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

Albania, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Guatemala, Iceland, Ireland, Israel, Italy, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro, Netherlands (Kingdom of the), North Macedonia, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

Situation of human rights in the Islamic Republic of Iran

The General Assembly,

Guided by the Charter of the United Nations, as well as the Universal Declaration of Human Rights,¹ the International Covenants on Human Rights² and other international human rights instruments,

Recalling its previous resolutions on the situation of human rights in the Islamic Republic of Iran, the most recent of which is resolution [77/228](#) of 15 December 2022,

Welcoming Human Rights Council resolution [S-35/1](#) of 24 November 2022,³ in which the Council decided to establish the Independent International Fact-Finding Mission on the Islamic Republic of Iran, and Human Rights Council resolution [52/27](#) of 4 April 2023, in which the Council renewed the mandate of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran,⁴

1. *Takes note* of the report of the Secretary-General submitted pursuant to resolution [77/228](#)⁵ and the report of the Special Rapporteur of the Human Rights

¹ Resolution [217 A \(III\)](#).

² Resolution [2200 A \(XXI\)](#), annex.

³ See *Official Records of the General Assembly, Seventy-eighth Session, Supplement No. 53 (A/78/53)*, chap. III.

⁴ *Ibid.*, chap. V., sect. A.

⁵ [A/78/511](#).



Council on the situation of human rights in the Islamic Republic of Iran,⁶ submitted pursuant to Council resolution [52/27](#);

2. *Welcomes* the continuing efforts of the Islamic Republic of Iran to host one of the largest refugee populations in the world, including approximately 4.5 million Afghan refugees, acknowledges efforts to provide them with access to basic services, in particular health care, temporary work permits, and education for children, and notes with concern the reports of discrimination, violence and limited access to basic economic and social services of Afghan refugees;

3. *Also welcomes* the ongoing efforts of the Islamic Republic of Iran to implement the Nationality Law, which gives Iranian women married to men with foreign nationality the right to request Iranian citizenship for their children under the age of 18 years, and calls for its full implementation;

4. *Further welcomes* the engagement of the Islamic Republic of Iran with human rights treaty bodies, including through the submission of periodic reports, notes the continued engagement of the Government of the Islamic Republic of Iran with the Office of the United Nations High Commissioner for Human Rights, while encouraging enhanced substantive technical cooperation with the Office, and urges the Islamic Republic of Iran to continue its engagement with the Committee on the Rights of the Child, the Committee on the Rights of Persons with Disabilities and the Human Rights Committee and its participation in the universal periodic review, including by submitting any outstanding periodic reports;

5. *Takes note of* the appointment of the “Special Committee to investigate the 2022 unrests” by the President of the Islamic Republic of Iran, and reiterates the statement made by the Chairperson of the Independent International Fact-Finding Mission on the Islamic Republic of Iran at the fifty-third session of the Human Rights Council, that the work of the Special Committee should be looked at in the light of international human rights law and standards applicable to domestic investigations, including being prompt, independent and transparent;

6. *Acknowledges* the announcement by the Government of the Islamic Republic of Iran that 22,000 prisoners were pardoned in connection with the protests that began in September 2022, while expressing serious concern at the circumstances of those pardons, namely the reports that many of the detained protesters were arbitrarily detained, submitted to forced confessions, and had their freedom of peaceful assembly and association restricted, and reports that a number of individuals pardoned received judicial summons on new charges or were re-arrested;

7. *Notes* the ongoing contact with and dialogue between the Islamic Republic of Iran and the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, as well as its cooperation with select special procedure mandate holders, while noting the limited scope of such cooperation to date and reaffirming the importance of full cooperation with all special procedure mandate holders;

8. *Also notes* the expressed readiness of the Iranian High Council for Human Rights and other Iranian officials to engage in bilateral dialogues on human rights, and calls upon them to increase such dialogues or resume those that have been paused;

9. *Emphasizes* the importance of continuing discussions on prohibiting child, early and forced marriage, female genital mutilation, the subjection of children to the death penalty and to torture and other cruel, inhuman or degrading treatment or punishment, and increasing the age of majority for boys and girls in the Islamic Republic of Iran to 18 years;

⁶ [A/78/326](#).

