



General Assembly

Distr.: General
27 July 2022

Original: English

Human Rights Council

Fiftieth session

13 June–8 July 2022

Agenda item 2

**Annual report of the United Nations High Commissioner
for Human Rights and reports of the Office of the
High Commissioner and the Secretary-General**

Situation of human rights in the Islamic Republic of Iran

Report of the Secretary-General*

Summary

The present report is submitted pursuant to General Assembly resolution 76/178, in which the Assembly requested the Secretary-General to submit an interim report on the situation of human rights in the Islamic Republic of Iran to the Human Rights Council at its fiftieth session. It contains information on the patterns and trends in the human rights situation in the country, the progress made in the implementation of resolution 76/178 and recommendations to improve the protection of human rights.

* The present report was submitted after the deadline in order to reflect the most recent developments.



I. Introduction

1. The present report is submitted pursuant to General Assembly resolution 76/178, in which the Assembly requested the Secretary-General to submit an interim report on the situation of human rights in the Islamic Republic of Iran to the Human Rights Council at its fiftieth session. It covers the period between 11 June 2021 to 20 March 2022.

2. The present report contains information from the Government of the Islamic Republic of Iran, non-governmental and media organizations and individuals interviewed by the Office of the United Nations High Commissioner for Human Rights (OHCHR). It also draws on observations of United Nations human rights mechanisms. Unless indicated otherwise, the information is based on submissions and testimonies received by OHCHR. The Government continued to engage with OHCHR and the United Nations human rights mechanisms during the reporting period. The Secretary-General acknowledges the comments provided by the Government in response to the report. However, substantive engagement on the State's obligations under international human rights law remained limited, and the level of implementation of recommendations from international human rights mechanisms remained low.

3. In the reporting period, important social, economic and political challenges persisted. Civic and democratic space continue to be restricted. Activists and human rights defenders operated in a highly volatile and unpredictable environment, often facing harassment and arrest. A lack of tangible measures towards achieving accountability for past human rights violations, even with respect to recent events, also undermined trust and social cohesion. The Islamic Republic of Iran hosts an estimated 800,000 Afghan refugees and an additional 2.6 million undocumented Afghans.¹ Significant numbers of Afghan refugees continued to cross the border into the Islamic Republic of Iran, particularly after the Taliban takeover of Afghanistan in August 2021. The Office of the United Nations High Commissioner for Refugees (UNHCR) estimated that over 500,000 Afghans arrived in the Islamic Republic of Iran in 2021.² The country closed its borders to Afghanistan on 16 August 2021, but subsequently reopened them for persons holding Afghan passports with valid visas. The majority of Afghans fleeing to the Islamic Republic of Iran did so in an irregular manner through unofficial border crossings.³ There has been a rise of deportations of Afghans from the Islamic Republic of Iran back to Afghanistan, despite the issuance of a non-return advisory by UNHCR.⁴ In 2021, the International Organization for Migration reported that around 1 million Afghans were deported from the Islamic Republic of Iran and Pakistan to Afghanistan. UNHCR estimates that 65 per cent of all newly arriving Afghan asylum seekers are deported from the Islamic Republic of Iran.⁵

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

A. Death penalty and arbitrary deprivation of life

4. Numerous testimonies and reports by non-governmental organizations, individuals, victims and their families were received concerning potential violations of the right to life allegedly committed by the State, including arbitrary executions, the use of deadly force by

¹ See <https://data2.unhcr.org/en/country/irn>.

² Ibid.

³ UNHCR, "UNHCR Iran: New Arrivals from Afghanistan (29 January 2022)", ReliefWeb, 31 January 2022.

⁴ See <https://www.unhcr.org/news/briefing/2021/8/611b62584/unhcr-issues-non-return-advisory-afghanistan.html>.

⁵ See https://reliefweb.int/sites/reliefweb.int/files/resources/iom_afghanistan-return_of undocumented afghans_situation_report_03-09_sep_2021_psu_1.pdf and <https://data.unhcr.org/en/documents/download/91198>.

security forces against peaceful protesters and *kolboran* (border couriers)⁶ and arbitrary deprivation of life in detention as a result of torture or the denial of timely access to medical care. As stated by the Human Rights Committee, States parties to the International Covenant on Civil and Political Rights must ensure that those found responsible for violations of certain Covenant rights are brought to justice, and failure to do so could in and of itself give rise to a separate breach of the Covenant.⁷

Use of the death penalty

5. Non-governmental organizations reported that the number of executions in the Islamic Republic of Iran increased in 2021 as compared with 2020, including an increase in drug-related executions, which accounted for over 40 per cent of the cases.⁸ According to these reports, in 2021, at least 310 individuals were executed, including at least 14 women, compared with some 260 executions in 2020. The authorities announced 55 of the executions in 2021.⁹ At least four executions followed death sentences based on *qassameh* (sworn oath). Among those reportedly executed for drug-related offences were Afghan migrants, including several Afghans living in Khorasan Province in October 2021.¹⁰ These reports indicate that in 2022 the number of executions continued to rise: between 1 January 2022 and 20 March 2022, at least 105 people were executed, and in March 2022, 52 prisoners convicted and sentenced to death on drug-related charges were transferred for execution to Shiraz Central Prison. By mid-March, at least 16 of the prisoners in this latter group, including 1 Afghan national, had been executed.¹¹ The Secretary-General reiterates his concern at the high number of death penalty sentences and executions, the inclusion in Iranian law of the death penalty for a range of acts, the imposition of the death penalty in violation of fair trial standards and the lack of official data concerning executions.

6. Article 6 (2) of the International Covenant on Civil and Political Rights stipulates that, in countries that have not abolished the death penalty, sentence of death may be imposed only for the most serious crimes in accordance with the law in force at the time of the commission of the crime and not contrary to the provisions of the Covenant and to the Convention on the Prevention and Punishment of the Crime of Genocide. It further provides that the death penalty can only be carried out pursuant to a final judgement rendered by a competent court. The Human Rights Committee has noted that the term “the most serious crimes” must be read restrictively and appertains only to crimes of extreme gravity involving intentional killing.¹² In the reporting period, the death penalty was imposed for charges including “spreading corruption on earth”, drug-related offences, adultery, same-sex relations, non-intentional murder, *baghy* (armed rebellion), rape and *moharebeh* (taking up arms to take lives or property and to instil fear in the public). In the reporting period, charges carrying the death penalty were also brought against protesters.¹³

7. The Secretary-General is also concerned at the indication that the right to a fair trial, including in death penalty cases, has not been guaranteed. A reported example is the execution of Kurdish prisoner Heidar Ghorbani in December 2021. Mr. Ghorbani was arrested in 2016 in connection with the killing of three men affiliated with the Basij militia, reportedly by individuals associated with an armed opposition group. Mr. Ghorbani denied membership in the opposition group and any involvement in the killing. A revolutionary court concluded that he was unarmed, yet sentenced him to death for *baghy* (armed rebellion) without an investigation into allegations that he had been tortured. Mr. Ghorbani was executed without prior notice to his family and lawyer, and his execution was carried out while his request for a retrial was still under consideration by the Supreme Court.

⁶ *Kolboran* or border couriers transport goods across the border with Iraq, often as part of the informal economy.

⁷ General comment No. 31 (2004), para. 18.

⁸ See <https://www.hri.global/death-penalty-2021>.

