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

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 [74/167](#), in which the Assembly requested the Secretary-General to submit to it to at its seventy-fifth session a report on the situation of human rights in the Islamic Republic of Iran. The report covers the period from 1 October 2019 to 10 June 2020. It contains information on the patterns and trends in that regard, the progress made in the implementation of resolution [74/167](#) and recommendations to improve its implementation.

* [A/75/150](#).



I. Introduction

1. The present report is submitted pursuant to General Assembly resolution 74/167, in which the Assembly requested the Secretary-General to submit to it at its seventy-fifth session a report on the situation of human rights in the Islamic Republic of Iran. The report covers the period from 1 October 2019 to 10 June 2020.

2. The 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), including victims of human rights violations, their families and lawyers. The report also draws on observations of United Nations human rights mechanisms, including human rights treaty bodies and the special procedures of the Human Rights Council.

3. The Government of the Islamic Republic of Iran has continued to engage with OHCHR and United Nations human rights mechanisms. In November 2019, a delegation led by the Secretary of the Government's High Council for Human Rights participated in the third cycle of the universal periodic review of the Islamic Republic of Iran.

4. The overall situation of human rights in the Islamic Republic of Iran remains of serious concern, owing to persistent and gross human rights violations. In particular, the situation was marked by the violent crackdown and use of excessive and lethal force by security forces in response to nationwide protests in November 2019 and in January 2020. The application of the death penalty, including for child offenders, remains high. The authorities continued to impose national security-related charges and lengthy prison sentences on individuals expressing dissenting or critical opinions, including human rights defenders, lawyers and journalists. OHCHR also received reports of torture and large-scale arbitrary detention, as well as persistent discrimination against women, girls and minorities. In February 2020, the Islamic Republic of Iran recorded its first case of the coronavirus disease (COVID-19) and became one of the most affected countries by the pandemic globally, with over 173,000 infections and 8,300 deaths recorded as at 10 June.¹ The health crisis has further exacerbated the impact of the economic crisis and of sectoral sanctions on the human rights situation.

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

A. Death penalty and right to a fair trial

Use of the death penalty

5. The Secretary-General remains concerned at the continued inclusion in Iranian law² of the death penalty for a range of acts, including in some instances for the legitimate exercise of human rights, as well as at the high rate of executions.³ Under article 6 of the International Covenant on Civil and Political Rights, States parties should only impose the death penalty for the "most serious" crimes, which the Human Rights Committee interprets as crimes involving intentional killing (see [CCPR/C/GC/36](#), paras. 5 and 35). Yet, the death penalty in the Islamic Republic of

¹ See www.who.int/docs/default-source/coronaviruse/situation-reports/20200609-covid-19-sitrep-141.pdf?sfvrsn=72fa1b16_2.

² Islamic Penal Code of Iran, arts. 224, 234, 262, 278, 286 and 290.

³ Islamic Republic of Iran, Constitution of 1979, art. 167; Islamic Penal Code, art. 262; Press Code, art. 26.

Iran is still applied for consensual sexual relations and drug-related offences and for offences that are vague in scope, such as *efsade-e fel arz* (spreading corruption on earth), affording judges wide discretion for its application. The Secretary-General regrets that, during its universal periodic review, the Islamic Republic of Iran only partially accepted 2 of 39 the recommendations made on the abolition of the death penalty or its restriction to the most serious crimes.

6. In 2019, at least 280 people were executed, with 13 people executed publicly.⁴ At least 30 executions for drug-related charges were reported, compared with 24 in 2018. At least 84 executions occurred between 1 January and 23 April 2020.⁵ According to the Human Rights Committee, a State's failure to ensure accountability for arbitrary deprivation of life could, in and of itself, constitute a separate violation (see [CCPR/C/21/Rev.1/Add.13](#), para. 18). Owing to the lack of official statistics on death penalty cases, OHCHR requested the authorities to provide disaggregated information, including on the number of executions and of persons on death row, and in particular on the situation of child offenders. In its comments, the Government contested the figures provided above, but has not given any official figures.

7. The Secretary-General remains concerned by reports of denial of the right to a fair trial, including in cases involving the death penalty. Fundamental structural and legal impediments to fair trial and due process guarantees are associated with concerns regarding the independence of the judiciary, requirements for judicial qualifications, inequality before the law and access to legal counsel.⁶ Similarly, shortcomings in criminal procedure persist owing to a low threshold for evidence of guilt, including through concepts such as “knowledge of the judge”.⁷ The Government considers that the Criminal Procedure Code provides for full rights at all phases of judicial proceedings and during police investigations.

Execution of child offenders

8. The Secretary-General remains deeply concerned by the continued sentencing to death and execution of child offenders. At least 90 child offenders were on death row as at 10 June 2020. Both the International Covenant on Civil and Political Rights, in its article 6, paragraph 5, and the Convention on the Rights of the Child, in its article 37, to which the Islamic Republic of Iran is party, prohibit the imposition of the death penalty for crimes committed by persons under 18 years of age, without exception. The Islamic Penal Code retains the death penalty for girls of at least 9 lunar years and for boys of at least 15 lunar years for *qisas* (retribution in kind) or *hudud* crimes (crimes for which punishments are mandated and fixed), such as homicide and adultery. Seven years into its adoption, the introduction of article 91 of the Islamic Penal Code has failed to mitigate the imposition of the death penalty on child offenders, and at least 33 executions of child offenders have taken place since its entry into force in 2013. The Government noted that, over the past years, many lives have been saved through the commutation of sentences, the imposition of alternative sentences and the provision of financial grants in support of *diya* (blood money) payments.

9. In 2019, at least four child offenders were executed. All were between 15 and 17 years old at the time of the alleged commission of murder, punishable under *qisas*.

⁴ See www.iranhr.net/media/files/Rapport_iran-GB.pdf.

⁵ See www.iranhr.net/en/articles/4217/.

⁶ See Islamic Republic of Iran, Constitution of 1979; Islamic Penal Code; and Criminal Procedure Code. See also [CCPR/C/IRN/CO/3](#).

⁷ Islamic Penal Code, article 211: “Knowledge of the judge is defined as a certainty resulting from manifest evidence in a matter brought before him. In cases where a judgment is based on the knowledge of the judge, he is obliged to stipulate in the judgment the manifest circumstantial and hearsay evidence that has been the source of his knowledge.”

The Government noted that the new multidisciplinary working group on the prevention of capital punishment, established by the judiciary, seeks to encourage reconciliation. The Secretary-General stresses that any pardon or commutation procedure must offer guarantees of fairness and equality before the law, and notes in that regard that the payment of *diya* may discriminate against those who may not have the requisite financial means (see A/61/311, paras. 59–60).

10. The Secretary-General reiterates concerns expressed by the United Nations High Commissioner for Human Rights on 22 April 2020 at the execution of two child offenders in four days, as well as the beating to death of a third child offender by security and prison officials.⁸ On 18 April, Majid Esmailzadeh was executed in Ardabil Prison.⁹ He had been arrested in 2012, convicted for a murder he allegedly committed when he was 16 years old, on the basis of forced confessions made under torture. Shayan Saeedpour was executed in Saez Prison on 21 April, following a reportedly flawed judicial process that did not consider his psychosocial disabilities.¹⁰ He was sentenced to death in October 2018 for a murder he allegedly committed while under the age of 18. The Government has asserted that, on several occasions, judicial authorities met with the next of kin seeking pardon, and it denied reports of forced confession. Mr Saeedpour was among 80 prisoners who escaped from prison following a protest against prison conditions on 27 March in the context of the COVID-19 outbreak. The death in detention in Miandoab Prison of Danial Zeinolabedini, sentenced to death despite being under 18 at the time of the alleged offence, was confirmed on 2 April. Mr Zeinolabedini had been transferred to the prison along with other prisoners who had rioted in Mahabad Prison on 28 March in protest at prison conditions amid the COVID-19 pandemic. In its comments, the Government stated that Mr. Zeinolabedini had committed suicide. However, the presumption of State responsibility for deaths in custody can only be rebutted through a prompt, impartial, thorough and transparent investigation by an independent body (see A/HRC/42/20, para. 43). The Secretary-General regrets that the Islamic Republic of Iran only partially accepted one of 23 recommendations on the death penalty for child offenders during its universal periodic review.

