Defenders and Lawyers

Iran Human Rights NGO has 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.¹⁷⁷ Human rights activist Narges Mohammadi was arrested in 2008, 2013, and 2021. She was sentenced to jail time, seventy-four lashes, and fines by different courts.¹⁷⁸

Human Rights Activists in Iran (“HRA”) documented and reported the following cases in its submission to the Human Rights Committee in September 2023:¹⁷⁹

¹⁷⁶ <https://ipa.united4iran.org/en/prisoner/>

¹⁷⁷ https://iranhr.net/media/files/HRD_2023_Eng_Final.pdf

¹⁷⁸ <https://www.hra-news.org/2022/hranews/a-36887/>

¹⁷⁹

https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCCPR%2FCSS%2FIRN%2F56004&Lang=en

- In August 2022, while in Evin prison, Mr. Davodi contracted COVID-19. Despite his illness, the prison health department denied him access to a COVID-19 test and necessary medical treatment. He is currently held in Ward 4 of Evin prison, which disregards the principle of separating individuals based on the nature of their alleged crimes.¹⁸⁰
- Labor activist Arash Johari was arrested at his home in Tehran by IRGC intelligence agents on October 15, 2019, and transferred to Ward 2A of Evin Prison, operated by this organization. In December 2019, he faced a trial at Tehran's Revolutionary Court Branch 26, presided over by Judge Iman Afshari. Johari received sentences totaling sixteen years for various charges, including "managing illegal gangs to disrupt national security." However, his cumulative sentence was later reduced to seven and a half years of penal servitude. Currently, Johari is serving his sentence in Evin Prison's fourth ward, where he has been denied necessary medical care despite experiencing multiple health crises.¹⁸¹
- In August 2021, lawyer Amir Salar Davodi publicized the Supreme Court's confirmation of his sentence: thirty years in prison and 111 lashes, despite a breach in the ruling process. On December 10, 2021, he received an additional fourteen-year imprisonment term under the counsel of Mr. Khalili and Mr. Abbas Ali Houzan, from Branch 36 of Tehran Province's Court of Appeal. In August 2022, Davodi contracted COVID-19 in Evin prison; however, he was denied testing and medical attention. He is currently held in the prison's fourth ward, where inmates are not segregated based on the nature of their crimes.¹⁸²
- Abbas Wahidian Shahrudi, a writer, teacher, and civil activist currently incarcerated in Vakil Abad prison in Mashhad, was assaulted by prison authorities on January 21, 2023, during a protest against the inadequate conditions in the facility. Despite his fragile health, he has been denied the necessary medical care.¹⁸³
- Mehrnoosh Tafian, a media activist, was apprehended by security forces in Ahvaz on November 27, 2023, and was denied legal representation at the time of her arrest. Subsequently, the first branch of the Ahvaz Revolutionary Court sentenced her to one year in prison and imposed a two-year ban on her traveling abroad, citing "propaganda activity against the regime" as the reason for the charge.¹⁸⁴

¹⁸⁰ <https://www.hra-news.org/2021/hranews/a-31151/>

¹⁸¹ <https://www.hra-news.org/2022/hranews/a-35553/>

¹⁸² <https://www.hra-news.org/2022/hranews/a-36345/>

¹⁸³ <https://www.hra-news.org/2023/hranews/a-41467/>

¹⁸⁴ <https://www.hra-news.org/2020/hranews/a-27323/>

According to Iran Human Rights NGO and ECPM, anti-death penalty advocates have faced harassment, arrest, and prison sentences for their peaceful anti-death penalty advocacy.¹⁸⁵ For example, in September 2022, authorities arrested Farhad Ghahremani at an anti-death penalty protest and charged him with “assembly and collusion against national security” and “disrupting public order and peace.”¹⁸⁶ A court tried him via video conference and without a lawyer and sentenced him to six months imprisonment and twenty-five lashes.¹⁸⁷ Similarly, in November 2022, authorities arrested anti-death penalty campaigner Narges Mohammadi and held her in solitary confinement for 64 days.¹⁸⁸ Human rights defender and anti-death penalty activist Soheil Arabi was also arrested on January 2, 2023, and detained for more than two months.¹⁸⁹

Journalists

HRA documented and reported cases of journalists being surveilled, harassed, intimidated, arrested, and detained:¹⁹⁰

- Elaheh Mohammadi, an Iranian journalist specializing in social issues and women's affairs, continues to be held in Evin prison since her arrest in 2021 by the Iranian government's Ministry of Information. Her arrest followed her investigation and reporting on the tragic death of Mahsa Amini, she was the first to report on the event and unearthed that despite the prison doctor recommending tests for her, the authorities have delayed them. She, similarly to other journalists, was charged with "collaboration with a hostile government" and "propagandistic activity against the regime."¹⁹¹
- In June 2023, three female journalists, Nasim Sultan Bigi, Saeideh Shafiei, and Mehrnoosh Zarei Hanzaki, were tried in Branch 26 of the Revolutionary Court of Tehran guilty of nothing but exercising their right to freedom of expression

¹⁸⁵ [The Advocates for Human Rights, The World Coalition Against the Death Penalty, Iran Human Rights, Impact Iran, and ECPM, *Islamic Republic of Iran's Compliance with International Covenant on Civil and Political Rights Treaty: Suggested List of Issues Prior to Reporting* \(Minneapolis, USA, June 2020\), ¶¶ 42-43.](#)

¹⁸⁶ [Iran Human Rights and ECPM, *Annual Report on the Death Penalty in Iran 2022 \(2023\)*, 97-98.](#)

¹⁸⁷ [Iran Human Rights and ECPM, *Annual Report on the Death Penalty in Iran 2022 \(2023\)*, 97.](#)

¹⁸⁸ [Iran Human Rights and ECPM, *Annual Report on the Death Penalty in Iran 2022 \(2023\)*, 97.](#)

¹⁸⁹ [Iran Human Rights and ECPM, *Annual Report on the Death Penalty in Iran 2022 \(2023\)*, 98.](#)

¹⁹⁰ Cases were retrieved from HRA submission to the Human Rights Committee in September 2023. https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolNo=INT%2FCCPR%2FCSS%2FIRN%2F56004&Lang=en

¹⁹¹ <https://www.hra-news.org/2023/hranews/a-40762/>;
<https://www.en-hrana.org/jailed-journalists-elaheh-mohammadi-and-niloofer-hamed-i-indicted-on-multiple-charges/?hilite=Elaheh+Mohammadi>;
<https://www.en-hrana.org/journalist-elaheh-mohammadi-still-detained-after-six-months/?hilite=Elaheh+Mohammad>

and opinion. The accusations levied against these women are many but included, publicly “advocating for optional covering and “opposing mandatory hijab.” The trials, much like others in the country, lacked any semblance of due process.¹⁹²