10. *Condemns* the alarmingly high frequency of the imposition of the death penalty and significant increase in the carrying-out of the death penalty by the Islamic Republic of Iran in violation of its international obligations, including executions undertaken against persons on the basis of forced confessions and without fair trial and due process, notably in the context of the protests that began in September 2022; reiterates the concern that a number of offences carrying the death penalty do not qualify as the most serious crimes, including drug-related offences, as well as other actions provided under the penal code of the Islamic Republic of Iran, including adultery, same-sex relations, apostasy, blasphemy and convictions for drinking alcohol, as well as crimes that are overly broad or vaguely defined, which is in violation of the International Covenant on Civil and Political Rights;⁷ expresses serious concern at the disproportionate application of the death penalty to persons belonging to minorities, particularly ethnic and religious minorities, who are targeted for death sentences relating to their alleged involvement in political or religious groups; expresses concern at the continuing disregard for protections under Iranian law or internationally recognized safeguards relating to the imposition of the death penalty, including executions undertaken without prior notification of the prisoner's family members or legal counsel, as required by Iranian law, and calls upon the Government of the Islamic Republic of Iran to abolish, in law and in practice, public executions, which are contrary to the 2008 directive seeking to end this practice issued by the former head of the judiciary, and to consider establishing a moratorium on executions;

11. *Expresses serious concern* at the continued imposition of the death penalty by the Islamic Republic of Iran against minors, and urges the Islamic Republic of Iran to cease the imposition of the death penalty against minors, including persons who at the time of their offence were under the age of 18, in violation of the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child,⁸ and to commute the sentences for child offenders on death row;

12. *Calls upon* the Islamic Republic of Iran to ensure, in law and in practice, that no one is subjected to torture or other cruel, inhuman or degrading treatment or punishment, which may include sexual and gender-based violence in all its forms, amputations, and punishments that are grossly disproportionate to the nature of the offence, in conformity with amendments to the Penal Code, the constitutional guarantees of the Islamic Republic of Iran and international obligations and standards, including but not limited to the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules),⁹ and to ensure that all allegations of torture or other cruel, inhuman or degrading treatment or punishment are promptly and impartially investigated and perpetrators held responsible;

13. *Urges* the Islamic Republic of Iran to cease the widespread and systematic use of arbitrary arrests and detention, including the frequent use of this practice to target dual and foreign nationals, who in some cases reside overseas and may be prosecuted upon return, and citizens perceived to be involved in the nationwide protests that began in September 2022, and the practices of enforced disappearance and incommunicado detention, to release those who have been arbitrarily detained and to account for the fate or whereabouts of those subjected to enforced disappearance and to hold those responsible to account, and to uphold, in law and in practice, procedural guarantees and other legal protections to ensure a fair trial, including timely access to legal representation of one's choice from the time of arrest through all stages of trials and appeals, being informed promptly and in detail, in a

⁷ See resolution [2200 A \(XXI\)](#), annex.

⁸ United Nations, *Treaty Series*, vol. 1577, No. 27531.

⁹ Resolution [70/175](#), annex.

language that the accused speaks and understands, of the charges faced, and being provided consideration of bail and other reasonable terms for release from custody pending trial, and respect the prohibition of torture and other cruel, inhuman or degrading treatment or punishment, and calls upon the Islamic Republic of Iran to ensure that it meets its obligations under article 36 of the Vienna Convention on Consular Relations¹⁰ in relation to communication with and access to nationals of sending States who are in prison, custody or detention;

14. *Calls upon* the Islamic Republic of Iran to address the poor conditions of prisons, urges an end to the practice of deliberately denying prisoners access to adequate medical treatment and supplies, safe drinking water, sanitation and hygiene, or making such access contingent upon confession, as well as the use of sexual and gender-based violence, including rape, against prisoners, calls upon the Islamic Republic of Iran to establish credible and independent prison oversight authorities to investigate reports of suspicious deaths in detention and complaints of abuse, and urges the relevant authorities to conduct prompt, effective, independent, transparent and impartial investigations and ensure accountability;

