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**Human Rights Committee****List of issues in relation to the fourth periodic report of the Islamic Republic of Iran\*****Constitutional and legal framework within which the Covenant is implemented (art. 2)**

1. With reference to the Committee's previous concluding observations,<sup>1</sup> please provide information on the measures taken to ensure that the provisions of the State party's internal norms are not invoked as justification for its failure to fulfil its obligations under the Covenant and to specify the status of international human rights treaties in domestic law. Please describe any efforts made in raising awareness of the Covenant among the public, government officials, judges, lawyers and prosecutors to ensure that its provisions are considered in domestic legal proceedings. Please indicate whether the State party intends to ratify the First Optional Protocol to the Covenant, which establishes an individual complaint mechanism.

2. With reference to the Committee's previous concluding observations<sup>2</sup> and the information provided by the State party,<sup>3</sup> please update the Committee on the steps taken towards promoting the independence of the existing human rights bodies in the State party, such as the Human Rights Council under the Judiciary, as well as establishing a comprehensive national human rights institution in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). In this respect, please report on the status of the bill for establishing the National Human Rights Institution.

**The fight against impunity and past human rights violations (arts. 2, 6, 7 and 14)**

3. With reference to the previous concluding observations<sup>4</sup> and information provided by the State party,<sup>5</sup> please provide detailed information on the investigations conducted into the alleged killings, torture and other ill-treatment during and following the 12 June 2009 presidential elections, and their outcomes. Please comment on reports that victims of past human rights violations and their relatives, lawyers or human rights defenders who call for accountability have been subjected to reprisals, including in relation to: (a) the imprisonment of Maryam Monfared who sought accountability for the enforced disappearance and execution of her relatives in 1988; (b) the attacks against and arrests of families of victims who were killed in prison and in the context of protests, including the November 2019 protests, such as imprisonment of Manouchehr Bakhtiari, the father of a protester killed in these protests; and (c) threats and harassment against those who are seeking accountability for their lost family members following the downing of Ukraine Airlines flight PS752.

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\* Adopted by the Committee at its 136th session (10 October–4 November 2022).

<sup>1</sup> [CCPR/C/IRN/CO/3](#), paras. 5-6.

<sup>2</sup> [CCPR/C/IRN/CO/3](#), para. 7.

<sup>3</sup> [CCPR/C/IRN/4](#), para. 11.

<sup>4</sup> [CCPR/C/IRN/CO/3](#), para. 15.

<sup>5</sup> [CCPR/C/IRN/4](#), para. 44.

**Anti-corruption measures (art. 2)**

4. Please describe the legal and institutional frameworks in place to prevent and combat corruption in the State party, including information on any plan to establish an independent oversight mechanism. Please provide information on specific steps taken to tackle corruption within governmental bodies, including the Islamic Revolutionary Guard Corps and those under the control of the Supreme Leader. Please include statistical information on the number of investigations, prosecutions, convictions of those found responsible and sentences handed down in corruption cases, during the reporting period and, in particular, in cases involving high-level public officials.

**Non-discrimination (arts. 2, 20 and 26)**

5. Please indicate whether the State party intends to adopt comprehensive anti-discrimination legislation and amendments to existing legislation that provide full and effective protection against direct, indirect and multiple discrimination in all spheres, including in the private sphere, on all the grounds prohibited under article 26 of the Covenant, and effective remedies in judicial and administrative proceedings for victims of discrimination. Please provide disaggregated data on complaints of discrimination brought before national courts and before any other complaints bodies during the reporting period, and include information about the basis of discrimination, the nature of the investigations conducted and their outcomes, and any forms of redress provided to victims. Please describe all measures taken to prevent and combat hate crimes and hate speech, particularly against members of religious minorities and lesbian, gay, bisexual and transgender individuals.