- According to HRA, Seyed Mustafa Jafari, a journalist for the Ilna news agency and the responsible director of the Qazvin headline news site, was arrested in April 2023 following a warrant from the investigator of Branch 10 of Qazvin General and Revolutionary Prosecutor's Office. On March 13, 2023, the same office issued Jafari a three-month judicial supervision order, banning him from journalistic activities and requiring him to visit the province's public libraries twice a week. The case originated from a complaint by the Qazvin prosecutor after Jafari released a video of an MP refusing to shake hands with him. This supervision order was revoked in April 2023 and replaced with a criminal security order.¹⁹³ Elnaz Mohammadi, a journalist and the social secretary of the Ham Mihaan newspaper, was detained in April 2022 after voluntarily appearing at the Evin courthouse. She was granted temporary release a few days later upon posting bail. Eventually, Mohammadi received a three-year suspended sentence and additional penalties from Branch 26 of the Tehran Revolutionary Court on charges of conspiracy and collaboration with foreign hostile entities.¹⁹⁴
- Nazila Maroubian, a journalist and a student at Allameh Tabatabai University, was arrested on Saturday, July 8, 2023, after being summoned to the first branch of the Evin Prosecutor's Office. She was released on bail from Evin prison on Sunday, August 13, 2023. However, just a day after her release, she was arrested again by security forces and released two days later from Qarchak Varamin prison. On August 30, 2023, Maroubian faced her third arrest at her home, where she was assaulted before being taken to Tehran's Irshad Prosecutor's Office. Ultimately, she was sentenced to one year in prison and fined fifteen million tomans for "propaganda against the regime" by the 26th branch of the Tehran Revolutionary Court, overseen by Judge Iman Afshari.¹⁹⁵
- Mehdi Beyk, a journalist and the political secretary of the Etemad newspaper, covered arrests and death sentences during Iran's 1401 uprising. His reporting, which included interviews with the families of those arrested, notably influenced the release of Amir Hossein Rahimi on bail after a conversation with Rahimi's mother sparked widespread public reaction. Beyk was arrested

¹⁹²

<https://www.en-hrana.org/three-female-journalists-summoned-to-present-final-defense/?hilite=three+female+journa lists>

¹⁹³ <https://www.hra-news.org/2022/hranews/a-37895/>; <https://www.hra-news.org/2023/hranews/a-42450/>

¹⁹⁴ <https://www.hra-news.org/2023/hranews/a-43311/>; <https://www.hra-news.org/2023/hranews/a-39555/>

¹⁹⁵ <https://www.hra-news.org/2023/hranews/a-43334/>

at his home on January 5, 2023, but was released on bail a few days later. He initiated a hunger strike while in prison on December 8, 2023.¹⁹⁶

- Elaha Mohammadi, a journalist focusing on social and women's issues in Iran, has been held in Evin prison since her arrest in 1401 by the Iranian government's Ministry of Information. Her arrest followed her report on the death of Mahsa Amini. Despite a two-month lapse and recommendations for tests from the prison doctor, necessary examinations have been delayed due to bureaucracy. Mohammadi has had two court sessions at the 15th branch of the Tehran Revolutionary Court, presided over by Judge Abolqasem Salvati. During these sessions, she defended herself against charges such as "collaboration with a hostile government" and "propaganda against the regime."¹⁹⁷
- Instagram bloggers Astiazh Haghighi and Amir Mohammad Ahmadi faced arrest after sharing a video of themselves dancing in Tehran's Azadi Square. They were later sentenced by Branch 15 of the Tehran Revolutionary Court to five years in prison, a two-year ban from utilizing cyberspace, and a two-year ban on foreign travel.¹⁹⁸
- Instagram bloggers Astiazh Haghighi and Amir Mohammad Ahmadi were arrested after sharing a video of themselves dancing in Tehran's Azadi Square. Subsequently, Branch 15 of the Tehran Revolutionary Court sentenced them to five years in prison, imposed a two-year ban on their use of cyberspace, and a two-year ban on foreign travel.
- Vida Rabbani, born in 1989, an Iranian journalist and political activist with prior experience working for the Shargh newspaper and Seda weekly, is currently serving a prison sentence in Evin prison. Rabbani was sentenced to six years on charges of "assembly and collusion against national security" and an additional fifteen months for "propagandizing against the regime."¹⁹⁹ After an earlier arrest in December 2020, she faced another arrest on November 22, 2022, during which she was assaulted before being taken to Evin prison.²⁰⁰ Despite requiring hospital admission on June 3, 2023, she was returned to prison post-medical tests due to objections from the concerned authorities.
- Ehsan Pirbarnash, a sports journalist and satirist based in Swadkoh, Mazandaran, was arrested during the November 2021 Iranian uprising in Mazandaran. Later, he was sentenced to ten years out of an eighteen-year prison term by the Sari Revolutionary Court. During his over 100-day detention, he suffered from poor health and experienced nervous breakdowns. His wife highlighted the inadequate conditions of the quarantine area in the prison,

¹⁹⁶ <https://www.hra-news.org/2023/hranews/a-38904/>

¹⁹⁷ <https://www.hra-news.org/2023/hranews/a-39555/>

¹⁹⁸ <https://www.hra-news.org/2023/hranews/a-42959/>

¹⁹⁹ <https://www.hra-news.org/2021/hranews/a-31646/>

²⁰⁰ <https://www.hra-news.org/2020/hranews/a-27570/> ; <https://www.hra-news.org/letters/a-927/>

emphasizing that it fails to meet even the most basic standards for inmates. He was released on February 8, 2023.²⁰¹

x8 • “Release/Ensure that all those arrested for the peaceful exercise of their rights to freedom of opinion, expression, assembly and association are released. “

A/HRC/40/67 70i, A/HRC/43/61 68b, A/HRC/46/50 63f, A/HRC/49/75 69d, A/73/398 33, A/75/213 55e, A/76/160 71c, A/77/181 75d

According to KMMK-G, between January 1st until end November 2023, at least 1160 Kurdish individuals including 123 women and 39 religious leaders were arrested.²⁰²

According to HRA, numerous individuals have faced charges for expressing their opposition to hijab rules.²⁰³