15. *Condemns* the intensified, targeted repression of women and girls by the Islamic Republic of Iran, both online and offline; strongly urges the Islamic Republic of Iran to eliminate, in law and in practice, all forms of systemic discrimination and verbal and physical harassment against women and girls, in public and private life, and related human rights violations against women and girls, and to ensure that grievances are taken seriously and investigations into alleged human rights violations and abuses are conducted promptly, effectively, independently, transparently and impartially; acknowledges the adoption of the bill to protect women against violence, and calls for its prompt implementation, and for the Islamic Republic of Iran to take gender-responsive measures to prevent and ensure protection for women and girls against sexual and gender-based violence in all its forms, including sexual assault and intimate partner violence, to ensure women's and girls' equal protection and access to justice, including by preventing and prohibiting so-called honour killings and child, early and forced marriage, as recommended by the Committee on the Rights of the Child, to promote, support and enable women's and girls' full, equal and meaningful participation and leadership in political and other decision-making processes, and, while recognizing the high enrolment of women in all levels of education in the Islamic Republic of Iran, to lift restrictions on women's and girls' equal access to free, equitable primary and secondary education and to take appropriate prevention and protection measures to protect schools and students, including girls, and remove legal, regulatory and cultural barriers to women's free, equal and meaningful participation and leadership in the labour market and in all aspects of economic, cultural, social and political life, including participation in and attendance at sporting events; and expresses concern that the entry into force of the bill on youth and protection of the family in November 2021 undermines the right to the enjoyment of the highest attainable standard of physical and mental health for women and girls;

16. *Expresses serious concern* at the enforcement of the hijab and chastity law in the Islamic Republic of Iran, including by the consideration of new legislation and policy to further impose restrictive and punitive measures on women and girls, particularly the use of technology to monitor and fine women and girls, the exclusion of women and girls from public spaces, restrictions on access to social, cultural, health and commercial services, and the suppression of online and offline activism, in addition to existing de facto restriction on women and girls for non-compliance, including risk of violence in the enforcement of such laws and policies, which fundamentally undermine the human rights of women and girls, including the rights

¹⁰ United Nations, *Treaty Series*, vol. 596, No. 8638.

to freedom of movement and freedom of opinion and expression, and reiterates calls by the Office of the United Nations High Commissioner for Human Rights for the laws to be repealed;

17. *Also expresses serious concern* at the widespread restrictions on the rights to freedom of peaceful assembly and association and freedom of opinion and expression, both online and offline, and calls upon the Islamic Republic of Iran to release persons detained for the exercise of their human rights and fundamental freedoms, including all those who remain under detention for taking part in peaceful protests, including but not limited to the protests of September 2022 to January 2023;

18. *Condemns* the measures used by the Islamic Republic of Iran to respond to the protests that began in September 2022 following the death in custody of Jina Mahsa Amini, notably the use of mass arrests and arbitrary detention, the disproportionate use of force, including use of force resulting in the death of peaceful protesters, and the imposition and carrying out of the death penalty against those connected to the protests, and expresses serious concern at reports of ill-treatment during arrest, physical and psychological abuse, and physical violence in detention, including sexual and gender-based violence, and therefore, strongly urges the Government of the Islamic Republic of Iran to cease the use of all unlawful practices in response to peaceful protesters, calls upon the Islamic Republic of Iran to release human rights defenders and protesters unjustly detained, as well as journalists and lawyers who defend or seek to defend those persons, and reiterates the importance of prompt, independent, impartial, effective and transparent investigations into all instances of alleged human rights violations to hold those responsible to account;

19. *Also condemns* the widespread use of force against non-violent protesters, expresses concern at the bill proposed by the Government of the Islamic Republic of Iran on the use of firearms during protests and calls for its withdrawal, and calls upon the Iranian authorities to uphold the human rights of those involved in peaceful protests, to consider rescinding unduly harsh sentences, including those involving the death penalty and long-term internal exile, and to end reprisals against human rights defenders, including women human rights defenders, peaceful protesters and their families, journalists and media workers covering the protests, lawyers who represent or seek to represent protesters, and individuals who cooperate or attempt to cooperate with the United Nations human rights mechanisms, to investigate reprisals and instances of use of force with respect to peaceful protests and to hold those responsible to account, and emphasizes the commitments made by judicial authorities to review the cases of those arrested;

20. *Expresses serious concern* at the disproportionate use of force with respect to the peaceful protests regarding labour rights between March 2020 and May 2023, and calls upon the Islamic Republic of Iran to release human rights defenders working on labour and environmental issues and members of teachers associations subjected to arbitrary arrest and detention, and prison sentences, and urges the Government to address violations of the rights to social security and to just and favourable conditions of work, and to address wage arrears, denial of employee protections and benefits, unjustified dismissals and low worker wages, and to increase wages and pensions to ensure an adequate living standard;