⁹ See

https://iranhr.net/media/files/Annual_Report_on_the_Death_Penalty_in_Iran_2021_BwW7LPR.pdf.

¹⁰ See <https://iranhr.net/en/articles/4917/?msclkid=ff449a45ab5711ec8f89ea9b3d706c67>.

¹¹ See <https://iranhr.net/en/articles/5147/>.

¹² General comment No. 36 (2018), para. 35; see also paras. 5, 10, 16 and 32–51.

¹³ See <https://iranhr.net/en/articles/5048/>.

Execution of child offenders

8. The Secretary-General has consistently called for a halt to the execution of child offenders. Pursuant to international human rights instruments to which the Islamic Republic of Iran is a party, capital punishment shall not be imposed for offences committed by persons below 18 years of age.¹⁴ The Government noted in its comments that there has been a significant reduction in the imposition of the death penalty on offenders below the age of 18. However, reports received by OHCHR indicate that, between August 2021 and March 2022, at least two child offenders were executed, in one case without prior notice of the execution date to the family. Sajad Sanjari was executed on 2 August 2021, without prior notice to his family, for the killing of a man in 2010, when he was 15 years old. Another child offender, Arman Abdolali, was executed on 24 November 2021 for a crime committed while he was under 18 years of age. Mr. Abdolali's execution was scheduled and postponed seven times, raising concerns regarding respect of the right to a fair trial. The Government noted that executions might be postponed by the authorities in attempts to facilitate pardon negotiations between the victim's family and the perpetrator.¹⁵ As stated by the Human Rights Committee, procedures for the exercise of the right to seek pardon or commutation should be specified in domestic legislation and should not afford the families of crime victims a preponderant role in determining whether the death sentence should be carried out.¹⁶ Such negotiations or any other reconciliation efforts are independent from a State's obligations under international human rights law, including to ensure that the death penalty shall not be imposed for crimes committed by persons below the age of 18 at the time of the offence.¹⁷

9. The Supreme Court's decision in February 2022 to revoke the death sentence imposed on a child offender who was on death row for 18 years is a welcome step. The Court ruled, *inter alia*, that, due to the passage of time, forensic medicine was unable to assess the maturity of the child offender at the time of the crime.¹⁸ The Secretary-General reiterates his call for a revision of the Penal Code to prohibit the imposition of the death penalty on individuals who were under 18 years of age at the time of the alleged crime, as well as for the abolition of the death penalty.

Excessive use of force

10. The Secretary-General is concerned at the continued pattern of excessive use of force in the context of the management of peaceful assemblies. On 15 July 2021, protests broke out in over 26 cities in Khuzestan Province over water shortages.¹⁹ Video and photo documentation showed the strong presence of security forces. On some occasions, the authorities reportedly used plainclothes agents to pose as armed or violent protesters and subsequently denied police responsibility when their actions resulted in the deaths of protesters. The firing of live ammunition, including the use of automatic weapons and shotguns firing birdshot, and the use of other potentially lethal force by police and security forces led to the deaths of at least nine individuals, including a minor, and to the injury of many, including children. The authorities announced that one police officer had been shot and killed.²⁰ Many of those injured went into hiding and avoided going to hospitals to receive necessary care out of fear of being arrested. Security and intelligence agents reportedly also violently arrested injured protesters from a hospital.²¹ While some officials attributed the protests to dissident or terrorist groups, other officials called for the protesters' demands to

¹⁴ E.g., International Covenant on Civil and Political Rights, art. 6 (5).

¹⁵ A/76/268, para. 8.

¹⁶ General comment No. 36 (2018), para. 47.

¹⁷ International Covenant on Civil and Political Rights, art. 6 (5), and Convention on the Rights of the Child, art. 37.

¹⁸ See <https://www.en-hrana.org/juvenile-offenders-death-sentence-revoked-after-18-years-in-prison/>.

¹⁹ See <https://www.amnesty.org/en/latest/news/2021/07/iran-security-forces-use-live-ammunition-and-birdshot-to-crush-khuzestan-protests/>; <https://www.hrw.org/news/2021/07/22/iran-deadly-response-water-protests>.

²⁰ See <https://www.isna.ir/news/1400043021902/> (in Persian).

²¹ See <https://www.amnesty.org/en/latest/news/2021/07/iran-security-forces-use-live-ammunition-and-birdshot-to-crush-khuzestan-protests/>.

be addressed.²² The authorities later confirmed the death of three members of the public, but stated that these deaths were due to armed rioters.²³ The Government noted that its principled policy was to manage assemblies with tolerance and restraint as long as they remained peaceful.

11. Information received by OHCHR indicates that, since 15 July 2021, the authorities have arrested over 200 individuals in the context of peaceful demonstrations, including children. Some protesters were also subjected to enforced disappearances for a period of time, with several detained protesters initially held in detention facilities run by the Ministry of Intelligence or by the Islamic Revolutionary Guards Corps.

12. Other reports indicate that, in August 2021, security forces resorted to firing birdshot at peaceful protesters in Naqadeh in Western Azerbaijan Province, leaving dozens injured.²⁴ Many refrained from seeking hospital treatment for fear of arrest or torture. Mohammad Alizadeh died of his injuries after being shot by a person in civilian clothes. The Government noted that the perpetrator is being prosecuted.

13. The water shortage led to further protests erupting from 7 to 26 November 2021, in Isfahan, where thousands of farmers protested the Government's water policies.²⁵ On 11 November, the President met with representatives from the province and promised to resolve the impact of water shortages.²⁶ On 25 November, at 4 a.m., security forces warned farmers who were holding a sit-down strike in the dry riverbed to evacuate the area. Subsequently, security forces reportedly set fire to the farmers' tents, fired tear gas at the tents and shot in the air. The prosecutor of Isfahan stated that it was "thugs" who set the farmers' tents on fire.²⁷ On 26 November, according to information received by OHCHR, protests continued and security forces resorted to the use of batons, tear gas and pellet guns. Internet disruption of mobile data was reported at the time of the crackdown.²⁸ The widespread use of pellet guns, which were fired at close range at protesters and bystanders, including old farmers and women, caused serious eye and other injuries. Over 40 people were reported to have lost at least one eye after being shot by security forces.²⁹ The police commander in Isfahan stated that on 26 November plainclothes security agents had detained 67 people.³⁰ Other sources estimate that over 300 people, including 13 children, were arrested and detained, several incommunicado. Reports indicate that injured protestors have been taken out of hospital and transferred to detention centres.

14. The use of force against border couriers, primarily of Kurdish and Baloch minorities,³¹ continued, often justified by the authorities as being exercised in the context of anti-smuggling operations. In 2021, 53 couriers were reportedly targeted and shot to death by border officials, and over 130, including minors, were injured. Between 1 January and 20 March 2022, at least 18 border couriers were reportedly directly targeted and fired upon by border officials. The Government stated that any illegal use of force by an official is subject to criminal liability.

15. The High Council for Human Rights of the Islamic Republic of Iran submitted information to OHCHR concerning 38 law enforcement agents killed in the context of anti-smuggling operations between 21 March and 3 December 2021.

²² See <https://www.isna.ir/news/1400042820561/> (in Persian).

²³ See <http://fna.ir/2jb7z>; <https://www.magiran.com/article/4200515>; and <http://fna.ir/2k69u> (in Persian).