- On July 15, 2022, Tehran resident Nazi Zandieh was arrested at his home by security forces. He secured his release from the detention center of the Ministry of Intelligence, known as Ward 209 of Evin Prison, after posting bail.²⁰⁴
- Yasman Ariani and Munira Arabshahi were arrested on April 21 and 22, 2018, respectively, due to "civil activities, including opposition to the mandatory hijab." They were tried in August 2018 and initially sentenced to 16 years in prison each on a series of charges. However, this sentence was reduced to 9 years and 7 months on appeal. They were held in several prisons over the course of their detention and were eventually released on February 26, 2019.²⁰⁵
- On May 5, 2018, Mozghan Keshavarz, a Tehran resident, was arrested at her private residence and taken to Qarchak prison in Varamin. Keshavarz faced a series of charges that culminated in a complex sentence, including a five-year term for "gathering and collusion against national security," and a ten-year term for "insulting holy sanctities." Her total imprisonment spanned various sentences, including one for "encouraging and facilitating corruption and

²⁰¹ <https://www.hra-news.org/2022/hranews/a-37561/>

²⁰²

<https://www.kmmk-ge.org/wp-content/uploads/2023/12/KMMK-G-Interim-Report-on-the-Situation-of-Human-Rights-in-Kurdistan-of-Iran-for-the-period-1st-January-to-November-30.-2023-SHM.pdf>

²⁰³ Cases were retrieved from HRA submission to the Human Rights Committee in September 2023. https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCCPR%2FCSS%2FIRN%2F56004&Lang=en

²⁰⁴ <https://www.hra-news.org/2022/hranews/a-36076/>; <https://www.hra-news.org/2022/hranews/a-36108/>

²⁰⁵ [hra-news.org/2022/hranews/a-36706/](https://www.hra-news.org/2022/hranews/a-36706/); <https://www.hra-news.org/2022/hranews/a-35185/>

prostitution." She was granted parole and released in October 2021 during a furlough.

x7 • “Release all those imprisoned for having exercised their right to freedom of religion or belief, for exercising their culture or for using their language”

A/HRC/40/67 70h, A/HRC/43/61 68h, A/HRC/46/50 63i, A/HRC/52/67 77e, A/75/213 55m, A/76/160 71g, A/78/326 86l

Since the death in custody of Jina (Mahsa) Amini on 16 September 2022 and subsequent nationwide protests, at least 39 Kurdish religious leaders, all Sunnis, have been arrested by the State's security forces, reportedly solely for their support to protesters' grievances. At least 14 of them were, as of August 2023, still detained by authorities and indicted with charges that may be sentenced to imprisonment. Reportedly, they have suffered from ill-treatment during their arrests and detention, and their family have been threatened by authorities to dissuade them from speaking out.

According to KMMK-G, Kurdish cultural and linguistic activists and teachers routinely face arbitrary detention and unfair trials. For instance, Ms. Zara Mohammadi, a Kurdish teacher and the founder of the Nojin Cultural Association, was arbitrarily sentenced to ten years imprisonment and spent five years in Sanandaj Central Prison for teaching the Kurdish language. All other members of this cultural association are either facing trials that are incompatible with due process or are currently in detention.²⁰⁶

According to AHRAZ, Morteza Noormohammadi, a civil rights activist from the village of Nadarli (Nazarlu) in Shabestar City, has been arrested multiple times solely because of his work as an activist.

Over the past four months, several Azerbaijani Turk political and human rights activists have been arbitrarily and violently arrested by the security institutions of the Islamic Republic of Iran in different cities of Iran. According to information obtained by AHRAZ, several activists were detained based on unclear charges, denied legal representation of their choice, and subjected to physical and psychological

²⁰⁶

<https://www.kmmk-ge.org/wp-content/uploads/2023/12/KMMK-G-Interim-Report-on-the-Situation-of-Human-Rights-in-Kurdistan-of-Iran-for-the-period-1st-January-to-November-30-2023-SHM.pdf>

ill-treatment for months while in detention. AHRAZ reports that among the group of activists monitored, some were temporarily released while others are currently still in detention. AHRAZ reports that the families of these activists have been harassed and threatened by Iranian authorities. Among the activists monitored by AHRAZ, Ayat (Yorosh) Mehr Ali Bilgo, Ali Babaei, Javad Sodebar, and Milad Jalili (Elshan) who are still in detention. Ayat (Yurosh) Mehr Ali Bilgo, Azerbaijani Turk and political activist, was arrested in Hadishehr (Gargar) on November 17, 2023, and transferred to the detention center of the Intelligence Department in Tabriz City. ARHAZ reports that his family was threatened and harassed for reporting on his case.

x5 • “Immediately release all dual and foreign nationals arbitrarily detained”

A/HRC/43/61 68l, A/HRC/52/67 77d, A/HRC/52/67 77f, A/74/188 97d, A/78/326 86j

The UN Working Group on Arbitrary Detentions “has repeatedly found a practice in the Islamic Republic of Iran of targeting foreign nationals for detention.”²⁰⁷

The United States Institute for Peace has published a list of known North American, Australian, and European dual nationals and foreigners held in Iran (updated 5 September 2023). According to media reports, at least 40 foreign and dual nationals were also reportedly arrested during the protests in Iran that followed the death of Jina Mahsa Amini in September 2022.²⁰⁸

Several dual nationals have also been sentenced to death by Iranian authorities. These include:

- Jamshid Sharmahd (German-Iranian), who was detained in 2020 and accused of involvement in a 2008 terrorist attack in Shiraz. He was put on trial in July 2022 and sentenced to death in February 2023.
- Ahmad-Reza Djalali (Swedish-Iranian), was first arrested in 2016 on charges of collaborating with Israel.
- In May 2023, Swedish-Iranian Habib Chaab was executed by Iranian authorities. Chaab had been accused of participating in a terrorist attack in 2018. His execution follows that of British-Iranian Alireza Akbari in January 2023.

²⁰⁷ Opinion No. 52/2018, para 82.

²⁰⁸

<https://www.cnn.com/2022/11/22/iran-says-40-foreigners-arrested-for-taking-part-in-antigovernment-protests.html>

x1 • “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”

A/HRC/52/67 76c

Iran Human Rights NGO reports that at least 10 individuals arrested for their alleged participation in the protests that followed the death in custody of Jina Amini on September 16th 2022 are currently in death row in Iran, while 82 face charges that may carry the capital punishment.²⁰⁹

Between the 19th of September 2022 and the 16th of September 2023, KMMK-G identified the names of 2906 Kurdish protesters who were/had been detained by Iranian authorities. Among them, 1110 are from Sine (Kurdistan province), 978 are from Wermê (Western Azerbaijan province), 384 are from Kermashan, 292 are from Ilam. These numbers also include 68 children, including 4 who were 14 years old at the time of their arrest. Since the beginning of the protests, KMMK-G has been able to identify the identities of at least 19 Kurdish protestors who died while in detention.²¹⁰

According to KMMK-G, 23 Kurdish protestors were sentenced to capital punishment for their participation in the nationwide protests. On 4th November 2022, Mohammad Mehdi Karami was executed in Karaj in Tehran. The death sentence of Saman Yasin Seyyedi, a young Kurdish Yarsani rapper and musician, was annulled by the Supreme Court. He is currently in detention while awaiting a new trial. Saman (27), from Kermashan (Kermanshah), was arrested and held in Tehran’s notorious Evin Prison on the 2nd of October 2022 in relation to nationwide protests.