Arbitrary detention of dual and foreign nationals

11. The Secretary-General is concerned about the situation of dual and foreign nationals who remained imprisoned as of 10 June 2020, including Ahmadreza Djalali, Massud Mossaheb, Morad Tahbaz, Kamran Ghaderi and Siamak Namazi. Baqer Namazi has been on medical furlough with a travel ban. The Secretary-General reiterates his concerns regarding the underlying basis for the detention of the above individuals on national security charges. The Government asserted in its comments that the detentions were made on the basis of evidence. During its universal periodic review, the Islamic Republic of Iran received three recommendations on foreign and dual nationals; it partially accepted one and rejected two.

12. The Secretary-General notes the temporary release of some dual and foreign nationals under the directives for temporary release issued in the context of COVID-19, including the British-Iranian national Nazanin Zaghari-Ratcliffe, whose detention has been found to be arbitrary by the Working Group on Arbitrary Detention (A/HRC/WGAD/2016/28). She was granted temporary release on 17 March 2020 until a decision could be made on granting clemency.¹¹ The Secretary-General welcomes the return of British-Iranian Kamal Faroughi to the United Kingdom of

⁸ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25813&LangID=E.

⁹ See www.iranhr.net/en/articles/4233/.

¹⁰ See www.amnesty.org/en/latest/news/2020/04/iran-execution-of-young-man-vengeful-and-cruel/.

¹¹ See www.theguardian.com/news/2020/may/30/revolutionary-guards-block-clemency-for-nazanin-zaghari-ratcliffe.

Great Britain and Northern Ireland in March 2020,¹² and of United States of America citizens Xiyue Wang¹³ and Michael White to the United States in December 2019 and June 2020, respectively.¹⁴

Situation of environmentalists

13. The Secretary-General notes with concern that, with the exception of one individual who was granted temporary release and pardon, the seven other arrested environmentalists from the Persian Wildlife Heritage Foundation remain detained despite reports that some may have contracted COVID-19. The eight individuals had been convicted on national security charges in November 2019 and received prison sentences ranging from 4 to 10 years, and two of them, Morad Tahbaz and Niloufar Bayani, were also ordered to “return illicit income”. Of particular concern to the Secretary-General is that Ms. Bayani was convicted in part on the basis of her work performed for the United Nations and, as part of her sentencing, was ordered to pay a penalty equivalent to the income earned from the United Nations. The sentencing of the eight environmentalists was upheld by the Court of Appeals on 18 February 2020. After more than two years of arbitrary detention, they were convicted to long sentences amid serious violations of due process, including reports of prolonged solitary confinement and of forced confessions made under torture.¹⁵

B. Right to freedom of association and of peaceful assembly

November 2019 protests

14. The Secretary-General is deeply alarmed at reports of the use of excessive and lethal force by security forces to violently suppress widespread protests in November 2019. These protests were triggered by the Government’s announcement, on 15 November, of cuts in longstanding petrol subsidies and a significant increase in gasoline prices.¹⁶ Protests consequently spread to 29 of the 31 provinces of the Islamic Republic of Iran over the following two days.¹⁷ In general, people peacefully marched in the streets or blocked highways, roads and petrol stations, although there were several incidents of public buildings and petrol stations being vandalized¹⁸ as confirmed by the Government in its comments. The root causes of the protests appeared to be dissatisfaction with the political system and the economic crisis. The Government qualified the protestors as “thugs different from ordinary people” who work for the “enemies of the Islamic Republic of Iran”.¹⁹

15. The Secretary-General is alarmed at reports suggesting senior officials²⁰ ordered the use of lethal force. The Human Rights Committee has noted that the use

¹² See www.amnesty.org.uk/press-releases/iranuk-return-kamal-foroughi-after-unjust-detention-marvellous-news; and www.aljazeera.com/news/2020/04/kamal-foroughi-returns-uk-years-iran-spy-charge-200401192015606.html.

¹³ See www.theguardian.com/world/2019/dec/07/us-citizen-to-be-released-from-iranian-jail-in-prisoner-swap.

¹⁴ See www.nytimes.com/2020/06/04/world/middleeast/Iran-prisoner-michael-white.html.

¹⁵ See www.amnesty.org/en/latest/news/2019/03/iran-release-eight-wildlife-conservationists-following-unfair-trial-on-trumped-up-spying-charges; and www.ensafnews.com/216369/.

¹⁶ See www.irna.ir/news/83555556/.

¹⁷ See www.tasnimnews.com/fa/news/1398/09/08/2149296/.

¹⁸ See <https://tn.ai/2142436>.

¹⁹ See <http://farsi.khamenei.ir/news-content?id=44020>; www.irna.ir/news/83558990/; www.theguardian.com/world/2019/nov/16/protests-erupt-in-iran-after-government-raises-price-of-gas-by-50; <https://tn.ai/2142408>; and www.reuters.com/article/us-iran-gasoline-protests/irans-guardians-warn-of-decisive-action-if-unrest-continues-idUSKBN1XS1BU.

²⁰ See www.reuters.com/article/us-iran-protests-specialreport/special-report-irans-leader-ordered-crackdown-on-unrest-do-whatever-it-takes-to-end-it-idUSKBN1YR0QR.

of force resulting in the death of demonstrators exercising the right to freedom of assembly amounts to the arbitrary deprivation of life (see [CCPR/C/GC/36](#), para. 17). Reports received by OHCHR²¹ indicate security forces used excessive force, including aiming live ammunition at the heads and vital organs of protesters' and bystanders. At least 304 people, including 23 children (22 boys and 1 girl)²² and 10 women, were killed between 15 and 19 November 2019 in 37 cities across the Islamic Republic of Iran.²³ Analysis of the fatal injuries revealed a number of victims had been shot in the head, neck, chest or heart.²⁴ When probed by a parliamentarian, the Minister of Interior stated that protesters had also been "shot in the legs".²⁵ OHCHR noted that the pattern of shooting at vital organs demonstrated that security forces had been shooting with intent to kill or had been reckless as to that consequence.²⁶ OHCHR also noted that the death of children provided further evidence of the arbitrary use of lethal force by security forces, with children being shot – including from rooftops – while coming back from school.²⁷ On 6 December 2019, the United Nations High Commissioner for Human Rights stated publicly that these incidents were clear violations of international standards on the use of force.²⁸ In its comments, the Government stated that force had been used against violent protestors only and that law enforcement exercised the utmost restraint.

16. The Governor of Quds City admitted having ordered law enforcement to shoot at protestors. In its comments, the Government asserted that the order had aimed at ending illegal occupation of the Governor's Office. In response to a question in an interview suggesting 1,000 people were killed in the protests, the Minister of Foreign Affairs stated: "It was less than a third of that".²⁹ The authorities denied responsibility for the death of protestors, attributing the use of firearms to "rioters" and "agents of foreign enemies", or justifying the use of lethal force by law enforcement by claiming the protestors had been armed.³⁰ In a letter to Parliament on 18 May, the Ministry of Interior stated that it "had not been found responsible for any faults in any of the reports" by relevant supervisory bodies.³¹ However, on 30 May, the Minister recognized that "only 40 or 45 people, around 20 per cent of those killed, were shot with weapons not issued by the Government".³²

²¹ See www.amnesty.org.au/iran-details-released-of-304-deaths-during-protests-six-months-after-security-forces-killing-spree/; and <https://iranhumanrights.org/wp-content/uploads/Iran-Human-Rights-November-2019-January-2020-Protests.pdf>.

²² See www.amnesty.org/en/documents/mde13/1894/2020/en/.

²³ See www.amnesty.org.au/iran-details-released-of-304-deaths-during-protests-six-months-after-security-forces-killing-spree/.