²⁴ Amnesty International, "Iran: Security Forces Use Ruthless Force, Mass Arrests and Torture to Crush Peaceful Protests", 11 August 2021.

²⁵ See <https://www.iranhumanrights.org/2021/11/isfahan-instead-of-crushing-protests-the-iranian-government-should-solve-its-water-crisis/>.

²⁶ See <https://www.irna.ir/news/84537500/> (in Persian).

²⁷ See <https://www.farsnews.ir/isfahan/news/14000904000459/> (in Persian).

²⁸ See <https://netblocks.org/reports/internet-disruption-registered-in-iran-amid-water-protests-RyjnQRyg>.

²⁹ See <https://iranhr.net/en/articles/5000/?msclid=420880acab5b11ecae3981eb25648f89> (in Persian).

³⁰ See <https://www.farsnews.ir/news/14000906000495/> (in Persian).

³¹ See <https://www.kmmk-ge.org/wp-content/uploads/2021/10/2021-Interim-Annual-Report-KMMK-G-pdf>.

16. The Secretary-General underlines that, as indicated by the Human Rights Committee, any use of force must comply with the fundamental principles of legality, necessity, proportionality, precaution and non-discrimination, and that domestic legal regimes on the use of force by law enforcement officials must be brought into line with the requirements enshrined in international law.³² The Secretary-General further recalls that States have an obligation to investigate effectively, impartially and in a timely manner any allegation or reasonable suspicion of the unlawful use of force.³³

Torture and arbitrary deprivation of life in detention

17. OHCHR continued to receive reports of torture and ill-treatment in places of detention resulting in death.³⁴ OHCHR is unaware of any credible investigation into these incidents. The Government rejected allegations of arbitrary deprivation of life and lack of access to medical care in detention.

18. The Secretary-General welcomes measures aimed at preventing the use of torture, including by encouraging judges to pay attention to allegations of torture made by defendants during investigations, as reflected in the Government's mid-term report on the implementation of the recommendations of its third cycle universal periodic review. However, the reported prevalence of torture and ill-treatment remains of great concern, together with a lack of adequate safeguards to prevent torture and deficiencies in the justice system to ensure that perpetrators are held accountable – in particular a lack of independent oversight bodies or thorough, independent and impartial investigations. In addition, the Penal Code continued to retain forms of punishment³⁵ that could be considered torture or cruel, inhuman or degrading treatment under international human rights law.³⁶ Flogging remained a widespread form of punishment during the reporting period.³⁷ The Secretary-General recalls the view of the Human Rights Committee that the prohibition of torture or other cruel, inhuman or degrading treatment or punishment in article 7 of the International Covenant on Civil and Political Rights extends to corporal punishment,³⁸ and calls on the Government to revise such forms of punishment.

19. The reported deaths in unclear circumstances of Shahin Naseri and Amir Hossein Hatami over one week in September 2021 in Greater Tehran Central Penitentiary are emblematic examples of deaths in detention without subsequent independent investigation. In multiple affidavits, Mr. Naseri stated that he had witnessed the torture of fellow prisoner, Navid Afkari.³⁹ Naseri had previously received threats of reprisal from judicial authorities for his testimonies. On the anniversary of the execution of Navid Afkari, in September 2021, Mr. Naseri was placed in solitary confinement, reportedly to prevent him from speaking with the media. He was found dead in prison on 21 September 2021. The judiciary announced that his death was caused by drug poisoning, without providing further details. On 22 September 2021, Amir Hossein Hatami also died in the Greater Tehran Central Penitentiary. Prior to his death, Mr. Hatami had stated that he had been severely beaten by prison guards.⁴⁰ On 2 November 2021, Khosrow Jamalifar died in Sanandaj Central Prison in Kurdistan Province, reportedly due to a head injury he sustained after being beaten by prison guards. The State television service published video footage claiming that Mr. Jamalifar fell in his cell and later died in hospital.⁴¹ The claim is contrary to the accounts of eyewitnesses, who testified that

³² Human Rights Committee, general comment No. 37 (2020), para. 78.

³³ Human Rights Committee, general comment No. 36 (2018), paras. 13–14.

³⁴ See <https://www.amnesty.org/en/documents/mde13/4669/2021/en/>.

³⁵ The Penal Code includes the punishments of stoning (art. 225), *qisas* (retaliation-in-kind), which is the main punishment for intentional crimes against life, limbs and abilities, as well as for theft (arts. 16, 278 and 386–416), and includes over 100 offences that carry the punishment of flogging.

³⁶ Human Rights Committee, CCPR/C/IRN/CO/3, paras. 12 and 16.

³⁷ See <https://www.iranrights.org/library/collection/141/flogging>; and <https://www.hrw.org/world-report/2021/country-chapters/iran>.

³⁸ General comment No. 20 (1992), para. 5.

³⁹ A/HRC/47/22, paras. 7 and 22.

⁴⁰ See <https://kurdistanhumanrights.org/en/iran-prison-officers-beat-young-man-to-death/>.

⁴¹ See <https://www.iribnews.ir/fa/news/3271407/> (in Persian).

Mr. Jamalifar had died in prison, not in the hospital, after being beaten by prison guards.⁴² In November 2021, the intelligence service of the Islamic Revolutionary Guards Corps in Naqadeh announced the death of Asad Ramin and Davood Rahimi in custody. The men had been arrested in September and had reportedly been subjected to torture prior to their death.⁴³ The Government noted that investigations into the cause of their deaths were ongoing.

20. The Secretary-General is concerned by reports of deaths in prison due to the denial of adequate and timely medical care. Poet and human rights defender, Baktash Abtin, died on 10 January 2022 owing to the denial of timely medical care after contracting coronavirus disease (COVID-19) in prison.⁴⁴ Mr. Abtin had been sentenced to five years of imprisonment on national security charges in connection with his advocacy for freedom of expression and against the censorship of literature. Despite calls by the Secretary-General⁴⁵ and the High Commissioner⁴⁶ for the release of human rights defenders, lawyers and others arbitrarily detained for exercising their right to freedom of expression in the context of the COVID-19 pandemic, these individuals remained disproportionately excluded from COVID-19 release schemes.

21. OHCHR received reports of cases which indicate a denial of adequate medical care to prisoners on hunger strike, in some instances resulting in death. Adel Kianpour died in Sheyban Prison in Khuzestan Province after a week of hunger strike.⁴⁷ After his arrest in 2020, and subsequent reports of his torture and ill-treatment, a revolutionary court sentenced him to three years of imprisonment. Mr. Kianpour twice staged hunger strikes in prison to protest the denial of his fair trial rights.

22. Reports of the denial of timely medical treatment to detained human rights defenders is an increasing concern, particularly in the continuing context of the COVID-19 pandemic. On 24 February 2022, teacher and civil rights advocate, Abbas Vahedian Shahrudi, was reportedly transferred in a half-conscious state from Vakilabad Prison to a hospital for a few hours and returned to prison without sufficient treatment.⁴⁸ In February 2022, civil rights activist Arsham Rezaee went on hunger strike for one month in protest of the rejection of his requests to be transferred to a hospital for medical treatment.⁴⁹ Sepideh Qolian contracted COVID-19 in prison in February 2022 and was denied any form of medical leave.⁵⁰

B. Legislative developments

Youthful Population and Protection of the Family Law

23. The Secretary-General is concerned about the potential impacts that the Youthful Population and Protection of the Family Law might have on the rights of men, women and girls to sexual and reproductive health.⁵¹ The law was approved by the Guardian Council on 1 November 2021. It prohibits the free distribution of contraceptives in the public health-care system, requires medical authorization for contraceptive pills (art. 51), imposes a ban on

⁴² See <https://www.en-hrana.org/irib-denies-that-khosro-jamalifars-suspicious-death-in-sanadaj-prison-was-result-of-guard-brutality/>.