Between the 19th of September 2022 and the 16th of September 2023, KMMK-G has been able to identify the names of at least 148 Kurdish protestors who were killed in the context of the protests, including 11 women and 17 children. Forty-nine of them were from Sine province (Sanandaj), fifty-six from Wermê province (Urumiyeh or Western Azerbaijan), thirty-four from Kermashan (Kermanshah), and four from Ilam.

²⁰⁹ <https://iranhr.net/en/articles/6198/>

²¹⁰

<https://www.kmmk-ge.org/wp-content/uploads/2023/12/KMMK-G-Interim-Report-on-the-Situation-of-Human-Rights-in-Kurdistan-of-Iran-for-the-period-1st-January-to-November-30.-2023-SHM.pdf>

One resided in Quchan, and four resided in Khuramawa (Khuram-Abad). Twenty-three Kurdish citizens were reportedly killed outside Kurdistan provinces. Another 135 reportedly killed during this period were Baluchis.²¹¹

²¹¹

<https://www.kmmk-ge.org/wp-content/uploads/2023/12/KMMK-G-Interim-Report-on-the-Situation-of-Human-Rights-in-Kurdistan-of-Iran-for-the-period-1st-January-to-November-30.-2023-SHM.pdf>

MINORITIES

13 recommendations calling for the protection and realization of the human rights of ethnic and linguistic minorities

This section gathers and analyzes the UNSR's recommendations calling on Iran to protect and realize the rights of minorities.

Despite receiving **13** recommendations from the UNSR urging the undertaking of measures to safeguard and fulfill the rights of minority groups and members in Iran, the Government has not taken action in this regard. Instead, it persistently and systematically infringes upon the human rights of minority community members within the country.

x8 • “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”

A/HRC/40/67 70h, A/HRC/43/61 68h, A/HRC/46/50 63i, A/HRC/52/67 77e, A/73/398 38, A/75/213 55m, A/76/160 71g, A/78/326 86l

Ethnic and linguistic minorities

Article 14 of the Constitution sets out that the government and Muslims in Iran are “duty-bound to treat non-Muslims in conformity with ethical norms and the principles of Islamic justice and equity and to respect their citizen rights.” Article 19 of the Constitution protects the equal rights of any “ethnic group or tribe” regardless of “colour, race, language, and the like”.³ Additionally, Article 20 of the Constitution states that “All citizens of the country, both men and women, equally enjoy the protection of the law and enjoy all human, political, economic, social, and cultural rights, in conformity with Islamic criteria.” There is no clear definition of what constitutes Islamic criteria under Iranian law.

In 2016, the Iranian High Council for Human Rights issued a booklet entitled “Some measures taken by the Islamic Republic of Iran on demands of ethnic groups, religious minorities and sects.” The same year, the government issued a Charter on Citizens’ Rights, a government-endorsed declaration providing guidance for the implementation of the principles, norms, and laws stipulated in the Constitution. In 2019, the UNSR, despite noting that measures had been taken to improve the situation of minorities, said that they “do not alter the fundamentally discriminatory nature of the Constitution, legislation and Islamic Penal Code of the Islamic Republic of Iran, in particular in relation to the country’s unrecognised minority communities.”²¹²

Arabs, Azerbaijani Turks, Balochis and Kurds, Turkmen, among other groups, face repression, including arbitrary arrests and detention, represent disproportionate numbers of death penalty and long prison sentence statistics, experience systemic discrimination and marginalisation on the basis of their identity, and are generally sidelined from economic, social and cultural life in Iran.

Baluch and Kurd border couriers,²¹³ who reside in economically marginalized provinces such as Kurdistan, Kermanshah, Sistan and Balochistan and Western Azerbaijan, constantly face the threat of extrajudicial killings by the border authorities of the Islamic Republic of Iran. Border couriers transport goods on their backs, on foot, on horses, or on mules, under difficult conditions. Often not in possession of work permits, numerous border couriers are shot at by the Iranian border authorities along the way. Reports received from Kurdistan of Iran alone indicate that between 2014 and 2019, 449 border couriers were shot at and killed by Iranian border authorities, with another 554 couriers injured primarily due to border shootings.²¹⁴ According to KMMK-G, between January 1st and November 30, 2023, at least 239 individuals working as kolbar were injured at the border following incidents such as direct shootings from border officials or landmine explosions. The legal framework regulating the use of lethal force by law enforcement agencies and the institutional framework monitoring its application have remained wholly inadequate, as it continues to allow the use of firearms and live ammunition against border couriers even in the absence of an immediate risk to anyone’s life, as studied in a report from KMMK-G published in February 2020.²¹⁵ As a consequence,

²¹² Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, 18 July 2019, <https://undocs.org/pdf?symbol=en/A/74/188>

²¹³ Kurdish border courier are known as *Kulbars* or *Kulbaran*. Balochi border couriers are known as *Sokhtbaran*.

²¹⁴ KMMK-G, Human Rights Violations in Kurdistan of Iran, April 2020, accessible at: https://kmmk-ge.org/sd/wp-content/uploads/2020/05/KMMK-G-2019_Annual_Report-for-the-Attention-of-the-OHCHR-Desk-of-the-UN-Special-Rapporteur-on-the-Situation-of-Human-Rights-in-Iran.pdf

²¹⁵ KMMK-G, The Situation of Kolbaran in Kurdistan of Iran, February 2020, accessible at: <https://kmmk-ge.org/sd/wp-content/uploads/2020/04/KMMK-G-Annual-Report-on-Extra-Judicial-Executions-of-Kurdish-Citizens-in-Iran-in-2019.pdf>

law-enforcement officers who shot border couriers are rarely held accountable, and these extrajudicial killings are most often met with impunity.