²⁴ See www.amnesty.org/en/documents/mde13/2308/2020/en/.

²⁵ See www.imna.ir/news/401553/, <http://porcesh.ir/fa/content/23099/>.

²⁶ See www.amnesty.org/en/documents/mde13/2308/2020/en/; and <https://justice4iran.org/wp-content/uploads/2020/04/SHOOT-TO-KILL-Preliminary-Findings-of-Justice-for-Irans-Investigation-into-the-November-2019-Protests.pdf>.

²⁷ See www.amnesty.org/en/documents/mde13/2308/2020/en/; and www.amnesty.org/download/Documents/MDE1318942020ENGLISH.PDF.

²⁸ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25393&LangID=E.

²⁹ See www.spiegel.de/international/world/it-s-a-disaster-for-europe-to-be-so-subservient-to-the-u-s-a-fdf6a4d6-6b5f-4a10-860e-4c41f591a74b.

³⁰ See www.irna.ir/news/83578701/; <https://justice4iran.org/wp-content/uploads/2020/04/SHOOT-TO-KILL-Preliminary-Findings-of-Justice-for-Irans-Investigation-into-the-November-2019-Protests.pdf>.

³¹ See www.irna.ir/news/83791564/; and www.irna.ir/news/83791564/.

³² See [www.france24.com/en/20200531-iran-suggests-up-to-225-killed-in-november-protests/](http://www.france24.com/en/20200531-iran-suggests-up-to-225-killed-in-november-protests;); www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25393&LangID=E; and www.isna.ir/news/99031105879/.

Arrest and detention

17. As the United Nations High Commissioner for Human Rights stated,³³ the violent crackdown was accompanied by mass arrests of protesters.³⁴ In its comments, the Government affirmed that no one had been arrested for merely exercising the right to peaceful assembly. While the exact number is unknown, according to a Member of Parliament, at least 7,000 people were arrested.³⁵ A large number of protestors were detained across the country, including in the Greater Tehran Central Penitentiary, with over 300 reportedly still detained there in February 2020.³⁶ Many women protestors were detained in Qarchak Prison. Reports suggested that protestors were held in overcrowded cells lacking basic facilities and that prisoners usually held in prison wards controlled by the Islamic Revolutionary Guard Corps or the Ministry of Intelligence had been moved to public wards owing to the high number of arrested protestors. On 11 January 2020, the Head of the Prisons Organization stated that “a significant portion of the detainees have been released” and that the remainder would soon appear in court, without providing further details.³⁷ The Human Rights Committee has noted that detention as punishment for the legitimate exercise of the rights to freedom of expression and to peaceful assembly is arbitrary (see [CCPR/C/GC/35](#), para. 17).

18. Detained protestors have reportedly been denied medical treatment, subjected to torture and ill-treatment and forced to make false confessions. Footage and accounts of former detainees support those claims, such as footage of handcuffed and blindfolded detainees being beaten and flogged by security forces, and of wounded protestors being transferred to prisons instead of hospitals.³⁸ Three separate detainees from Tehran, Tabriz and Ahvaz made similar statements that interrogators had physically assaulted them and tried to force confessions that foreign entities had incited the protests.³⁹ Other allegations of torture reported include the use of prolonged solitary confinement, deprivation of food and sleep, the use of electric shocks, nude floggings and mock hangings. Some forced confessions were broadcast on State television.⁴⁰

19. The Secretary-General is particularly distressed at reports of the detention and mistreatment of children. Some sources indicated that at least 1,000 children had been arrested across the Islamic Republic of Iran during the protests,⁴¹ while another report from Khuzestan Province suggested that around 1,000 children had been arrested in that province alone, with approximately 100 children reportedly released as of December 2019.⁴² The Head of the Prisons Organization stated that only a very small number of children remained detained and were held in juvenile detention facilities as at December 2019.⁴³ Child detainees had reportedly experienced torture and

³³ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25393&LangID=E.

³⁴ See www.entekhab.ir/fa/news/514774/.

³⁵ See <https://aftabnews.ir/fa/news/623640/>; and www.tabnak.ir/fa/news/940029/.

³⁶ See <https://iranhumanrights.org/2020/02/detained-protestors-in-iran-beaten-tortured-forced-to-confess/>.

³⁷ See www.ilna.news/fa/tiny/news-856599.

³⁸ See www.amnesty.org/en/latest/news/2019/12/iran-thousands-arbitrarily-detained-and-at-risk-of-torture-in-chilling-post-protest-crackdown/; see also <https://iranhumanrights.org/wp-content/uploads/Iran-Human-Rights-November-2019-January-2020-Protests.pdf>.

³⁹ See <https://iranhumanrights.org/2020/02/detained-protestors-in-iran-beaten-tortured-forced-to-confess/>.

⁴⁰ See <https://khabaronline.ir/news/1323110>.

⁴¹ Source: Abdorrahman Boroumand Center for Human Rights in Iran.

⁴² See www.ahwazhumanrights.org/en/sections/8/further-information-on-the-arrest-of-1-000-children-in-ahwaz-during-iran-november-protests.

⁴³ See www.ilna.news/fa/tiny/news-856599.

ill-treatment, including beating⁴⁴ and sexual abuse with batons. Some had been held in overcrowded cells and forced to share cells with adult detainees.⁴⁵ In its comments, the Government disputed the reliability of the information regarding arrest and ill-treatment of children.

20. The Secretary-General is concerned by reports that families of detained protestors were denied information on their relatives' whereabouts in circumstances that could amount to enforced disappearances. In February 2020, the families of 400 detained protestors from Khuzestan Province still did not know the precise location of their relatives. Enforced disappearances constitute a "particularly aggravated form of arbitrary detention" (see [CCPR/C/GC/35](#), para. 17).

Convictions and sentences

21. While no official figures have been released as to the number of prosecutions related to the November 2019 protests, information received indicates at least 75 verdicts against protestors by the end of April 2020.⁴⁶ Forced confessions have reportedly been the basis for convictions in trials of protestors, leading to sentences of imprisonment and even the death penalty. Amir Hossein Moradi, Sa'id Tamjidi and Mohammad Rajabi were sentenced to death by Branch 15 of the Revolution Court.⁴⁷ In its comments, the Government indicated that the cases were pending. The three men were convicted of national security and other charges for their participation in protests on 16 November 2019 in Tehran. They were reportedly forced to confess under torture, not granted access to lawyers during interrogation and not represented by their own chosen lawyers at trial. As at June 2020, they were detained in the Greater Tehran Central Penitentiary, pending an appeal. Similar treatment has been reported against other individuals prosecuted for participating in the November 2019 protests, with most being accused of national security charges and tried in revolutionary courts. The Human Rights Committee has stated that ill-treatment of accused persons to obtain a confession is a serious violation of articles 7 and 14 of the International Covenant on Civil and Political Rights (see [CCPR/C/GC/32](#), para. 60), and of the right to life where the forced confession is the basis for a sentence of death (see [CCPR/C/GC/36](#), para. 54). The Secretary-General notes with concern that the Government accepted only one and partially accepted two recommendations on prohibiting or investigating allegations of torture during its universal periodic review, and only partially accepted 1 of 12 recommendations on ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

January 2020 protests

22. The Secretary-General is concerned that the pattern of excessive force by security forces continued during protests in dozens of Iranian cities in January 2020. The demonstrations commenced after the Government's admission, on 11 January 2020, following an initial denial, that missiles fired by the Islamic Revolutionary Guard Corps had struck Ukraine Airlines flight PS752 three days earlier, killing all 176 people on board.⁴⁸ Eyewitness accounts and footage indicate that, on 11 and 12 January, security forces fired pointed pellets, rubber bullets and tear gas against peaceful protestors, causing injuries.⁴⁹ Security forces used pepper spray and batons

⁴⁴ See <https://bit.ly/2RuKz3J>.

⁴⁵ Source: Impact Iran.

⁴⁶ Source: Abdorrahman Boroumand Centre for Human Rights in Iran.