⁴³ See <https://hengaw.net/en/news/the-official-death-announcement-of-two-kurdish-civilians-who-were-killed-under-torture-by-the-iranian-revolutionary-guard-corps-to-their-families>.

⁴⁴ See <https://rsf.org/en/news/rsf-asks-un-investigate-iranian-journalist-baktash-abtins-death> and <https://www.unesco.org/en/articles/director-general-deplores-death-journalist-poet-and-film-maker-baktash-abtin-iran>.

⁴⁵ A/75/287, para. 61 (f); A/HRC/47/22, para. 73 (f); and A/76/268, para. 60 (f).

⁴⁶ See <https://www.ohchr.org/en/press-releases/2020/10/citing-covid-risk-bachelet-calls-iran-release-jailed-human-rights-defenders?LangID=E&NewsID=26345>.

⁴⁷ See <https://www.iranhumanrights.org/2022/01/writer-in-coma-another-political-prisoner-dead-after-arbitrary-imprisonment-in-iran/>.

⁴⁸ See <https://www.amnesty.org/en/wp-content/uploads/2022/02/MDE1352062022ENGLISH.pdf>.

⁴⁹ See <https://iranhumanrights.org/2022/03/denial-of-medical-treatment-for-ailing-political-prisoners-in-iran-aimed-at-crushing-dissent/>.

⁵⁰ See <https://iranhumanrights.org/2022/03/plea-to-un-to-demand-freedom-for-gravely-ill-sepideh-qolijan/>.

⁵¹ A/76/268, para. 33; and <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=27817&LangID=E>.

voluntary sterilizations of men and women except in life-threatening cases (art. 51) and enacts a policy of restricting access to information on family planning and abortion (arts. 48 and 53). The law imposes additional restrictions on abortion, which is already criminalized in the Penal Code. Under legislation of 2005, abortion may be legally performed during the first four months of pregnancy if three specialist doctors determine there are fetal anomalies or threats to the life of the pregnant woman. The new law repeals this legislation, restricts the grounds for therapeutic abortion, and requires that a panel consisting of a judge, a medical doctor and a forensic doctor authorize therapeutic abortion (art. 56). It mandates the Ministry of Intelligence and other security agencies to identify and refer cases of illegal abortion to judicial authorities (art. 59). Article 61 provides that anyone who performs abortions on a “large scale” may be charged with the crime of spreading corruption on earth and the death penalty may be imposed on them.

24. On 30 January 2022, food and drug authorities issued a directive banning free or subsidized distribution of contraceptive items and prohibiting the public health-care system from providing contraceptive services or any encouragement to use contraception. The Iranian cyber police announced that 100 special units had been established to identify people selling illegal drugs online, including abortion drugs. According to press reports, 25 people were arrested in January⁵² and 6 people in February⁵³ 2022 for the online sale of abortion drugs. The new law and implementing measures are the latest in a series of policies to reverse the previous family planning programme. Experts consider that the law may also potentially lead to an increase in sexually transmittable diseases, an area in which the Government has previously demonstrated positive achievements.

25. The Secretary-General is concerned about the possible impact of these policies, which the Government has stated are aimed at increasing population growth,⁵⁴ on the rights of women and girls. The Committee on Economic, Social and Cultural Rights has stated that retrogressive measures – such as the imposition of barriers to information, goods and services relating to sexual and reproductive health and enacting laws criminalizing certain sexual and reproductive health conduct and decisions – should be avoided.⁵⁵ According to the Committee, the right to sexual and reproductive health is an integral part of the right to health and is essential to the realization of the full range of women’s human rights.⁵⁶ It is also linked to other rights, such as the rights to life, to privacy and to freedom from cruel, inhuman and degrading treatment.⁵⁷ The Committee has also stated that laws and policies that create barriers in access to sexual and reproductive health services – such as requiring third-party authorization for abortion, access to sexual and reproductive services, medicines and information, as well as the criminalization of women undergoing abortions – may potentially amount to violations of the obligation to respect the right to sexual and reproductive health enshrined in article 12 of the International Covenant on Economic, Social and Cultural Rights.⁵⁸ Sexual and reproductive health is also included as part of the Sustainable Development Goals, including in target 3.7, in which countries are called on to ensure universal access to sexual and reproductive health-care services, including for family planning, information and education, and the integration of reproductive health into national strategies and programmes by 2030.

26. Restrictions on the access to contraceptive items, services and information, as well as the criminalization of abortion, raises concerns about the increase of unwanted pregnancies and unsafe abortions, especially for women belonging to disadvantaged and marginalized groups. According to press reports, the Ministry of Health estimates that at least 300,000 abortions are performed illegally each year.⁵⁹ On average, out of 12,000 requests for

⁵² See <https://www.mehrnews.com/xWSsR> (in Persian).

⁵³ See <https://www.entekhab.ir/fa/news/666511/> (in Persian).

⁵⁴ See <https://www.sharghdaily.com/Section-news-3/846573-leader-urges-for-population-growth-in-iran-as-necessity>.

⁵⁵ General comment No. 22 (2016), para. 38. See also Human Rights Committee, general comment No. 36 (2019), para. 8.

⁵⁶ General comment No. 22 (2016), para. 25.

⁵⁷ Ibid., para. 10.

⁵⁸ Ibid., paras. 41 and 54–58.

⁵⁹ See <https://www.tasnimnews.com/fa/news/1400/03/08/2511544/> (in Persian).

therapeutic abortion received by the Legal Medicine Organization each year, less than 9,000 are approved.⁶⁰ According to the World Health Organization, restricting access to abortions does not reduce the number of abortions; rather, it affects whether the abortions that women and girls obtain are safe and dignified.⁶¹ Medical officials in the country have voiced their concerns about the serious impact of the new family law on public health, including on sexually transmitted infections.⁶²

Bill on “preserving the dignity and protection of women against violence”

27. The Secretary-General notes the apparent stall in the revision and adoption of the bill on “preserving the dignity and protection of women against violence” since it was presented to parliament on 13 January 2021.⁶³ The bill would introduce positive changes, as the country’s first special law criminalizing violence against women. Notwithstanding the positive provisions of the bill, the final draft does not address the shortcomings previously raised by the Secretary-General⁶⁴ and by special procedure mandate holders.⁶⁵ Some provisions actually increase the risk of women’s exposure to violence. For example, article 77 requires three finalized convictions of the husband for physical assault in order for a woman to be able to raise assault as grounds for divorce.⁶⁶ Also, while introducing protection orders for survivors of violence is a positive step, conditioning such orders upon the victim’s filing of a criminal complaint may deter survivors from seeking protection orders.⁶⁷ Moreover, the stipulation of compulsory mediation sessions between female victims of violence and their husbands or fathers under article 66 removes cases from judicial scrutiny and presumes an equality of bargaining power between both parties.⁶⁸ Furthermore, the bill fails to define domestic violence, to criminalize marital rape or to repeal the existing discriminatory laws against women which make them more susceptible to violence.