Municipalities and civil registry offices routinely deny the issuance of birth certificates to children with Turkish or Kurdish names. Recently in Shebestar, East Azerbaijan, AHRAZ reported the denial of issuance of a birth certificate to a baby named “Hunai,” a Turkish name by the registration authority. The father, Morteza Noormohammadi, civil rights activist, was called to the city civil registry office in Sofian city, East Azerbaijan, and was subsequently arrested on 18th September 2023 at the registry office.²¹⁶

Sexual minorities

Article 19 of the Constitution of the Islamic Republic of Iran guarantees that all people enjoy equal rights, “whatever the ethnic group or tribe to which they belong” and that “color, race, language, and the like, do not bestow any privilege.” However, the Constitution lacks an explicit provision recognizing sexual orientation and/or gender identity as protected characteristics. Article 20 of the constitution states, “All citizens of the country, both men and women, equally enjoy the protection of the law and enjoy all human, political, economic, social, and cultural rights, in conformity with Islamic criteria.” The stipulation of “Islamic criteria” excludes lesbian, gay, bisexual, and trans individuals from this legal guarantee, and same-sex relations are penalized under the Iranian ‘Islamic Penal Code.’

Articles 233 through 240 of Iran’s Islamic Penal Code criminalize same-sex consensual relations or intimate conduct (including acts such as kissing or touching). The legal punishment for same-sex relations is death for men who are deemed to be the “passive party” or men who are non-Muslim and have engaged in same-sex sexual acts with a Muslim man. The 2013 Penal Code also criminalizes women’s same-sex relations and intimate conduct through Articles 238 to 240, with punishments including flogging. The Islamic Penal Code also specifies that women punished three times for engaging in sexual activity may be sentenced to death on the fourth occasion. Men and women who engage in acts of affection, such as kissing or touching, with persons of the same sex can be punished with 31 to 74 lashes.

²¹⁶

<https://iranwire.com/fa/news-1/120289-%D9%85%D8%B1%D8%AA%D8%B6%DB%8C-%D9%86%D9%88%D8%B1%D9%85%D8%AD%D9%85%D8%AF%DB%8C-%D9%81%D8%B9%D8%A7%D9%84-%D9%85%D8%AF%D9%86%DB%8C-%D8%AF%D8%B1-%D8%B4%D9%87%D8%B1-%D8%B5%D9%88%D9%81%DB%8C%D8%A7%D9%86-%D8%A8%D8%A7%D8%B2%D8%AF%D8%A7%D8%B4%D8%AA-%D8%B4%D8%AF/>

Besides the criminalization of same-sex conduct, a number of other legal provisions directly impact the rights of Lesbian, Gay, Bisexual, Trans, Intersex, Queer individuals and other persons with diverse sexual orientation, gender identity or gender expression (LGBTIQ+ individuals). This is the case of Iranian laws related to public decency. For instance, Article 639 of the 2013 Islamic Penal Code criminalizes the facilitation or encouragement of “people to immorality or prostitution.” Article 6 of the Press Law (1986) prohibits the dissemination of material “which violates public chastity,” including “forbidden practices” such as same-sex relations. Similarly, Article 14 of the Law on Computer Crimes criminalizes the distribution of “immoral content”. Governmental-mandated organizations set up to preserve “public morality”, notably the Basij militia, reportedly harassed, arrested, detained, and abused LGBTIQ+ individuals on the basis of the aforementioned regulations. Similarly, law enforcement forces have been reportedly arresting and detaining trans individuals for appearing cross-dressed in public, an act considered haram (forbidden under Islamic law) until a ‘disorder’ could be medically and legally established. Additionally, Article 638 of the 2013 Penal Code provides that all women must appear in public wearing the mandatory hijab, a provision that has been reportedly used against both transgender men pressured into wearing a hijab and transgender women accused of “cross-dressing” in public, regardless of whether their change in gender has been legally recognized.

The criminalization of same-sex consensual sexual behavior, combined with the homophobic and transphobic rhetoric of the Government, creates intense stigma and prejudice against LGBTIQ+ Iranians. It legitimizes violence and discrimination by state agents and private individuals against individuals based on their real or perceived sexual orientation, gender identity, and gender expression.²¹⁷ Forms of violence and discrimination experienced by Iranians based on their real or perceived sexual orientation, gender identity, and gender expression include abuse by police and judiciary, domestic violence, sexual violence, discrimination in the workplace, and bullying and abuse in schools.²¹⁸ LGBTIQ+ Iranians report experiencing violence and discrimination at the hands of family members in the form of beatings, sexual assault, and rape, as well as verbal abuse. There have also been reports of individuals facing abuse by state actors, including torture, beating, and rape perpetrated by police officers.²¹⁹ These acts remain largely underreported due to victims’ fear of persecution and further abuse by law enforcement.

²¹⁷ Being Lesbian in Iran, OutRight Action International, page 3 (2016)

²¹⁸ Being Transgender in Iran, OutRight Action International, page 31-32 (2016) accessed at: <https://www.outrightinternational.org/sites/default/files/OutRightTransReport.pdf>;

²¹⁹ International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA), *State-Sponsored Homophobia 2019*, accessible at: https://ilga.org/downloads/ILGA_State_Sponsored_Homophobia_2019.pdf

LGBTIQ+ persons are also targeted with abuse online. In a 2018 survey of 727 LGBTIQ+ Iranians conducted by Small Media, 11% of respondents reported that they had been entrapped on dating apps – either by state actors or other individuals with malicious intent. In light of the legislative restrictions on LGBTIQ+ citizens, there is no avenue for such threats of blackmail to be reported. Online threats have also been reportedly perpetuated by the State. One gay man received a message on a dating app from a man purporting to be from the Iranian Cyber Police. Several days later, he received an SMS from the ‘Notification Office of Iranian Revolutionary Guard Corps Intelligence’, informing him that he would be charged under Iran’s sodomy law. He fled the country several days later, fearing for his life.²²⁰

In 1986, then Supreme Leader Ayatollah Khomeini issued a fatwa (a ruling or a religious decree on the point of Islamic law given by a recognized authority) permitting the acceptance of sex reassignment surgery for transgender people. Sex reassignment surgery is now codified in Article 4 of the Family Law (2013), which stipulates that those seeking medical intervention should obtain prior judicial and medical approval, officially stating that they have been diagnosed with Gender Identity Disorder. The Ministry of Health has overall responsibility for implementation of this law, by ensuring the provision of medical care to recognized transgender people. The State Welfare Office provides social and psychological support, and a number of state institutions, such as the Ministry of Labor, are involved in supporting transgender individuals who pursue or have been through sex reassignment procedures. Although State recognition and support have given transgender individuals a certain level of legal legitimization, it also has reinforced the societal stigma due to the pathologization of transgender identities: that trans persons suffer from a medical condition that requires treatment. Additionally, medical assessment in the Islamic Republic of Iran conflates a variety of sexual and gender identities with trans identity, resulting in those for whom surgery is neither appropriate nor necessary being ‘treated’ in line with the prevailing medical opinion: that any divergence from cis-gendered heterosexuality can only be due to a person’s gender dysphoria and trans identity. Further, among these individuals, only those who are officially diagnosed with Gender Identity Disorder and who obtained a permit to undergo sex reassignment surgery can have their gender legally recognized by the government. Others cannot benefit from the State Welfare’s services, including sex change procedures or counseling, and as a result, cannot receive a state-issued identity card that legally affirms their gender. As a result, individuals of varying sexual and gender identities who cannot or will not pursue medical transition are not protected from abuses, including arrest, detention, and prosecution.