⁴⁷ See www.en-hrana.org/three-arrestees-of-november-protests-were-sentenced-to-death.

⁴⁸ See www.irna.ir/news/83628809/.

⁴⁹ See www.amnesty.org/en/latest/news/2020/01/iran-scores-injured-as-security-forces-use-unlawful-force-to-crush-protests/.

against those gathered, and in Tehran, tear gas was fired into a metro station. Injured protestors chose not to go to hospitals for fear that security forces would arrest them or that medical staff would not admit them. The Government maintained in its comments that the right to peaceful assembly is recognized by the Constitution and that the use of force had taken place in accordance with the law. While the judiciary stated that around 30 people had been arrested,⁵⁰ other reports indicated arrests numbered some 500 people.⁵¹ Protestors reportedly were subject to ill-treatment in detention, with some held incommunicado.⁵² At least 13 people were sentenced to between six months' and five years' imprisonment on charges connected to participation in the protests, including by taking photos and videos during a candlelight vigil to remember the victims.⁵³

Lack of accountability and harassment of victims

23. The Secretary-General is deeply concerned at the reported lack of investigation by the Iranian authorities of widespread reports of excessive force during the November 2019 and January 2020 protests and at a lack of accountability for those who ordered and carried out these human rights violations. While the Government had set up a programme to compensate victims of the November 2019 protests,⁵⁴ the measure did not constitute an independent investigation into the events or a mechanism to hold security forces and other officials accountable for the use of excessive force causing death and other serious violations (see [CCPR/C/21/Rev.1/Add.13](#), para. 15 and 18). In its comments, the Government stated that the purpose of the investigation was to provide compensation. The Secretary-General calls upon the Islamic Republic of Iran to undertake an independent and impartial investigation into all violations that took place in the context of the November 2019 and January 2020 protests, including the killing of protestors and ill-treatment in custody, and to hold those responsible accountable.

24. The Secretary-General is concerned at the harassment of and threats against families of victims. In some instances, families were forced to pay or to lie about their relatives' affiliations as a precondition for collecting their bodies. Families who publicly called for justice faced reprisals, including harassment, threats and detention. Some families of killed protestors reportedly felt pressured to accept martyrdom status or *diya* owing to financial hardship or because it was perceived as the only way to end harassment by the authorities.⁵⁵

Parliamentary elections

25. On 21 February 2020, the Islamic Republic of Iran held its eleventh parliamentary election. The Ministry of Interior announced a turnout of 42.57 per cent nationwide, with a 25.4 per cent turnout in Tehran province, the lowest figures since 1979, and a steep decline from the 61.8 per cent turnout at the 2016 elections. Out of 16,145 people who announced their candidacy,⁵⁶ the Guardian Council approved

⁵⁰ See www.isna.ir/news/98102418714/.

⁵¹ See <https://iranhumanrights.org/2020/01/civilians-assaulted-arrested-in-state-crackdown-on-university-protests-plane-ukraine/>; and <https://iranhumanrights.org/wp-content/uploads/Iran-Human-Rights-November-2019-January-2020-Protests.pdf>.

⁵² See www.amnesty.org/en/latest/news/2020/01/iran-scores-injured-as-security-forces-use-unlawful-force-to-crush-protests/.

⁵³ See www.hrw.org/news/2020/05/08/iran-prosecutions-protests-about-plane-downing.

⁵⁴ See <http://farsi.khamenei.ir/news-content?id=44322>.

⁵⁵ See <https://justice4iran.org/wp-content/uploads/2020/05/Mockery-of-Justice-States-Policeis-and-Laws-regarding-the-Victims-of-Irans-2019-November-Protests.pdf>.

⁵⁶ See www.tasnimnews.com/fa/news/1398/09/27/2162888/.

7,148 candidates,⁵⁷ including 736 women.⁵⁸ In its comments, the Government noted that candidates had been disqualified because they did not meet the qualification requirements set by law. Of the 276 elected during the first round, 17 were women. A number of former Government officials, as well as the opposition, called for boycott owing to the lack of free and fair elections.⁵⁹

C. Right to freedom of opinion and expression

26. The Secretary-General notes the incompatibility of the constitutional and legal framework of the Islamic Republic of Iran with the exercise of the right to hold an opinion and to freedom of expression. The control of information continued to extend to the digital space, with increased State control and censorship of the Internet. The Government stated that, under the Cybercrime Law, a committee had been tasked to establish a clear definition of cybercrimes for websites that undermine security and public peace. All international Internet connectivity continued to emanate from two State entities, thus giving the Government control over the flow of information.⁶⁰ Platforms, including Facebook and Twitter, cannot be accessed without a virtual private network. On 31 August 2019, the Deputy Prosecutor General issued an order requiring Internet hosting companies to cease providing services to filtered websites based in the country.⁶¹ The authorities shut down the Internet at least three times in 2019⁶² and twice in 2020.⁶³

27. On 16 November 2019, in reaction to protests, the Supreme National Security Council ordered the largest Internet and mobile telephone shutdown in the Islamic Republic of Iran, with connectivity rates dropping to 5 per cent of their usual levels⁶⁴. Fixed-line Internet and mobile data connections were gradually restored as of 21 November and 27 November respectively,⁶⁵ although mobile data connections remained limited in some provinces until 5 December.⁶⁶ In addition to representing an unlawful interference with the right to freedom of expression, including the freedom to seek, receive and impart information, Internet shutdowns have an impact on other rights and on economic activity. Reporting on the November 2019 events was further restricted by Government censorship and harassment of journalists.⁶⁷

28. In the context of COVID-19, Tehran's Prosecutor-General stated that the judiciary would summon anyone who spreads "false news". Over 3,600 individuals were subsequently arrested and 1,136 lawsuits were filed against them.⁶⁸ In March 2020, the Ministry of Foreign Affairs created a taskforce to combat so-called "fake

⁵⁷ See www.irna.ir/news/83669264/.

⁵⁸ See www.irna.ir/news/83681527/.

⁵⁹ See www.aljazeera.com/news/2020/02/apathy-runs-high-tehran-iran-gears-parliament-vote-200219172158656.html.

⁶⁰ See <https://blogs.oracle.com/internetintelligence/historic-internet-blackout-in-iran>.

⁶¹ See www.tarafdari.com/node/1434803.

⁶² See www.accessnow.org/cms/assets/uploads/2020/02/KeepItOn-2019-report-1.pdf.

⁶³ See <https://netblocks.org/reports/internet-disruptions-registered-across-iran-kArradAj>; <https://netblocks.org/reports/internet-shutdown-in-iran-following-reported-cyber-attack-18IJVDBa>.

⁶⁴ Ibid. See also www.entekhab.ir/fa/news/513009/.

⁶⁵ See www.irna.ir/news/83565593/; and www.irna.ir/news/83571625/.

⁶⁶ See www.irna.ir/news/83581799/.

⁶⁷ See www.iranhumanrights.org/2019/11/iranian-government-dictated-to-local-media-how-to-cover-protests-new-documents-reveal/.

⁶⁸ See <https://cpj.org/blog/2020/03/amid-coronavirus-pandemic-iran-covers-up-crucial-i.php>; www.tasnimnews.com/fa/news/1399/02/10/2253448/; and www.rferl.org/a/iran-says-3600-arrested-for-spreading-coronavirus-related-rumors/30583656.html.

news” from foreign-based Farsi-language news services⁶⁹ and issued a decree on 30 March suspending all newspaper printing and distribution as a measure against COVID-19.⁷⁰ Journalists and cartoonists have reportedly been summoned, detained and prosecuted for their reporting of the February 2020 parliamentary election and COVID-19,⁷¹ with 5 to 21 journalists reportedly targeted in early February 2020 through house raids, confiscation of equipment, questioning, monitoring of social media accounts and accusations of threatening national security.⁷² The judicial harassment of staff of foreign-based Farsi language news organizations, including BBC Persian Service, and their families in the Islamic Republic of Iran remains of concern.⁷³ The Secretary-General notes that the Government accepted only 4 of 25 recommendations on freedoms of expression, association and peaceful assembly during its universal periodic review.