28. Recently reported cases illustrate the urgency of expediting the adoption of legislation with a holistic approach to addressing and preventing violence against women. In February 2022, a 17-year-old girl was decapitated by her husband. Her husband, who had previously threatened to kill her, was later arrested by police.⁶⁹ Since 2020, at least 60 women have been killed in Khuzestan Province for reasons of perceived “honour”.⁷⁰ These cases illustrate the significant gap in legislation to ensure access to justice and support services for victims of domestic violence. Under the current framework, law enforcement is reluctant to intervene in domestic violence cases, as such cases are construed as “private” matters.⁷¹ The number of shelters across the country (28 shelters across 31 provinces) is inadequate to meet the demands. International standards recommend the establishment of one domestic violence shelter for every 10,000 inhabitants, safe emergency accommodation, qualified counselling and assistance in finding long-term accommodation for victims.⁷²

29. The above-mentioned case of femicide is illustrative of the consequences of child marriage and the extreme vulnerability to domestic violence of minors forced into marriage. In that case, the girl was married at age 12 with the authorization of her father and a judge, in line with article 1041 of the Civil Code. Growing benefits and incentives provided by the Government to encourage marriage contributes to the early marriage of girls, as a source of

⁶⁰ Ibid.

⁶¹ See <https://www.who.int/news-room/fact-sheets/detail/abortion>.

⁶² See <https://www.isna.ir/news/1400090705278/> (in Persian).

⁶³ See <https://irna.ir/xjCzSz> (in Persian).

⁶⁴ A/HRC/47/22, para. 37; and A/76/268, para. 32.

⁶⁵ See

<https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=25651>.

⁶⁶ See <https://tn.ai/2098195> (in Persian).

⁶⁷ *Handbook for Legislation on Violence against Women* (United Nations publication, Sales No. E.10.IV.2), p. 46.

⁶⁸ Ibid., p. 38.

⁶⁹ See <https://iranhumanrights.org/2022/02/decapitated-child-bride-highlights-irans-lack-of-protections-for-girls-and-women/>.

⁷⁰ See <https://observers.france24.com/en/asia-pacific/20220216-femicide-iran-honour-killing-beheading>.

⁷¹ See <https://www.hrw.org/news/2020/12/04/iran-adopt-draft-law-protect-women>.

⁷² *Handbook for Legislation on Violence against Women* (United Nations publication), p. 31.

income for families from marginalized groups.⁷³ While the Government highlighted in its comments various State measures directed at preventing forced or early marriages, the Youthful Population and Protection of the Family Law provides benefits and incentives that will increase early marriage, and does not set a minimum age for marriage in line with international human rights standards.⁷⁴

User protection bill and legislative developments in the digital sphere

30. The Secretary-General is concerned about further legislative measures aimed at restricting the digital space in the Islamic Republic of Iran. While the Internet penetration rate in the country is high, with heavy investment in information technology infrastructure, the authorities retain broad control over Internet users and the digital space in the country.

31. On 22 February 2022, the parliament ratified the general section of a bill on the protection of cyberspace users and the regulation of online services, commonly referred to as the user protection bill, despite calls by civil society and special procedure mandate holders to reconsider it.⁷⁵ The bill, which is expected to be adopted in its entirety this year, would grant the Government and army extensive control over infrastructure that connects the Islamic Republic of Iran to the global Internet. It would delegate control over international gateways to the Supreme Regulatory Commission, which is part of the Supreme Council of Cyberspace, consisting of 18 members, 12 of whom are appointed by the Supreme Leader, while 5 are representatives of the security agencies and armed forces. Among other issues, the bill would require social media platforms to cooperate with the Government in surveillance and censorship. It would enable the blocking of any remaining websites and platforms run by foreign companies still operating in the Islamic Republic of Iran, would require people to use their legal identities to access the Internet and would criminalize the distribution and sale of virtual private networks. The bill would also establish a multi-tier system for accessing content, providing different levels of Internet access based on the user's age and profession.

32. The user protection bill was considered by the legislature in line with the procedure prescribed in article 85 of the Constitution, allowing it to be adopted by a small group of parliamentarians, without a meaningful consultation with relevant stakeholders. While its adoption was subsequently halted due to a technicality, civil society and business owners expressed their objection to it, including through an online petition gathering over 1 million signatures calling on the Government not to create new barriers to the Internet.⁷⁶ Human rights defender and blogger Hossein Ronaghi was detained on 23 February 2022 after having issued a post on Twitter criticizing the bill.⁷⁷ His family was reportedly informed about his whereabouts only several days later.⁷⁸ He was released on 3 March.⁷⁹

33. The Secretary-General is concerned that the user protection bill regulating cyberspace, if adopted, would add to the already restricted information environment, establishing additional limitations to the already unduly restricted rights to freedom of expression in the country, and further limit engagement with the United Nations, including with human rights mechanisms. There are further concerns that the bill would also hamper business operations and sectors reliant on information technology, including science, education and medicine.

34. In March 2022, a proposal was put forward to amend the laws regulating satellite television to include a provision that would criminalize production and distribution of online

⁷³ See <https://www.hamshahrionline.ir/x7d7h> (in Persian).

⁷⁴ See, for instance, articles 10, 11, 13 and 68–69. Available from https://rc.majlis.ir/fa/legal_draft/show/1630697 (in Persian).

⁷⁵ See <https://www.ohchr.org/en/press-releases/2022/03/un-human-rights-experts-urge-iran-abandon-restrictive-internet-bill>; and <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=26736>.

⁷⁶ See <https://cpj.org/2021/11/iran-parliament-bill-restrict-internet/>.

⁷⁷ See <https://iranhr.net/fa/articles/5112/> (in Persian).

⁷⁸ See <https://www.article19.org/resources/iran-drop-charges-against-human-rights-activist-hossein-ronaghi/>.

⁷⁹ See <https://apnews.com/article/technology-iran-media-hunger-strikes-social-media-0dbc92dd2b6ca10b07db80a1d715a7ee>.

content on illegal Internet platforms and satellite channels.⁸⁰ Violations of the law carry punishment of up to five years' imprisonment. There are concerns that currently blocked platforms, such as Twitter and YouTube, will be placed on the list of illegal networks. Under the amendment, advertising any Iranian goods, services and works of art through unauthorized networks, media and platforms would be prohibited.

Confiscation of property

35. Article 49 of the Constitution provides the legal basis for the State to confiscate all wealth accumulated through usury, usurpation, bribery, embezzlement, theft, gambling, misuse of government endowments, contracts and transactions, the sale of uncultivated lands and other resources belonging to the public, the operation of brothels and other illicit means and sources.⁸¹ The Secretary-General is concerned about the overly broad formulation of the provision, as well as the manner in which this provision is being exercised to confiscate the wealth and property of minorities, in particular the Baha'i religious minority, as well as that of political dissidents and their families.

36. In a series of decisions since 2019 courts have ruled that properties belonging to members of the Baha'i community could be confiscated. During the reporting period, properties, farms and farmland owned or cultivated by members of the Baha'i community were ordered confiscated, including in Mazandaran Province and in Kohgiluyeh and Boyer-Ahmad Province. These confiscations follow the series of confiscations in 2020 and 2021 in Ivel village in Mazandaran Province and in Semnan Province.