²²⁰ Small Media, ‘Breaking the Silence: Digital Media and the Struggle for LGBTQ Equality in Iran’, (2018), https://smallmedia.org.uk/media/projects/files/BreakingTheSilence_2018.pdf, p. 94

LGBTIQ+ individuals face barriers in accessing healthcare. Access to information about STDs/STIs and their appropriate targeted treatment, as well as general safe-sex advice, is very limited in Iran, restricting access to sexual health for the heterosexual cisgender population and entirely denying access to the LGBTIQ+ community. Dr. Arash Alaei, one of Iran's pioneering HIV/AIDS practitioners – who was imprisoned between 2008 and 2011 under the charge of “communications with an enemy government” – commented that sexual health services remained inaccessible to many LGBTIQ+ citizens as their public promotion was prohibited by law.²²¹ Reportedly, healthcare professionals regularly tell LGBTIQ+ patients that their sexual orientation and gender identity are signs of Gender Identity Disorder that must be treated with “reparative” therapies or sex reassignment surgeries, which are often carried out without prior informed consent.²²²

Transgender individuals also face many barriers in accessing healthcare.²²³ In the Islamic Republic of Iran, the lack of laws or legal mechanisms protecting transgender individuals against discrimination and the absence of recognition of transgender individuals who do not pursue sex reassignment surgery leave them without a legal guarantee of their rights. Transgender individuals who do not wish, cannot, or have not been medically allowed to go through sex reassignment surgery are not eligible to obtain legal recognition corresponding to their gender identity. Though the State provides subsidies to fund gender reassignment surgery, they do not cover the full cost, and insurance companies often decline to cover elements of transition-related care. Individuals who have undergone reassignment surgery sometimes reportedly suffer from debilitating side effects and complications, including severe bleeding, severe infection, scarring, chronic pain, and rectovaginal fistulas.

Religion or belief minorities

(See above: Recommendations calling for the repeal/amendment of laws that authorize/facilitate discrimination on the basis of FoRB)

²²¹ OutRight Action International, *Being Lesbian in Iran*, 2016, page 3

²²² ILGA

International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA), *State-Sponsored Homophobia 2019*, p. 441, accessible at: https://ilga.org/downloads/ILGA_State_Sponsored_Homophobia_2019.pdf

²²³ OutRight Action International, *Being Transgender in Iran*, 2016, page 31-32, accessed at: <https://www.outrightinternational.org/sites/default/files/OutRightTransReport.pdf>

x1 • “Refrain from targeting members of recognized and non-recognized religious minorities with national security-related charges”

A/74/188 97g

As detailed above, the structural exclusion of other religious minorities from Article 13 of the Constitution leaves them without legal protection to manifest and practice their religion or belief. Article 14 of the Constitution sets out that the government and Muslims in Iran are “duty-bound to treat non-Muslims in conformity with ethical norms and the principles of Islamic justice and equity, and to respect their citizen rights.” Articles 23 to 27 of the Constitution provide for freedom of expression, assembly, and association, as well as the freedom to practice one’s religion. However, this duty applies only to those “who refrain from engaging in conspiracy or activity against Islam and the Islamic Republic of Iran,” a charge that is regularly held against certain religious minorities, especially the Baha’is.

In February 2021, Article19 reported the Government’s adoption of a law that added two new provisions to the Islamic Penal Code: ²²⁴

- Article 499*bis* now criminalizes “anyone who insults Iranian ethnicities or divine religions or Islamic schools of thought recognised under the Constitutions with the intent to cause violence or tensions in the society or with the knowledge that such [consequences] will follow.” The prescribed punishment in cases where the outlawed conduct “leads to violence or tensions” is an imprisonment sentence of between two and five years and/or a monetary fine. If no “violence and tension” is caused, an imprisonment sentence of between six months and two years and/or a monetary fine can be imposed.
- The second provision added to the Penal Code is Article 500*bis*, which imposes sentences including an imprisonment sentence of between two and five years and/or a monetary fine against anyone who commits “any deviant educational or proselytizing activity that contradicts or interferes with the sacred law of Islam” when it is – among others – part of a “sect”, or through the use of “mind control methods and psychological indoctrination.” The prescribed activities include “making false claims or lying in religious and Islamic spheres, such as claiming divinity.”

²²⁴ <https://www.article19.org/resources/iran-parliament-passes-law-to-further-choke-freedoms-and-target-minorities/>

Civil society has widely decried the law as a clear step to further restrict the right to freedom of religion or belief and the right to freedom of expression of religion or belief minorities.

Although the Government affirmed that “all Baha’is can freely perform their personal rituals,” the Baha’i faith is considered a “misguided sect” in Iran, and Baha’i worship and religious practices are deemed heresy. Baha’is are prohibited from practicing their faith publicly, and they are not allowed to operate houses of worship. Baha’i cemeteries have been desecrated and, in some cases, turned into parks and cultural buildings. Baha’is are not allowed to bury their dead in accordance with their religious standards and practices. Members of the Baha’i faith regularly face raids, arrests, detention, and imprisonment for practicing and manifesting their faith on charges of “breaching national security,” “propaganda against the holy regime of the Islamic Republic of Iran,” or “propaganda activities against the regime in the interests of the Baha’i sect,” “collusion and assembly against national security” and “formation and management of an illegal Baha’i group with the intent to disturb national security.”

x1 • “Allow places of worship for all religious minorities to be opened, including Sunni mosques and new churches throughout the country”