D. Detention conditions and temporary releases under COVID-19

Detention conditions

29. The Secretary-General welcomes the acceptance by the Islamic Republic of Iran of all three recommendations received during its universal periodic review on improving prison conditions and encourages the authorities to take immediate steps to implement them. However, the Secretary-General is concerned that long-standing overcrowding and hygiene issues have exacerbated a possible COVID-19 outbreak in Iranian prisons. Hygiene products, including soap and disinfectants, are in limited supply or unavailable.⁷⁴ Government officials have recognized that overcrowding makes physical distancing difficult to enforce.⁷⁵ Reports from several prisons indicate overcrowding in cells, a lack of beds, access to water and sanitary facilities.⁷⁶

30. Prisoners have tested positive or appeared with COVID-19 symptoms.⁷⁷ OHCHR received reports of prisoners dying after being neglected in solitary confinement, of prisoners having contracted COVID-19 or presenting symptoms being returned to overcrowded cells without being quarantined,⁷⁸ and of prisoners being transferred to wards holding individuals imprisoned for violent crimes due to their exposure to the virus.

Temporary releases

31. The Secretary-General acknowledges the steps taken by the authorities to allow for temporary release of prisoners as a mitigating measure. On 24 and 27 February 2020, the Head of the Judiciary announced two directives, allowing eligible prisoners

⁶⁹ See <https://cpj.org/blog/2020/03/amid-coronavirus-pandemic-iran-covers-up-crucial-i.php>

⁷⁰ See www.donya-e-eqtasad.com/fa/tiny/news-3639609; and <https://cpj.org/2020/03/iran-bans-printing-of-all-newspapers-citing-spread.php>.

⁷¹ See <https://cpj.org/blog/2020/03/amid-coronavirus-pandemic-iran-covers-up-crucial-i.php>; <https://cpj.org/2020/02/iranian-authorities-detain-journalist-mohammad-mos.php>; <https://rsf.org/en/news/iran-concealing-coronavirus-figures-blocking-independent-reporting>; <https://rsf.org/en/news/iranians-denied-independent-reporting-ahead-parliamentary-election>; <https://cpj.org/2020/04/iranian-journalist-detained-over-coronavirus-cover.php>; and <https://cpj.org/2020/04/iran-arrests-2-journalists-for-allegedly-sharing-c.php>.

⁷² See <https://rsf.org/en/news/iranians-denied-independent-reporting-ahead-parliamentary-election>.

⁷³ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25706&LangID=E.

⁷⁴ See www.iranrights.org/attachments/library/doc_603.pdf.

⁷⁵ See www.tasnimnews.com/fa/news/1399/03/08/2275065/.

⁷⁶ See www.isna.ir/news/99011809361/; and www.iranrights.org/attachments/library/doc_603.pdf.

⁷⁷ See www.iranrights.org/attachments/library/doc_603.pdf.

⁷⁸ See www.hra-news.org/2020/hranews/a-24333/.

to be temporarily furloughed,⁷⁹ extended twice until 20 May 2020.⁸⁰ Official accounts estimated that the number of furloughed prisoners had progressively increased, from 54,000 on 3 March 2020⁸¹ to 100,000 by 19 April.⁸² The Government noted that 120,000 had been temporarily released. According to information received, certain prisoners who met the eligibility criteria had not been granted temporary furlough, including because of high bail amounts. The assessment of furlough applications was reportedly slow and, in some cases, had led to protests.⁸³

32. The Secretary-General is concerned that such release schemes have disproportionately excluded certain categories of prisoners, including political prisoners and prisoners of conscience. The directives' eligibility criteria preclude, with a few exceptions, those convicted of serious violent crimes and national security offences if the sentence is over five years' imprisonment. If the sentence is less than five years, the person must have served one-third of the sentence. As a result, human rights defenders, lawyers, dual and foreign nationals, environmentalists, religious and ethnic minorities, as well as prisoners of conscience who have been imprisoned on lengthy national security charges are unable to benefit from temporary release.

33. In Tehran and Alborz Provinces, Prosecution Office Deputy Amin Vaziri has reportedly refused to grant temporary furlough to all deemed to be "political prisoners", with similar reports also received from Tabriz, Adelabad and Vakilabad prisons. Individuals awaiting trial for their participation in the November 2019 protests have also reportedly been denied furlough.⁸⁴ An announcement by the judiciary on 20 March that judges would review and consider bail for individuals in pre-trial detention had not yet resulted in any releases.⁸⁵

34. Reports indicated that the Office of the Prosecutor had repeatedly rejected or not responded to requests for exceptions on medical grounds. Among those excluded from temporary release despite underlying and, in some instances, life-threatening health conditions are human rights lawyer Nasrin Sotoudeh, and dual nationals, including Siamak Namazi, Massud Mossaheb, Morad Tahbaz, and Kamran Ghaderi. None of those individuals had been provided with adequate access to medical care in detention, despite some having been exposed to COVID-19.⁸⁶ The Islamic Republic of Iran only partially accepted the two recommendations made as part of its universal periodic review on the release of political prisoners, human rights defenders and lawyers.

35. Fears of COVID-19 and dissatisfaction with the temporary furlough process resulted in unrest in at least nine prisons, with reports of use of excessive force. In Khuzestan Province, violence erupted at Sepidar and Sheiban prisons on 30 and 31 March respectively,⁸⁷ with reports indicating 15 deaths and 13 injuries among

⁷⁹ See <https://dotic.ir/news/6643>; and <https://edition.cnn.com/2020/03/04/middleeast/iran-coronavirus-response-intl/index.html>.

⁸⁰ See www.reuters.com/article/us-health-coronavirus-iran/iran-extends-prison-furloughs-as-coronavirus-death-toll-rises-idUSKBN21G0DV; www.reuters.com/article/us-health-coronavirus-iran/iran-extends-prisoner-furloughs-closure-of-holy-sites-amid-coronavirus-idUSKBN221091; and www.france24.com/en/20200419-iranian-president-says-prisoner-leave-to-be-extended.

⁸¹ See <https://edition.cnn.com/2020/03/04/middleeast/iran-coronavirus-response-intl/index.html>.

⁸² See www.tasnimnews.com/en/news/2020/04/21/2248368/iran-s-judiciary-refutes-allegation-of-discriminatory-treatment-of-foreign-inmates; and <https://tn.ai/2226856>.

⁸³ See www.iranrights.org/attachments/library/doc_603.pdf.

⁸⁴ See www.hra-news.org/2020/hranews/a-24369/.

⁸⁵ See <https://tn.ai/2232942>.

⁸⁶ See www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=25803&LangID=E.

⁸⁷ See www.amnesty.org/download/Documents/MDE1322372020ENGLISH.pdf; and www.amnesty.org/en/latest/news/2020/04/iran-prisoners-killed-by-security-forces-during-covid19-pandemic-protests/.

detainees.⁸⁸ Security forces reportedly used excessive force to quell protests in Sheiban Prison, with at least 20 detainees killed and others subsequently held in incommunicado detention.⁸⁹ On 28 March, clashes in Mahabad Prison resulted in security forces deploying tear gas and opening fire on detainees, with one person killed and five wounded.⁹⁰ The execution of some individuals on death row was reportedly expedited because of their involvement in prison protests. Further unrest occurred in Tabriz, Alvand, Adelabad and Parsilon prisons. Prisoners in Evin Prison and the Greater Tehran Central Penitentiary, including human rights lawyer Nasrin Sotoudeh, have gone on hunger strike to protest the lack of measures against COVID-19 in prison.⁹¹

36. A number of furloughed prisoners were recalled to prison in early May 2020. Aras Amiri, whose 10-year sentence on national security charges had been upheld in August 2019, was granted temporary furlough on 9 April 2020 but was ordered to return to Evin Prison on 4 May.⁹² Mahmoud Beheshti Langroudi, a teacher and labour rights activist, was returned to prison on 11 May 2020 after being furloughed on 7 March.⁹³ Returning prisoners may bring COVID-19 into prisons; measures should therefore be taken to enhance preparedness, prevention and control of COVID-19 in places of detention.⁹⁴

E. Situation of women and girls

37. The Secretary-General remains concerned at the continued discrimination on the basis of gender in law and practice, including with regard to family matters, freedom of movement, employment, culture and sports, as well as access to political and judicial functions. Regrettably, the Government only fully or partially accepted 19 out of 85 recommendations on the situation of women and girls during its universal periodic review.