37. Article 49 has also been applied to expropriate properties belonging to individuals deemed to be affiliated with the pre-revolutionary Government and political dissidents. Under article 11 of the regulation adopted in May 2000 for the implementation of article 49 of the Constitution, properties of Iranian expatriates with proven ties to anti-State groups are considered illegitimate and are subject to confiscation.

C. Civic space

38. During the reporting period, democratic space in the Islamic Republic of Iran remained highly restricted, with authorities controlling the media and civil society. Among charges brought against civil society actors, including minority rights defenders, were promulgating propaganda against the State, assembly and collusion with the intention of disturbing national security, spreading corruption on earth, *moharebeh* (taking up arms to take lives or property and to instil fear in the public), spreading false news and disruption of public order. Dissenting or critical voices, including minority rights activists, were subjected to harassment. OHCHR received consistent reports of violent arrests and intimidation of civil society actors by various State agents, while the widespread impunity for such actions continued.

39. In addition, extensive surveillance of civil society groups and individuals, threats and interrogations took place. Testimonies were also received about the surveillance of and threats against Iranians abroad, such as activists, human rights defenders and students, including through extensive questioning at airports. Journalists, including journalists abroad working for foreign media outlets, continued to be intimidated. Such acts included coercion by proxy through threats against family members inside the country, economic pressure, travel bans and interrogations.

Lawyers and human rights defenders

40. On 14 August 2022, five lawyers and two human rights defenders were arrested for reportedly preparing to file a lawsuit against State officials for their mismanagement of the COVID-19 pandemic. According to reports by non-governmental organizations, three of those arrested – Arash Keykhosravi, Mostafa Nili and Mehdi Mahmoudian – remained in

⁸⁰ See <https://www.zoomit.ir/tech-iran/379992-new-plan-of-the-parliament/>.

⁸¹ See https://publicofficialsfinancialdisclosure.worldbank.org/sites/fdl/files/assets/law-library-files/Iran_Constitution_en.pdf.

solitary confinement for one month and were subjected to pressure to refrain from filing the complaint.⁸² Mr. Nili and Mr. Keykhosravi were released on bail in December 2022. Mr. Mahmoudian remains in prison in relation to a previous four-year prison sentence for calling for commemoration of the victims of downed Ukraine International flight 752.

41. In September 2021, Ahvaz Revolutionary Court sentenced Farzaneh Zilabi, a lawyer for union workers at the Haft Tappeh Cane Sugar Company, to one year of imprisonment for propaganda activities against the State.⁸³ The seven-year prison sentence handed down to university law professor Reza Eslami for cooperating with an enemy State, through his participation in a law training course in Czechia, was confirmed in October 2021.⁸⁴ Mr. Eslami was temporarily released in March 2022. Human rights lawyer Mohammad Najafi has remained in prison since 2018.⁸⁵ The report of torture and ill-treatment of another lawyer, Payam Derafshan, while he was in detention in October 2021 is a worrying example of reports of the forced injection of unknown substances and the forced transfer of prisoners to psychiatric hospitals.⁸⁶

42. The release of a woman human rights defender, Atena Daemi, on 24 January 2022 is a welcome step.⁸⁷ However, convictions on new charges against other human rights defenders continued. Narges Mohammadi, who was released in October 2020 after several years in prison, was arrested again on 16 November 2021 while attending a ceremony in commemoration of a victim of the November 2019 protests, and she remained in solitary confinement for 54 days. In February 2022, a revolutionary court sentenced her to eight additional years in prison. She was summoned to return to prison in March 2022 despite her health condition.⁸⁸ Farhad Meysami, convicted on charges related to his gender equality campaigning, has been detained since July 2018 without benefiting from temporary release. He was summoned to appear before the Revolutionary Court in February 2022 on new charges.⁸⁹

Reprisals for seeking accountability

43. A series of actions that could constitute violations of human rights occurred in the context of efforts by civil society to hold authorities accountable for human rights violations. In some cases, intelligence bodies pressured family members of victims of alleged human rights violations in order to prevent the families from advocating on their behalf. Acts of pressure included promises to release the individual if the family refrained from advocating their case with interlocutors and media sources abroad. In cases where families continued their advocacy, they were often subjected to threats and intimidation. Among the reported cases was the violent arrest in November 2021 of Gohar Eshghi and Sahar Beheshti, the mother and sister of blogger Sattar Beheshti who was killed under torture in custody in 2021.

44. No steps have been taken thus far to establish accountability for the alleged human rights violations committed in the context of the nationwide protests in November 2019. During the reporting period, individuals calling for accountability, including the families of victims, were subjected to intimidation, threats, violence and imprisonment. In the absence of efforts by the State to hold an independent investigation into the events, civil society established a people's tribunal – the Iran Atrocities Tribunal (Aban Tribunal) – in November

⁸² See <https://www.hrw.org/news/2021/12/09/joint-statement-free-arbitrarily-detained-right-health-defenders-iran>.

⁸³ See <https://www.frontlinedefenders.org/en/case/whrd-farzaneh-zilabi-sentenced-one-year-prison-and-two-year-travel-ban>.

⁸⁴ See <https://www.fidh.org/en/issues/human-rights-defenders/iran-arbitrary-detention-of-human-rights-defender-reza-eslami>.

⁸⁵ See <https://iranhumanrights.org/2022/03/joint-statement-free-imprisoned-human-rights-lawyer-mohammad-najafi-in-iran/>.

⁸⁶ See <https://www.iranhumanrights.org/2021/10/detained-lawyer-of-iranian-instagram-star-tortured-bit-off-tongue-after-unidentified-injection/>.

⁸⁷ See <https://www.frontlinedefenders.org/en/case/woman-human-rights-defender-aten-daemi-released-lakan-prison>.

⁸⁸ See <https://iranhr.net/en/articles/5126/>; and <https://www.iranhumanrights.org/2022/01/five-minute-trial-resulted-in-narges-mohammadis-eight-year-prison-sentence-iran/>.

⁸⁹ See <https://www.hra-news.org/2022/hranews/a-33773/> (in Persian).

2021. In February 2022, security agents in Kermanshah searched the house and interrogated the family of Sohbatallah Omid, a witness who had testified before the Aban Tribunal.⁹⁰ Reported cases of the targeting of family members include the family of Farzad Ansarifard, a protester killed during the protests. His sister, Farzaneh Ansarifard was sentenced to four years and six months of imprisonment for pursuing accountability for her brother's killing, and his brother and father were arrested by security forces in February 2022. The same month, security agents raided the home of Shanhaz Akmali, the mother of Mostafa Karim Beigi, a protester killed in the 2009 post-electoral protests. The security forces summoned her daughter, Maryam Karim Beigi, to report to the Tehran prosecutor's office in Evin. Afshin Hossein Panahi was summoned to court in November 2021,⁹¹ following his call for accountability for the death of his brother, Ashraf Hossein Panahi. In February 2022, Gozal Hajizadeh, the 70-year-old mother of Kurdish political prisoner Zeinab Jalalian,⁹² was deprived of her liberty for several hours at her home in West Azerbaijan Province. Ministry of Intelligence agents interrogated and threatened her over her call to the international community to work for the release of her son.⁹³

Labour rights defenders

45. Amid growing protests by teachers, retirees and other groups demanding labour and social security rights, the summoning, arrest and detention of labour rights defenders intensified. In January 2022, Osman Esmaili and Mahmoud Salehi were tried in Saqqez, Kurdistan Province, on the charge of disseminating propaganda against the system.⁹⁴ In February 2022, Alieh Eghdamdoust, a labour rights defender and former teacher, was arrested on the same charges. In January 2022, Shaban Mohammadi, a retired teacher and member of the Iranian Teachers' Trade Association, was arrested for "membership in organizations that aim to disrupt national security". The location of his detention remained unknown until 24 February, when he was released on bail. His arrest took place in the context of new nationwide protests, sit-ins and strikes by teachers, which resumed in December 2021 and culminated in teachers' rallies in over 80 cities on 13 December. On 19 February 2022, teachers rallied in over 100 cities. It was reported that several teachers were beaten by security forces, and that over 15 teachers were arrested.