21. *Strongly urges* the Islamic Republic of Iran to end violations of the rights to freedom of opinion and expression, both online and offline, which includes the freedom to seek, receive and impart information, and to freedom of peaceful assembly and of association, including through Internet disruption practices such as shutting down networks and throttling access to the Internet, applications and services on mobile data, online censorship to intentionally prevent or disrupt access to or the dissemination of information online, arbitrary or unlawful surveillance of online and

digital contexts, or measures to unlawfully or arbitrarily block or take down media websites and social networks, and other widespread restrictions on Internet access or dissemination of information online, and calls upon the Islamic Republic of Iran to withdraw the bill on protecting the rights of users in cyberspace as its implementation undermines the rights of individuals online;

22. *Encourages* the Government of the Islamic Republic of Iran to cooperate with all relevant authorities on investigations into allegations of harassment and intimidation of some families of the victims of the downing of Ukraine International Airlines flight 752, and calls upon the Government to ensure accountability for the downing in accordance with its obligations under applicable international law;

23. *Calls upon* the Islamic Republic of Iran, including the judicial and security branches, to create and maintain, in law and in practice, a safe and enabling environment, both online and offline, in which an independent, diverse and pluralistic civil society can operate free from hindrance, insecurity and reprisals, to end its harassment, intimidation and persecution, including abductions, arrests and executions, of political opponents, human rights defenders, including women human rights defenders, children and youth defending human rights, human rights defenders belonging to minority groups and those defending the rights of persons belonging to minority groups, religious leaders, labour, retiree and trade union activists, environmentalists, academics, students, lawyers, media professionals, artists, filmmakers, journalists, bloggers, social media users, social media page administrators, media workers, and their families, whether they are Iranians, dual nationals or foreign nationals, and wherever it may occur;

24. *Also calls upon* the Islamic Republic of Iran to release women human rights defenders imprisoned for exercising their rights, including the rights to freedom of association and peaceful assembly and the right to freedom of opinion and expression, and to take appropriate, robust and practical steps to protect women human rights defenders and guarantee their full enjoyment of all their human rights, recalls the positive, important and legitimate role of human rights defenders, including women human rights defenders, in addition to lawyers, journalists and media workers, in promoting and protecting human rights and strengthening understanding, tolerance and peace, and strongly urges the Islamic Republic of Iran to create and support a safe, enabling, accessible and inclusive environment online and offline for their participation in all relevant activities;

25. *Further calls upon* the Islamic Republic of Iran to eliminate, in law and in practice, all forms of discrimination and other human rights violations against persons belonging to ethnic, linguistic or other minorities, including but not limited to Arabs, Azeris, Balochis, Kurds and Turkmen, and their defenders;

26. *Expresses serious concern* about ongoing severe limitations and increasing restrictions on the right to freedom of thought, conscience, religion or belief, restrictions on the establishment of places of worship, undue restrictions on burials carried out in accordance with religious tenets, attacks against places of worship and burial and other human rights violations, including but not limited to the increased harassment, intimidation, persecution, arbitrary arrest and detention of, and incitement to hatred that leads to violence against, persons belonging to recognized and unrecognized religious minorities, including Christians (particularly converts from Islam), Gonabadi Dervishes, Jews, Sufi Muslims, Sunni Muslims, Yarsanis, Zoroastrians, and, in particular, Baha'is, who have been subjected to a continued increase in persecution, including attacks, harassment and targeting, who face increasing restrictions and systemic persecution by the Government of the Islamic Republic of Iran on account of their faith and have been reportedly subjected to mass arrests and lengthy prison sentences, as well as the arrest of prominent members and

increased confiscation and destruction of property, and calls upon the Government to cease monitoring individuals on account of their religious identity, to release all religious practitioners imprisoned for their membership in or activities on behalf of a minority religious group, to cease the desecration of cemeteries and to ensure that everyone has the right to freedom of thought, conscience and religion or belief, including the freedom to have, to change or to adopt a religion or belief of their choice, in accordance with its obligations under the International Covenant on Civil and Political Rights;

27. *Calls upon* the Islamic Republic of Iran to eliminate, in law and in practice, all forms of discrimination on the basis of thought, conscience, religion or belief, including restrictions contained in article 499 bis and article 500 bis of the Islamic Penal Code, the continuing enforcement of which has significantly escalated discrimination and violence, as well as economic restrictions, such as the closure, destruction or confiscation of businesses, land and properties, the cancellation of licences and the denial of employment in certain public and private sectors, including government or military positions and elected office, the denial of and restrictions on access to education, including for members of the Baha'i faith, and other human rights violations against persons belonging to recognized and unrecognized religious minorities, condemns without reservation antisemitism and any denial of the Holocaust, and calls upon the Islamic Republic of Iran to end ongoing systemic impunity for those who commit crimes against persons belonging to recognized and unrecognized religious minorities;