38. The Secretary-General encourages the authorities to address the deficiencies of the bill on the protection of women against violence.⁹⁵ The proposed bill does not provide sufficient protection for women (see [A/HRC/43/20](#), para. 36), with some provisions even increasing the risk of exposure to violence or hindering access to justice and effective remedies.⁹⁶ COVID-19 caused a surge in domestic violence in the Islamic Republic of Iran, as elsewhere. While the authorities enhanced social emergency services, introducing hotlines for victims,⁹⁷ support services for survivors

⁸⁸ See www.iranrights.org/attachments/library/doc_603.pdf.

⁸⁹ See www.amnesty.org/en/latest/news/2020/04/iran-prisoners-killed-by-security-forces-during-covid19-pandemic-protests/.

⁹⁰ See www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=25773&LangID=E; and www.iranhr.net/en/articles/4178/.

⁹¹ See <https://time.com/5804725/iran-coronavirus-nasrin-sotoudeh-prisoners/>; and <https://iranhumanrights.org/2020/03/coronavirus-nasrin-sotoudeh-if-were-going-to-die-let-us-be-by-our-families-sides/>.

⁹² See www.al-monitor.com/pulse/originals/2020/04/iran-releases-jailed-uk-resident-aras-amiri-prison.html; and www.theguardian.com/news/2020/may/05/fears-rise-nazanin-zaghari-ratcliffe-may-be-returned-to-iran-jail.

⁹³ See www.hrw.org/news/2020/03/12/iran-free-wrongfully-detained-prisoners; and www.hra-news.org/2019/hranews/a-21658/.

⁹⁴ See www.euro.who.int/__data/assets/pdf_file/0019/434026/Preparedness-prevention-and-control-of-COVID-19-in-prisons.pdf?ua=1.

⁹⁵ See <https://tn.ai/2098195>, article 77 of the proposed bill.

⁹⁶ See <https://persian.iranhumanrights.org/1398/07/the-bill-for-the-protection-dignity-and-security-of-women-against-violence/>.

⁹⁷ See <https://iqna.ir/00GKHU>.

remain insufficient.⁹⁸ The Government stated in its comments that, in the process leading towards ratification of the bill, the latter will provide security for women against violence.

F. Situation of minorities

39. The Secretary-General is concerned at the lack of initiatives to repeal and revise constitutionally entrenched discrimination on the basis of religion,⁹⁹ including discrimination against the Bahá'ís. Discrimination and violence against members of ethnic and religious minorities have resulted in deaths, injuries, arrests and sentencing, as well as long-term imprisonment and death on national security-related charges. On 3 February 2020, Branch 41 of the Supreme Court upheld the death sentence against seven members of the Kurdish minority for attending religious meetings and distributing religious material, following a process and trial that fell short of international human rights standards. All seven individuals have been sentenced to more than 10 years' imprisonment and reportedly been subjected to torture and other inhumane and degrading treatment.¹⁰⁰ The Secretary-General notes with regret that the Government only accepted or partially accepted 9 of 25 recommendations concerning religious freedom during its universal periodic review.

G Impact of economic challenges and sanctions on economic and social rights

40. In his previous reports ([A/HRC/43/20](#) and [A/74/273](#)), the Secretary-General noted the importance of assessing the human rights situation in the context of a significant economic crisis. Deteriorating living standards, high inflation, widespread unemployment, perceived corruption and mismanagement of public funds have fuelled popular discontent since the December 2017 protests. Recent socioeconomic challenges have included resource constraints associated with the imposition of sanctions, the steep drop in international oil prices and the effects of the COVID-19 pandemic and associated restrictions on wider economic activity. In its comments, the Government reiterated that it considers the sanctions unlawful and raised concerns about their impact on human rights.

Poverty and inequalities

41. Assessments of the extent of poverty in the Islamic Republic of Iran remained contested. In a 2019 study, the Iranian Parliament's Research Centre found that, in 2016 and 2017, 14.9 per cent of the urban population and 11.6 per cent of the rural population lived with insufficient income to meet most basic needs. Women make up two-thirds of those living below the poverty line. In Qom and Kerman, the percentage is estimated at 30 and 33 per cent, respectively. Given the sharp increase in the cost of living since 2017, poverty levels are expected to have risen. As it is estimated that almost half of the population lives near the poverty line, the majority of the population experiences socioeconomic precarity.¹⁰¹ The population in Sistan and Baluchistan, Kurdistan and Khuzestan provinces face additional socioeconomic hardship owing to environmental hazards, lower income levels and limited access to social services, and higher unemployment. Four million additional people could be at risk of long-term unemployment, including 700,000 individuals informally employed, as a

⁹⁸ See [A/HRC/WG.6/34/IRN/1](#); [www.irna.ir/news/83656641](#); and [www.radiozamaneh.com/488134](#).

⁹⁹ Islamic Republic of Iran Constitution of 1979, art. 13.

¹⁰⁰ UA IRN 5/2020, dated 25 March 2020.

¹⁰¹ See <https://rc.majlis.ir/fa/report/show/1090439>.

consequence of the COVID-19 crisis.¹⁰² The Secretary-General welcomes the Government's full or partial acceptance of all three specific recommendations on poverty reduction made during its universal periodic review, and 50 out of 52 recommendations related to socioeconomic rights.

Economic crisis and COVID-19

42. The Government has faced difficulties in containing COVID-19, in part owing to the national health-care system, as well as the wider economy being weakened by the cumulative effect of sanctions. The pandemic triggered simultaneous supply and demand shocks, plunging oil and commodity prices, as well as a drop in domestic demand. The International Monetary Fund (IMF) downgraded its economic growth forecast for the Islamic Republic of Iran to a 6 per cent contraction in gross domestic product (GDP) in 2020.¹⁰³

43. The Government faced challenges in its response to COVID-19 and was criticized for its late action.¹⁰⁴ Inconsistency in figures of COVID-19 infections announced by officials at the national and local levels created concerns about the lack of accurate reporting and transparency.¹⁰⁵ While the authorities advised people to stay at home in late February, they only closed religious sites in early March and held back from imposing an official lockdown within cities until 27 March.¹⁰⁶ As of 18 April, low and medium-risk businesses were permitted to operate, and intercity travel was allowed.¹⁰⁷ On 4 June, a new daily record of 3,574 new cases was reported, raising concerns about a resurgence of infections following the reopening.¹⁰⁸ Despite its potential negative public health impact, the Government's decision to ease containment measures was reportedly informed by various assessments of the economic consequences of lockdowns.¹⁰⁹

44. To mitigate both health and economic impacts of the pandemic, the Government withdrew \$1.1 billion from the National Development Fund¹¹⁰ and announced in March it would invest some 10 per cent of GDP into COVID-19 relief and recovery measures.¹¹¹ The economic stimulus plan foresees the distribution of financial assistance packages to vulnerable households under welfare support for an initial period of four months.¹¹² The plan also seeks to provide 23 million households with a one-time no-interest loan.¹¹³ In April, to generate income and fill the budget deficit gap, the Government launched a public offering, selling its residual shares in 18 companies¹¹⁴ and its surplus physical assets and bonds. It also requested a \$5

¹⁰² See www.irna.ir/news/83745791/; and www.en.eghtesadonline.com/Section-economy-4/32114-covid-outbreak-worsens-iran-business-conditions.

¹⁰³ See www.imf.org/en/Publications/WEO/Issues/2019/10/01/world-economic-outlook-october-2019.