Dual and foreign citizens

46. An estimated 69 foreign and dual nationals have been detained in the Islamic Republic of Iran since 2003. The return of Nazanin Zaghari-Ratcliffe and Anoosheh Ashouri to the United Kingdom of Great Britain and Northern Ireland in March 2022 is a welcome step. That same month, an 83-year-old Australian-Iranian, Shokrollah Jebelli, died in detention. Despite his health condition, he was denied medical leave and was only transferred to hospital one day prior to his death. In February 2022, Jamshid Sharmahd, a German-Iranian reportedly kidnapped in 2020 while in Dubai and brought to the Islamic Republic of Iran, appeared before a revolutionary court of Tehran on the charge of spreading corruption on earth, an offence carrying the death penalty. Among other dual and foreign citizens who remained in arbitrary detention are Ahmadreza Djalali, Kamran Ghaderi, Massud Mossaheb, Mehran Raoof, Morad Tahbaz, Nahid Taghavi, Emad Shargi and Siamak Namazi.

⁹⁰ See <https://kurdistanhumanrights.org/fa/?p=17812> (in Persian).

⁹¹ See <https://hana-hr.org/content/20211122-kurdish-civil-activist-afshin-hosseini-panahi-summoned-to-sanandaj-public-and-revolutionary-prosecutor-s-office>.

⁹² A/76/268, para. 15.

⁹³ See <https://kurdistanhumanrights.org/en/iran-threatens-mother-of-kurdish-political-prisoner-zeynab-jalalian/>.

⁹⁴ See <https://kurdistanhumanrights.org/en/two-labour-activists-arrested-for-alleged-propaganda-against-the-state-in-saqqez/>.

D. Right to an adequate standard of living and health

Right to water

47. According to the Majlis Research Center, the Islamic Republic of Iran has experienced one of the most severe periods of water shortage in recent years.⁹⁵ In its report on the situation, the water shortage is identified as being among the main causes of protests in Abadan, Khorramshahr, Borazjan, Kazerun, Bushehr and cities in Isfahan Province. Approximately 9 million people, primarily in rural areas, face a shortage of water, according to the Ministry of Energy.⁹⁶ In addition, mounting climate change challenges and drought, deforestation, underinvestment in preserving water resources and short-term agricultural policies have resulted in water shortages and soil degradation across the country, with dire consequences for agricultural production and food security. While the authorities have adopted temporary measures, including the rationing of electricity and a four-month ban on the mining of cryptocurrencies, more long-term sustainable measures are needed.

48. In February 2022, the parliament authorized the start of construction work on a water transfer project from the Sea of Oman to Sistan and Baluchestan Province.⁹⁷ The project comes amid renewed efforts to obtain more water from the transboundary Helmand River, further to a cooperation treaty between Afghanistan and the Islamic Republic of Iran.⁹⁸

Economic situation, sanctions and poverty

49. Despite the limited accessibility of foreign exchange reserves, including as a result of ongoing sectoral sanctions, the economy returned to some growth following years of recession.⁹⁹ The economic rebound did not, however, result in an increase in employment and, as it was coupled with high inflation, household incomes actually declined among the majority of the population. The COVID-19 pandemic also severely affected jobs and incomes, including in the informal sector.

50. In the second quarter of 2021/22,¹⁰⁰ the employment rate remained 1.3 million below the pre-pandemic level, with the agriculture sector particularly affected. Existing labour market inequalities widened during the reporting period, with women being impacted to a greater extent. Women's labour participation declined by 21 per cent compared with pre-pandemic levels, and the unemployment rate for women was twice as high as for men, highlighting obstacles facing women jobseekers. The unemployment rate gender gap is wider among young people and those with a higher education. For example, in the third quarter of 2021/22, 22.6 per cent of women with university degrees were unemployed, as compared with 10.1 per cent of men in the same category.¹⁰¹

51. Low growth, high inflation and widespread unemployment has caused widening income inequality. The budget provided a 10 per cent increase for public wages and salaries on average, far below the expected inflation rate during the budgetary period.

52. Economic disparities increased during the reporting period. During the COVID-19 pandemic, the number of high-net-worth individuals in the Islamic Republic of Iran grew by 21.6 per cent, compared with a global average of 6.3 per cent.¹⁰² There are an estimated 250,000 millionaires in the country.¹⁰³ According to the Social Security Organization Research Institute, 31.8 per cent of people in urban areas and 50 per cent of people in rural areas fall below the absolute poverty line.¹⁰⁴ The Ministry of Health further reported food

⁹⁵ See <https://cdn.isna.ir/d/2021/09/28/0/62043415.pdf> (in Persian).

⁹⁶ See <https://khabaronline.ir/xhvjZ> (in Persian).

⁹⁷ See <https://www.presstv.ir/Detail/2022/02/28/677729/Iran-water-transfer-project-Oman-Sea>.

⁹⁸ See <https://www.presstv.ir/Detail/2022/04/20/680690/Iran-water-rights-Afghanistan-Helmand-Mokhber>.

⁹⁹ See <https://openknowledge.worldbank.org/handle/10986/36785>.

¹⁰⁰ From 20 March 2021 to 19 March 2022, in accordance with the Iranian calendar year.

¹⁰¹ See <https://openknowledge.worldbank.org/handle/10986/36785>.

¹⁰² See <https://www.forbes.com/sites/oliverwilliams1/2021/06/28/iran-sees-millionaire-boom-amid-sanctions-covid-19-and-an-election/?sh=5b7b0ce0a93b>.

¹⁰³ See <https://worldwealthreport.com/resources/world-wealth-report-2021/>.