28. *Also calls upon* the Islamic Republic of Iran to launch a comprehensive accountability process, including legal reforms, reiterating the importance of meaningful engagement with civil society, and prompt, effective, independent, transparent and impartial investigations that align with international standards in response to all allegations of human rights violations, including disproportionate use of force, arbitrary arrest and detention, and torture and other cruel, inhuman or degrading treatment or punishment, failure to respect fair trial guarantees and due process, and the use of torture to extract confessions, and cases of suspicious deaths in custody, as experienced by human rights defenders, peaceful protesters, political prisoners, and dual or foreign nationals, among others, and in response to long-standing violations involving the Iranian judiciary and security agencies, including enforced disappearances, extrajudicial executions and destruction of evidence and gravesites in relation to such violations, and calls upon the Government of the Islamic Republic of Iran to end ongoing systemic impunity for such violations and ensure the availability of effective remedies for victims;

29. *Further calls upon* the Islamic Republic of Iran to implement its obligations under those human rights treaties to which it is already a party, to withdraw any reservations that are imprecise or could be considered incompatible with the object and purpose of the treaty, to act upon the concluding observations concerning the Islamic Republic of Iran adopted by the bodies of the international human rights treaties to which it is a party and to consider ratifying or acceding to the international human rights treaties to which it is not already a party;

30. *Calls upon* the Islamic Republic of Iran to deepen its engagement with international human rights mechanisms by:

(a) Cooperating fully with the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, including by accepting the repeated requests made by the Special Rapporteur to visit the country in order to carry out the mandate, and to take under consideration the conclusions and recommendations presented to the Government of the Islamic Republic of Iran in reports by United Nations special procedures;

- (b) Cooperating fully with the Independent International Fact-Finding Mission on the Islamic Republic of Iran, including by allowing unhindered access to the country and to gather information critical to carrying out the mandate;
 - (c) Increasing cooperation with other special procedures, including by facilitating long-standing requests for access to the country from thematic special procedure mandate holders, whose access to its territory has been restricted or denied, despite the standing invitation issued by the Islamic Republic of Iran, without imposing undue conditions upon those visits;
 - (d) Continuing to enhance its cooperation with the treaty bodies, including by submitting reports under the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination¹¹ and the International Covenant on Economic, Social and Cultural Rights¹² and the implementation of the recommendations from treaty bodies;
 - (e) Implementing all accepted universal periodic review recommendations from its first cycle, in 2010, its second cycle, in 2014, and its third cycle, in 2019, with the full and genuine participation of independent civil society and other stakeholders in the implementation process;
 - (f) Building upon the engagement of the Islamic Republic of Iran with the universal periodic review process by continuing to explore cooperation on human rights and justice reform with the United Nations, including the Office of the United Nations High Commissioner for Human Rights;
 - (g) Following through on its commitment to establish an independent national human rights institution in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles),¹³ made in the context of its first, second and third universal periodic reviews by the Human Rights Council, with due regard for the recommendation of the Committee on Economic, Social and Cultural Rights;
31. *Also calls upon* the Islamic Republic of Iran to continue to translate the statements made by the President of the Islamic Republic of Iran with respect to human rights into concrete action that results in demonstrable improvements as soon as possible and to ensure that its national laws are consistent with its obligations under international human rights law and that they are implemented in accordance with its international obligations;
32. *Further calls upon* the Islamic Republic of Iran to address the substantive concerns highlighted in the reports of the Secretary-General and the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, as well as the specific calls to action found in previous resolutions of the General Assembly, and to respect fully its human rights obligations in law and in practice;
33. *Strongly encourages* the relevant thematic special procedure mandate holders to pay particular attention to, with a view to investigating and reporting on, the human rights situation in the Islamic Republic of Iran;
34. *Requests* the Secretary-General to report to the General Assembly at its seventy-ninth session on the progress made in the implementation of the present resolution, including options and recommendations to improve its implementation, and to submit an interim report to the Human Rights Council at its fifty-sixth session;

¹¹ Ibid., vol. 660, No. 9464.

¹² See resolution [2200 A \(XXI\)](#), annex.

¹³ General Assembly resolution [48/134](#), annex.

35. *Decides* to continue its examination of the situation of human rights in the Islamic Republic of Iran at its seventy-ninth session under the item entitled “Promotion and protection of human rights”.