A/74/188 97i

Religious minorities recognized by Articles 12 and 13 of the Constitution have few places of worship compared to their numbers. Sunnis are not allowed to build new mosques in major cities, including Tehran. In addition, a number of Sunni religious seminaries have been destroyed by the government, and authorities have reportedly been closing Sunni mosques or preventing Sunnis from gathering for congregational prayers. Only 1% of religious temples in Iran are non-Muslim. In Tehran, as of 2018, there are about 15 churches for 43,987 Christians (one church for every 2932 Christians). On January 23, 2021, a Sunni mosque in Iranshahr, in Sistan and Baluchistan province, was reportedly destroyed by security forces. In an interview, the mayor of Iranshahr reported that the municipality had issued a permit for the construction of the mosque but that the applicant had ultimately “failed to inquire and receive approval from the Hajj and Endowment Department.” As a result, the municipality issued a demolition order.²²⁵ Reportedly, Baloch civil activists considered the government’s decision as a form of reprisal against Maulvi

²²⁵ <https://www.radiofarda.com/a/demolition-of-sunni-mosque-in-iranshahr/31066314.html>

Mohammad Tayyab Malazahi, a cleric openly critical of the Government and involved in the construction planning of the mosque.²²⁶ On October 16, 2023, Iranian media reported that the military and security forces in Tehran surrounded and then entered the building complex of the Sunni prayer house named "Nabi Rahmat," located in the Ponk region, and proceeded to destroy the prayer hall.²²⁷

The lack of official places of worship forces religious minorities to gather in informal assemblies inside their own home, frequently termed “house churches”, or in underground prayer halls (*namaz khane*) which often get dismantled by Iranian authorities. House churches are often being raided by the government on the basis that they do not hold necessary permits from the authorities. Attendees are arrested and imprisoned on charges of “acting against national security by organizing and conducting house-churches” or “propaganda against the state and insulting the sacred Iranian establishment”.

The Baha’i faith, with members numbering an estimated 350,000 in Iran, is not recognized under Iranian law and does not have any official place of worship.

The lack of places of worship and the regular dismantling of informal religious meetings frustrate the rights of religious minorities to manifest a religion or belief. The threat of raids, arrests, detention, and imprisonment for those identified as belonging to certain religious minorities disincentivizes community and public manifestation.

x1 • “Allow all students of ethnic and recognized and non-recognized religious minorities full and equal access to State universities on the basis of academic merit”

A/74/188 97k

The Iranian government continues to bar Baha’is from Iran’s state-run university system. Baha’is are either not allowed to enroll or are expelled subsequent to registration. In fact, Iran’s Court of Administrative Justice has ruled that the 1991 memorandum by the Supreme Council of Cultural Revolution prohibits admission of

²²⁶ <https://www.independentpersian.com/node/117236/>

²²⁷

<https://iranwire.com/fa/news-1/121721-%D8%A7%D8%B9%D8%AA%D8%B1%D8%A7%D8%B6-%D9%85%D9%88%D9%84%D9%88%DB%8C-%D8%B9%D8%A8%D8%AF%D8%A7%D9%84%D8%AD%D9%85%DB%8C%D8%AF-%D8%A8%D9%87-%D8%AA%D8%B5%D8%B1%D9%81-%D9%86%D9%85%D8%A7%D8%B2%D8%AE%D8%A7%D9%86%D9%87-%D8%A7%D9%87%D9%84-%D8%B3%D9%86%D8%AA-%D8%AF%D8%B1-%D8%AA%D9%87%D8%B1%D8%A7%D9%86/>

Baha'is to Iran's universities.²⁸ In 2019, as of June 2019, 17 Baha'i students have been reportedly expelled from Iranian universities. In 2018, 50 Baha'i students were reportedly expelled.

x1 • “Ensure that minority languages are made available to children of ethnic minorities at the primary school level”

A/74/188 971

Large segments of the Iranian population belong to ethnic and linguistic minorities, including Kurds, Arabs, Azerbaijani Turks, Balochis, and Turkmen among other groups. Historically, the suppression of minority languages in favor of Persian goes back to the beginning of the 20th century and has continued from the Pahlavi dynasty to the Islamic Republic. Assimilatory policies have been imposed for almost a century, including the establishment of Persian as the only language of teaching in state schools, but also changes in minority language names, the repression of minority language publications and cultural associations, and the still ongoing practice of civil registry officials denying the issuance children belonging to ethnic minorities names in their own languages.²²⁸

Under Article 15 of the Iranian Constitution, Persian is the only official language in the country. However, the same article stipulates that “the use of regional and tribal languages in the press and mass media, as well as for teaching of their literature in schools, is allowed in addition to Persian.” The phrasing of this article effectively restricts the domains in which languages other than Persian can be used, including in schools where teaching in minority language is permitted only for literature classes. This provision does not involve guarantees that children belonging to linguistic minorities will have access to education in their mother tongue.

In practice, there are no elementary, middle, or high schools in the public system that teach the foremost minority languages, such as Azeri-Turkish, Balochi or Kurdish. On the contrary, the Ministry of Education has reportedly circulated reminders to teachers and school administrators that the use of Kurdish and Turkish languages inside public schools is forbidden. The Special Rapporteur on the human rights situation in the Islamic Republic of Iran raised concerns about reports of

²²⁸ Minority Rights Group International, Ceasefire Centre for Civilian Rights, Centre for Supporters of Human Rights, *Rights Denied: Violations against ethnic and religious minorities in Iran*, March 2018, p.23, accessible at: <https://minorityrights.org/wp-content/uploads/2018/03/Rights-Denied-Violations-against-ethnic-and-religious-minorities-in-Iran.pdf>

Kurdish, Ahwazi Arab, and Azerbaijani-Turk (or Azeri-Turk) lacking access to education in their mother tongue.²²⁹

In 2016, reportedly, up to 40,000 Ahwazi Arab children were denied access to education for failing the Farsi language proficiency test, although Farsi is their second language. In 2019, Rezvan Hakim Zadeh, deputy of the regime's elementary education department, announced that the health assessment plan for preschool children would include an evaluation of the children's level of proficiency and comprehension in Persian. Children who fail to pass the assessment will not be able to attend State kindergartens, therefore severely limiting access to pre-primary education for children from ethnic minorities, such as Ahwazi Arabs, Turks, Kurds, and Balochis, who are directed to intensive training in Persian language.

Following a lawsuit against the Ministry of Education initiated in March 2018, the Court of Administrative Justice ruled in March 2020 that the state is required to produce and prepare textbooks for teaching ethnic language literature until the end of secondary school in the country's schools. It is not clear whether the Ministry of Education has decided to appeal the ruling or whether it will be implemented.