¹⁰⁴ See www.hamshahrionline.ir/news/491315/; www.donya-e-eqtasad.com/fa/tiny/news-3634624; www.icana.ir/Fa/News/444605/; and www.entekhab.ir/fa/news/537203/.

¹⁰⁵ See <https://sazandeginews.com/News/7098>; and <https://khabaronline.ir/news/1356510>.

¹⁰⁶ See www.irna.ir/news/83728393/.

¹⁰⁷ See <https://country.eiu.com/iran>.

¹⁰⁸ See www.irna.ir/news/83757971/.

¹⁰⁹ See www.irna.ir/news/83745791/; and <https://rc.majlis.ir/fa/report/show/1462301>.

¹¹⁰ See <http://khabaronline.ir/news/1373601>.

¹¹¹ See www.imf.org/en/Topics/imf-and-covid19/Policy-Responses-to-COVID-19#I.

¹¹² See www.irna.ir/news/83718476/.

¹¹³ See www.isna.ir/news/99022316906/; www.eghtesadonline.com/n/2CBS; www.bourseandbazaar.com/articles/2020/4/21/bleak-estimates-of-virus-economic-impact-spur-iran-to-end-lockdown; and www.ft.com/content/9ee6f251-f3ee-4d42-8cac-e372f8564088.

¹¹⁴ See www.focus-economics.com/countries/iran.

billion emergency loan from IMF,¹¹⁵ which remained under consideration as of 10 June.

Impact on the health sector

45. As Secretary-General highlighted in his previous reports (A/HRC/43/20 and A/74/273), sanctions and banking restrictions have had a significant adverse effect on the health sector. Although the Islamic Republic of Iran produces approximately 97 per cent of locally used medicines,¹¹⁶ it relies on raw material imports for their production. Foreign specialized medication required for the treatment of life-threatening or rare conditions¹¹⁷ has become scarce since 2018. The COVID-19 pandemic has aggravated the challenges faced by the health sector,¹¹⁸ with a steep recorded increase in prices affecting some six million patients with complex or chronic diseases.¹¹⁹ The Government provided names of private sector companies that it asserted had stopped supplying critical medicines and medical equipment to the Islamic Republic of Iran owing to sanctions, including since the COVID-19 outbreak, noting that this had led to a spike in mortality rates.

46. According to information received by OHCHR, reports indicate that sanctions may have eroded the capacity of the health-care system to replenish its inventories (see A/HRC/43/20, paras. 48–52). Exports of personal protective equipment from the European Union to the Islamic Republic of Iran dropped from €39 million to €13 million in value in 2019, indicating that the country's inventory of such equipment had already been low prior to the outbreak.¹²⁰ According to the medical community, as at 7 June 2020, 110 doctors and nurses had died from COVID-19 owing to shortages of protective equipment¹²¹ and nursing staff shortfalls.¹²² In addition to restrictions on the Government's access to foreign currency to purchase medical supplies,¹²³ the limited number of transportation companies willing to import goods into the Islamic Republic of Iran owing to sanctions and COVID-19-related border restrictions has also disrupted supply chains.¹²⁴

47. The Secretary-General has appealed for the waiving of sanctions that could undermine countries' capacity to respond to COVID-19.¹²⁵ The United Nations High Commissioner for Human Rights has also stated that humanitarian exemptions to

¹¹⁵ See www.tasnimnews.com/en/news/2020/03/12/2221922/iran-applies-for-5-billion-loan-from-imf-to-battle-coronavirus.

¹¹⁶ See <https://ifpnews.com/iran-producing-97-of-medicines-it-needs-domestically>.

¹¹⁷ See www.mehrnews.com/news/4688345/.

¹¹⁸ See www.tasnimnews.com/en/news/2020/04/21/2248171/sanctions-relief-not-enough-to-help-iran-stop-coronavirus-richard-nephew; www.isna.ir/news/98050703466/; <https://edition.cnn.com/2019/02/22/middleeast/iran-medical-shortages-intl/index.html>; www.nytimes.com/2018/11/11/world/middleeast/iran-sanctions.html; <https://financialtribune.com/articles/economy-business-and-markets/93564/impact-of-us-sanctions-on-irans-healthcare-sector>; and www.irna.ir/news/83236255/.

¹¹⁹ See [www.thelancet.com/journals/lanpub/article/PIIS2468-2667\(20\)30083-9/fulltext](http://www.thelancet.com/journals/lanpub/article/PIIS2468-2667(20)30083-9/fulltext).

¹²⁰ See www.bourseandbazaar.com/articles/2020/3/20/new-european-limits-on-medical-gear-exports-put-iranians-at-risk.

¹²¹ See <https://salameno.ir/detail/51148326>.

¹²² See <https://cutt.ly/eyWdwbS>; [www.thelancet.com/journals/lanpub/article/PIIS2468-2667\(20\)30083-9/fulltext](http://www.thelancet.com/journals/lanpub/article/PIIS2468-2667(20)30083-9/fulltext).

¹²³ See www.washingtonpost.com/world/middle_east/as-coronavirus-cases-explode-in-iran-us-sanctions-hinder-its-access-to-drugs-and-medical-equipment/2020/03/28/0656a196-6aba-11ea-b199-3a9799c54512_story.html; and www.hrw.org/news/2020/04/06/us-ease-sanctions-iran-covid-19-crisis.

¹²⁴ See <https://foreignpolicy.com/2020/03/03/iran-coronavirus-spreads-sanctions-covid19-iranian-doctors-fear-worst/>.

¹²⁵ See www.un.org/en/coronavirus/war-needs-war-time-plan-fight-it; and www.un.org/sg/en/content/sg/note-correspondents/2020-03-24/note-correspondents-letter-the-secretary-general-g-20-member.

sanctions measures should be given broad and practical effect, with prompt, flexible authorization for essential medical equipment and supplies.¹²⁶ Those calls have been echoed by the Special Rapporteurs on the negative impact of the unilateral coercive measures on the enjoyment of human rights¹²⁷ and on the right to food.¹²⁸

Sanctions, humanitarian exemptions, exceptions and authorizations

48. The Government of the United States of America maintains that “existing exceptions, authorizations, and licensing policies for humanitarian-related transactions and safety of flight will remain in effect” under the applicable sanctions regime.¹²⁹ In his previous reports (see [A/HRC/43/20](#), para. 54; and [A/74/273](#), para. 62), the Secretary-General expressed concerns that the complex regulatory process, limited access to non-sanctioned banking, shortages of foreign currency and overcompliance by potentially affected third parties¹³⁰ have limited even humanitarian transactions. On 31 March, the Instrument in Support of Trade Exchanges established by France, Germany and the United Kingdom to facilitate the export of essential goods to the Islamic Republic of Iran¹³¹ had completed its first transaction.¹³² On 30 January, the Government of the United States announced the completion of a first financial transaction¹³³ through the Swiss Humanitarian Trade Agreement.¹³⁴ However, the Agreement’s due diligence requirements¹³⁵ continued to raise concerns that financial institutions might be reluctant or unable to provide the information required (see [A/HRC/43/20](#), paras. 44 and 55).

49. Despite general licences allowing the import of “certain food items, medicines and basic medical supplies”,¹³⁶ these are capped at \$500,000¹³⁷ and exclude certain categories of items owing to concerns about their potential end use.¹³⁸ A number of items on the list of the Ministry of Health and Medical Education regarding its most urgent needs identified to respond to COVID-19¹³⁹ require a special licence.¹⁴⁰ The number of special licences granted to companies exporting to the Islamic Republic of Iran has declined from 220 applications in the fourth quarter of 2016 to 36 in the first quarter of 2019.¹⁴¹

¹²⁶ See www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=25744&LangID=E.

¹²⁷ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25769&LangID=E.

¹²⁸ See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25761&LangID=E.

¹²⁹ See www.state.gov/remarks-to-the-media-3/.