¹⁰⁴ See <https://www.isna.ir/news/1400082317565/> (in Persian).

insecurity in eight provinces and an increased number of children under the age of five who suffer from malnutrition.¹⁰⁵

COVID-19 vaccination programme

53. OHCHR received numerous reports about the limited vaccine coverage in mid-2021 amid high numbers of deaths due to COVID-19, with the pandemic's fifth wave causing the most severe surge of infections and deaths since the start of the pandemic. Public broadcasting reported on 9 August 2021 that every two minutes one person was dying from COVID-19 in the country,¹⁰⁶ with over 709 deaths in 24 hours on 25 August 2021, the highest number since the start of the pandemic.¹⁰⁷ On 19 August 2021, the World Health Organization expressed concern over the COVID-19 outbreak in the Islamic Republic of Iran while the level of vaccination coverage was low, and its impact on the lives, well-being and livelihoods of Iranians.¹⁰⁸ At the time, 5.2 million people had been fully vaccinated.¹⁰⁹ According to health experts, the Supreme Leader's decision to ban the importation of certain vaccines,¹¹⁰ as well as the Government's decision to prioritize the development of domestic vaccines instead of importing available vaccines, contributed significantly to the limited supplies and the ensuing health crisis.¹¹¹ The criticism was reportedly echoed by health officials, who noted the lack of adequate budgetary resources allocated for the purchase of vaccines since the beginning of the pandemic.¹¹² The pace of importation of COVID-19 vaccines and the roll-out of vaccinations increased significantly over the months of September and October 2021. By 20 March 2022, over 56 million people had received two doses of the vaccine.¹¹³ In its comments on the report, the Government stressed the impact of unilateral sanctions across all sectors, particularly the health sector.

54. The International Covenant on Economic, Social and Cultural Rights requires States to devote their maximum available resources to the full realization of all economic, social and cultural rights, including the right to health.¹¹⁴ As highlighted by the Committee on Economic, Social and Cultural Rights, the right to the enjoyment of the highest attainable standard of physical and mental health and the right to enjoy the benefits of scientific progress imply that everyone has a right to have access to a COVID-19 vaccine that is safe, effective and based on the application of the best scientific developments.¹¹⁵

III. Cooperation with international human rights mechanisms and the Office of the United Nations High Commissioner for Human Rights

A. Human rights treaty bodies

55. The Government has reiterated its commitment to engaging with international human rights mechanisms and to submitting its outstanding periodic reports. The State submitted its

¹⁰⁵ See <https://www.radiozamaneh.com/689590> (in Persian).

¹⁰⁶ See <https://www.reuters.com/world/middle-east/iran-says-one-person-dying-covid-19-every-two-minutes-2021-08-09/>.

¹⁰⁷ See <https://covid19.who.int/region/emro/country/ir>.

¹⁰⁸ See <http://www.emro.who.int/iran/news/statement-on-covid-19-vaccination-in-islamic-republic-of-iran-by-who-representative-dr-jaffar-hussain.html>.

¹⁰⁹ See <https://www.imna.ir/news/515632/> (in Persian).

¹¹⁰ See <https://iranhumanrights.org/2021/01/iranian-rights-groups-call-on-khamenei-to-allow-purchase-of-u-s-and-uk-covid-19-vaccines/>.

¹¹¹ See <https://www.dw.com/en/irans-patriotic-vaccination-policy-is-making-some-people-rich/a-59342029>; and <https://iranhumanrights.org/2021/08/iran-should-lift-deadly-ban-on-foreign-covid-vaccines/>.

¹¹² See <https://www.hrw.org/news/2021/08/19/iran-government-mismanagement-compounds-covid-19-crisis>.

¹¹³ See <http://www.imna.ir/news/562938/> (in Persian).

¹¹⁴ Art. 2 (1). See also E/C.12/2020/1, para. 14.

¹¹⁵ See E/C.12/2020/2.

report under the International Covenant on Civil and Political Rights, overdue since 2013, in July 2021, and its report under the Convention on the Elimination of All Forms of Racial Discrimination, overdue since 2018, in January 2022.

B. Special Procedures

56. In March 2022, by its resolution of 49/24, the Human Rights Council renewed the mandate of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran. The Secretary-General encourages the Government to pursue constructive dialogue with the Special Rapporteur and to invite him to visit the country. In March 2022, the Government agreed to a visit by the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, planned for May 2022.

57. Between 18 June 2021 and 20 March 2022, special procedure mandate holders issued 21 communications regarding the situation of human rights in the Islamic Republic of Iran. The Government replied to 14 communications. Ten public statements were issued in the same period.

C. Office of the United Nations High Commissioner for Human Rights

58. The Secretary-General welcomes the dialogue between the Government of the Islamic Republic of Iran and OHCHR and encourages the Government to continue and to enhance its engagement with OHCHR in substantive technical cooperation. The Executive Office of the Secretary-General and OHCHR raised concerns on several occasions with the Government about the situation of child offenders at imminent risk of execution, arbitrary executions and the excessive use of force by law enforcement agents, prison authorities and security forces.

IV. Recommendations

59. **On the basis of the present report, the Secretary-General urges the Government:**

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

(b) **To undertake reforms to strengthen the right to a fair trial in line with international standards, among others by ensuring that all defendants, including those accused of crimes against national security, have effective access to meaningful legal representation, including by counsel of their choosing during the preliminary investigative stage and all subsequent stages of the judicial process;**

(c) **To release immediately all persons detained arbitrarily for legitimately exercising their rights to freedom of opinion and expression, association and peaceful assembly, and to ensure that security measures in relation to protests are undertaken in line with international standards, including the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials;**

(d) **To ensure prompt, transparent and effective investigations by an independent and impartial body into the use of excessive and lethal force, including during protests, as well as into deaths and allegations of torture or other ill-treatment in custody, and to prosecute and hold accountable public officials, including law enforcement officials, found responsible for issuing or carrying out the relevant orders;**

(e) **To guarantee the right to freedom of opinion and expression, to reconsider the user protection bill and to ensure that any limitation to the right to freedom of opinion and expression offline and online is in line with the established criteria for permissible restrictions under international human rights law;**

(f) **To ensure that human rights defenders, lawyers, journalists, writers, labour rights activists, artists and environmentalists can engage in their respective**

activities safely and freely, without fear of reprisal, harassment, arrest, detention or prosecution, to extend the categories of prisoners eligible for temporary release in the context of the COVID-19 pandemic to all detainees who pose no threat to public safety, and to provide public space for those peacefully calling for change and the fulfilment of their basic rights;

(g) To take further steps to eliminate all forms of discrimination against women and girls, to implement effective measures to protect them from other human rights violations, in accordance with international standards, and to advance their equal participation in public life, including by:

(i) Prioritizing the revision and adoption of the bill on “preserving the dignity and protection of women against violence” and ensuring that the adopted law is in compliance with international standards;

(ii) Expanding support services for survivors of domestic violence, in particular by providing legal advice and medical support and increasing the number of shelters, their capacity and accessibility;

(h) To revise the Youthful Population and Protection of the Family Law to bring it into line with international standards, and to strengthen rights to sexual and reproductive health, particularly for women and girls;

(i) To protect the rights of all persons belonging to ethnic and religious minorities, and to address all forms of discrimination against them without delay;

(j) To join the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, the International Convention for the Protection of All Persons from Enforced Disappearance, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the fundamental conventions of the International Labour Organization.

60. Noting the economic and financial challenges experienced by the Islamic Republic of Iran, the Secretary-General reiterates his call on States that have imposed sanctions on it to take appropriate steps to ensure that measures such as humanitarian exemptions are given prompt, broad and practical effect in order to minimize the adverse consequences of the sanctions.

61. Furthermore, the Secretary-General encourages the Government:

(a) To submit outstanding periodic reports to the United Nations human rights treaty bodies, to implement the recommendations of the treaty bodies and the special procedure mandate holders and to cooperate with the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, including by accepting a country visit by the mandate holder;

(b) To continue to engage with OHCHR in following up on all the recommendations made in the reports of the Secretary-General and those of international human rights mechanisms.