Education in some minority languages like Kurdish has been available only through private classes, reducing the accessibility and affordability of Kurdish education. Furthermore, private teachers are required to obtain a license from the state to teach Kurdish, which places an additional barrier to private practice. Kurdish language teachers have been facing harassment and persecution, as illustrated by the situation of Zara Mohammadi, a young Kurdish language teacher who was arrested and detained by the Iranian authorities between May and December 2019, when she was released on bail.²³⁰ In July 2020, she was sentenced by a Revolutionary Court to a prison sentence of 10 years, a sentence then reduced to 5 years in appeal. She was released in February 2023 after serving a year of her sentence.²³¹ The Nojin Cultural Association in Sanadaj, which Zara Mohammadi managed, was shut down by the authorities during the nationwide protests following the death in custody of Jina Mahsa Amini, and several of its members were allegedly arrested and detained.

Further demonstrating systemic discrimination against ethnic and linguistic minorities, Iran's authorities do not recognize minority language birth-given names

²²⁹ Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, January 2020, https://www.ohchr.org/Documents/Countries/IR/Report_of_the_Special_Rapporteur_on_the_situation_of_human_rights_in_the_Islamic_Republic_of_IranA4361.pdf

²³⁰ <https://www.amnesty.org/en/documents/mde13/1390/2019/en/> ; <https://www.hra-news.org/2019/hranews/a-22801/>; Also see the UN Working Group on Arbitrary Detention ofn the case of Zara Mohamamdi: <https://www.ohchr.org/sites/default/files/documents/issues/detention-wg/opinions/session95/A-HRC-WGAD-2022-82-AEV.pdf>

²³¹ <https://kurdpa.net/fa/news/2023/02/35>

when they do not align with the “booklet of names” of Iran’s civil registration organization. As a consequence, those who have been named in minority languages, do not have official identification in their birth-given name but a name from the official booklet. An example is Kurdish-Iranian Jina Mahsa Amini, who was named by her family with the Kurdish name Jina. As “Jina” is not recognized under the official booklet of names, her official identification showed “Mahsa Amini.”

At university level, while teaching in and of minority languages had been inexistent for decades, two positive developments must be noted:

- the government announced in 2015 that a university programme on Kurdish language and literature would be introduced at the University of Kurdistan in Sanandaj. A Similar degree for Azerbaidjani Turkish literature has also been created.²³² The government also announced in 2015 that Baluchi language courses would be introduced at the university of Sistan-Baluchistan.
- Since August 2016, participants in the national entrance examinations for universities in Iran have been allowed to choose Kurdish and Turkish languages as their majors at the bachelor level.

These developments however have proven of limited effect given that those who seek to learn these languages or advocate for greater access to education in these languages, face surveillance, harassment, intimidation, and arrests.

According to KMMK-G, Kurdish cultural and linguistic activists and teachers routinely face arbitrary detention and unfair trials. For instance, Ms. Zara Mohammadi, a Kurdish teacher and the founder of the Nojin Cultural Association, was arbitrarily sentenced to ten years imprisonment and spent five years in Sanandaj Central Prison for teaching the Kurdish language. All other members of this cultural association are either facing trials that are incompatible with due process or are currently in detention.²³³

The lack of access to mother tongue education in primary and secondary schools remains a major challenge, highlighted as an issue of concern by the Committee on the Rights of the Child during its 2016 review of Iran.²³⁴ Access to mother tongue education at a young age is critical both to preserve minorities’ distinct culture and identity and to promote equality of opportunities. Indeed, some civil society groups

²³² <https://www.mashreghnews.ir/news/617483/آموزش-زبان-و-ادبیات-ترکی-و-کردی-در-دانشگاه-ها>

²³³

<https://www.kmmk-ge.org/wp-content/uploads/2023/12/KMMK-G-Interim-Report-on-the-Situation-of-Human-Rights-in-Kurdistan-of-Iran-for-the-period-1st-January-to-November-30-2023-SHM.pdf>

²³⁴ Committee on the Rights of the Child, *Concluding observations: Islamic Republic of Iran*, 14 March 2016, CRC/C/IRN/CO/3-4, para. 77-78

have linked high dropout rates and low academic performance of children belonging to linguistic minorities to a lack of instruction in their primary language.²³⁵

x1 • “Develop policies and direct resources for the economic, social, cultural and political development of areas populated by the Sunni minority, including Kurds, Baluchis and Azeris;”

A/74/188 97m

Arabs, Azerbaijani Turks, Balochis and Kurds, Turkmen, among other groups, face targeted discrimination and marginalisation on the basis of their identity and are generally sidelined from economic, social and cultural life in Iran.

Sistan and Baluchestan, where the Baluchi ethnic group forms the majority of the population, is Iran's poorest province. The majority of the population lives below the poverty line – 64% and 77% in urban and rural areas respectively. The province performs poorly on many key development indicators and has the highest illiteracy and infant mortality rates in the country. An estimated two-thirds of the province lacks access to clean drinking water.

In Khuzestan, the source of most of Iran's oil wealth, very large numbers of Arabs live in informal housing settlements, often as a result of displacement. Thus, these community groups often have no access to functioning sewage systems, electricity, clinics, schools, and other basic services. Like Sistan and Baluchestan, the province suffers from low literacy rates and high rates of infant mortality and child malnutrition. Khuzestan is believed to have one of the highest suicide rates due to poor social and economic conditions affecting the local population.

Some of the Iranian Government's practices, such as the relative lack of State investment in regions with high concentrations of ethnic minorities as well as a decrease in their regional budgets, continue to keep large numbers of Iranians in poverty. For example, the provincial budget of Sistan and Baluchestan decreased by

²³⁵ Association for the human rights of the Azerbaijani people in Iran, https://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/IRN/INT_CRC_NGO_IRN_19735_E.pdf International Campaign for Human Rights in Iran, Khuzestan's Teachers: academic failure and students dropouts anre the result of not speaking the native language in schools. (8 November 2013) available at: http://persian.iranhumanrights.org/1392/07/arab_language/

48% in the fiscal year 1397 (2018-2019)²³⁶ compared to the previous year, while the provincial budget of Kurdistan decreased by 58%.²³⁷

Due to underdevelopment in provinces with largely ethnic minority populations, members of ethnic groups such as Balouch, Arabs, and Kurds reportedly have limited access to education. School facilities are often inadequate for hosting children due to the various safety and health risks associated with their use. Additionally, there is often a scarcity of schools in these regions, forcing students to use transportation to go to school, which may be inaccessible financially.

Low levels of development in regions populated by ethnic minorities are also linked with a lack of access to healthcare services, goods, and facilities. Despite an increase in the number of medical centers in the last few decades, many rural areas and villages – often populated by ethnic minority populations – still lack adequate medical facilities.

²³⁶ <https://shenasname.ir/laws/budjet/1397/4378-budjet97>

²³⁷ <https://shenasname.ir/laws/budjet/budjet98/4962-budjet98>