¹³⁰ See www.ipinst.org/wp-content/uploads/2019/06/1906_Sanctions-and-Humanitarian-Action.pdf.

¹³¹ See https://eeas.europa.eu/delegations/japan/57475/statement-high-representativevice-president-federica-mogherini-creation-instexinstrument_en.

¹³² See www.auswaertiges-amt.de/en/newsroom/news/instex-transaction/2329744; and www.diplomatie.gouv.fr/en/country-files/iran/news/article/iran-instex-q-a-from-the-press-briefing-31-mar-20.

¹³³ See <https://home.treasury.gov/news/press-releases/sm890>.

¹³⁴ See www.treasury.gov/resource-center/sanctions/Programs/Documents/covid19_factsheet_20200416.pdf.

¹³⁵ See www.washingtonpost.com/world/middle_east/as-coronavirus-cases-explode-in-iran-us-sanctions-hinder-its-access-to-drugs-and-medical-equipment/2020/03/28/0656a196-6aba-11ea-b199-3a9799c54512_story.html; and www.hrw.org/report/2019/10/29/maximum-pressure/us-economic-sanctions-harm-iranians-right-health.

¹³⁶ See www.treasury.gov/resource-center/sanctions/Programs/Documents/covid19_factsheet_20200416.pdf.

¹³⁷ See www.treasury.gov/resource-center/sanctions/Programs/Documents/iran_gle.pdf.

¹³⁸ See www.treasury.gov/resource-center/sanctions/Programs/Documents/covid19_factsheet_20200416.pdf.

¹³⁹ See <https://en.mehrnews.com/news/156654/Zarif-publishes-list-of-Iranian-health-ministry-requirements>.

¹⁴⁰ See www.treasury.gov/resource-center/sanctions/Programs/Documents/gtsr_gl8.pdf.

¹⁴¹ See www.washingtonpost.com/world/middle_east/as-coronavirus-cases-explode-in-iran-us

50. The Secretary-General remains concerned that banking restrictions hampered United Nations and other relief efforts throughout 2019. The combined effect of the delays in obtaining Office of Foreign Assets Control licences and in international procurement, and difficulties in replenishing local accounts and limitations on financial transactions, have created significant operational challenges for the United Nations country team in the Islamic Republic of Iran. The limited capacity of the United Nations and its implementing partners to deliver timely and high-quality services affects those in most vulnerable situations, including women, children, low-income families, victims of natural disasters, migrants and refugees.

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

A. Cooperation with the human rights treaty bodies

51. The Secretary-General encourages the Islamic Republic of Iran to submit its outstanding periodic reports to the United Nations human rights treaty bodies, including under the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention on the Elimination of All Forms of Racial Discrimination, which have been overdue since 2013, 2014 and 2018, respectively. The Secretary-General also encourages compliance with the treaty bodies' recommendations. The Government reiterated its commitment to engaging with international human rights mechanisms and to submitting its outstanding periodic reports.

52. The Secretary-General regrets the Government's rejection of a number of recommendations it received during the third cycle of its universal periodic review regarding the ratification of international human rights instruments. The Government rejected 27, accepted 1, partially accepted 3 and noted 5 out of the 36 recommendations it received relating to the possibility of ratifying international human rights treaties and the Rome Statute of the International Criminal Court.

B. Cooperation with the Universal Periodic Review

53. A high-level Iranian delegation, led by the Secretary of the High Council for Human Rights, participated in an interactive dialogue with the Islamic Republic of Iran as part of the third cycle of its universal periodic review, on 8 November 2019. The Secretary-General welcomes that engagement, including the submission of the national report of the Islamic Republic of Iran on the implementation of recommendations from the second review cycle.

54. During the review, the Government received 329 recommendations. It accepted 143, partially accepted 45, noted 18 and rejected 123 recommendations. The Government argued that it rejected or only noted some recommendations as they contradicted the laws of the country or because, despite their substantive important objectives, they contained inappropriate language and flawed assumptions (see [A/HRC/43/12/Add.1](#), para. 2).

55. The Secretary-General encourages the Government to actively include civil society actors and other relevant institutions and organizations and, if needed, to seek

[sanctions-hinder-its-access-to-drugs-and-medical-equipment/2020/03/28/0656a196-6aba-11ea-b199-3a9799c54512_story.html](#).

technical assistance from the United Nations for the implementation of recommendations.

C. Cooperation with the Human Rights Council special procedures

56. In March 2020, upon suspension of its forty-third session due to COVID-19, the Human Rights Council extended on an exceptional basis the mandate of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, with other expiring mandates, until the resumption of its forty-third session, scheduled for 15 June 2020. On 10 March 2020, the Special Rapporteur met with the Permanent Representative of the Islamic Republic of Iran to the United Nations Office at Geneva. The Secretary-General welcomes that engagement and encourages the Government to continue such dialogue and to invite the Special Rapporteur to visit the Islamic Republic of Iran. The Islamic Republic of Iran also provided comments on the reports of the Special Rapporteur.

57. In December 2019, the Government invited the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health to visit the Islamic Republic of Iran.

58. Between 14 November 2019 and 15 June 2020, special procedures mandate holders issued 6 public statements and 14 communications regarding the situation of human rights in the Islamic Republic of Iran. The Government has replied to two of those communications.¹⁴²

D. Cooperation with the Office of the United Nations High Commissioner for Human Rights

59. The Secretary-General welcomes the dialogue between the Government of the Islamic Republic of Iran and OHCHR and encourages the Government to continue and enhance its engagement with OHCHR in technical cooperation. The Government reiterated in its comments its willingness to pursue that engagement.

60. 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, and OHCHR seeks to pursue active engagement with the authorities on youth justice.

IV. Recommendations

61. **On the basis of the present report, the Secretary-General:**

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

(b) **Also urges the Government to ensure that international fair trial standards are met, notably by ensuring that all defendants, including those accused of crimes against national security, are given access to counsel of their choosing during the preliminary investigative stage and all subsequent stages of the judicial process;**

(c) **Further urges the Government to release immediately all persons detained arbitrarily for legitimately exercising their freedoms of opinion and expression, association and peaceful assembly, and ensure that security measures**

¹⁴² IRN 1/2019; IRN 4/2019; IRN 5/2019; IRN 7/2019; and IRN 8/2019.

in relation to future protests are undertaken in line with international standards, including the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials;

(d) Urges the Government to undertake a prompt, transparent and effective investigation by an independent and impartial body into the use of excessive and lethal force during protests as well as into deaths in custody and reports of torture or other ill-treatment, and prosecute and hold accountable State and law enforcement officials found responsible for issuing or carrying out the relevant orders;

(e) Also urges the Government to guarantee the right to freedom of opinion and expression, and ensure that any limitations to those rights offline and online is in line with the criteria for permissible restrictions under international human rights law;

(f) Further urges the Government to ensure that human rights defenders, lawyers, journalists, writers, labour rights activists, artists and environmentalists can perform their roles safely and freely, without fear of harassment, arrest, detention and prosecution, and extend the policy for temporary release of prisoners in the context of COVID-19 to all detainees who pose no threat to public safety;

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

(h) Also urges the Government to ensure the rights of all persons belonging to ethnic and religious minorities, address all forms of discrimination against them and immediately and unconditionally release all those imprisoned for exercising their right to freedom of religion or belief;

(i) Notes the economic and financial challenges experienced by the Islamic Republic of Iran and urges States that have imposed sanctions to take appropriate steps to ensure that measures such as humanitarian exemptions are given prompt, broad and practical effects in order to minimize their adverse consequences and impact on human rights;

(j) Calls upon the Government to ratify 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 International Labour Organization conventions, namely, the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98);

(k) Encourages the Government to submit outstanding periodic reports to treaty bodies, and calls upon the Government to implement the recommendations of the treaty bodies and special procedure mandate holders and to cooperate with the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran;

(l) Also encourages the Government to continue to engage with OHCHR in following up on all recommendations made in the reports of the

**Secretary-General and those of international human rights mechanisms,
including the universal periodic review.**