6. With reference to the Committee's previous concluding observations,<sup>6</sup> please report on steps taken or envisaged to decriminalize sexual relations between consenting adults of the same sex and abolish the death penalty for these acts, as well as to refrain from imposing the death penalty on human rights defenders who advocate for the rights of lesbian, gay, bisexual and transgender individuals, including on the charge of "corruption on earth". Please indicate the measures taken to: (a) eliminate and combat discriminatory attitudes and practices towards lesbian, gay, bisexual and transgender individuals, including with respect to access to employment, housing, education and health care; and (b) ensure that all cases of discrimination or violence against persons based on their sexual orientation or gender identity, including cases of police brutality, are properly investigated and sanctioned, including information on the outcomes of such cases.

**Gender equality (arts. 3 and 25–26)**

7. With reference to the Committee's previous recommendations,<sup>7</sup> please provide updated information on measures taken to amend or repeal discriminatory legal provisions concerning, inter alia, marriage, divorce, child custody, guardianship, inheritance and transfer of nationality to children, and remove the legal obligation for a woman to be obedient to her husband and the requirement for a husband's approval for women's departure from the country. Please indicate legislative and other measures taken to: (a) achieve the equitable representation of women in public and political life, especially senior decision-making positions such as the Supreme Leader, President, Head of the Judiciary, the Attorney General and the Head of the Supreme Court, and members of Guardian Council; and (b) explicitly state that all political and judicial positions, including the President and presiding judges, are open to women.

**Violence against women, including domestic violence (arts. 2–3, 6–7 and 26)**

8. With reference to the Committee's previous concluding observations,<sup>8</sup> please discuss the compatibility with the Covenant of the "Protection, Dignity and Security of Women against Violence" bill, particularly concerning its articles 31, 66, 71 and 77, which may increase the risk of women's exposure to violence, and comment on the failure to define

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<sup>6</sup> [CCPR/C/IRN/CO/3](#), para. 10.

<sup>7</sup> [CCPR/C/IRN/CO/3](#), para. 9.

<sup>8</sup> [CCPR/C/IRN/CO/3](#), para. 11.

domestic violence and criminalize marital rape in the bill. Please indicate the measures taken to eradicate the widespread practice of “honour killings” of women and girls, especially girls who marry at an early age, and other forms of violence committed in the name of “honour”, including information on the investigations conducted into such cases and the outcomes thereof. Please report on steps taken to provide victims of violence against women and girls, including domestic violence, with adequate support services and access to justice, and to increase the number and accessibility of shelters for these victims across the country. Please inform the Committee on any steps taken to prevent and combat harassment and violence against women who allegedly do not comply with hijab laws.

#### **Voluntary termination of pregnancy and sexual and reproductive rights (arts. 6–8)**

9. Please report on measures taken or envisaged to bring into line with the Covenant the Law on Youthful Population and Protection of Family, which was approved by the Guardian Council on 1 November 2021, and the directive of food and drug authorities, which was issued on 30 January 2022, in particular concerning their severe restrictions imposed on access to abortion, contraception, voluntary sterilization services and related information. Please respond to concerns that the risks of seeking and undergoing clandestine and unsafe procedures will increase owing to the requirement of approval from a three-person panel for therapeutic abortions as well as the imposition of death penalty for those who carry out abortions on a large scale. Please include information on the number of women, girls and medical practitioners who have faced criminal charges for seeking abortion or providing abortion services within the reporting period.

#### **Right to life (art. 6)**

10. In view of the Committee’s previous concluding observations,<sup>9</sup> please indicate steps taken to revise the Penal Code with a view to restricting the imposition of the death penalty to only the “most serious crimes”, within the meaning of article 6 (2) of the Covenant, and to abolishing the death penalty, particularly for children. In this respect, please discuss the compatibility with the Covenant of the imposition of the death penalty for charges including “spreading corruption on earth”, drug-related offences, adultery, same-sex relations, non-intentional murder, “baghy”, rape and “moharebeh”. Please provide statistical information for the reporting period, disaggregated by sex, age and ethnic origin, on the number of death sentences imposed, including against children, executions carried out, pardons and commutations requested and granted, the type of offences for which death sentences were imposed, and the number of prisoners currently on death row. Please comment on the reported lack of fair trial guarantees for defendants in death penalty cases, including the use of closed proceedings before the revolutionary courts, the low standard of evidence and use of *Qassameh* (sworn oath), and the restricted access of defendants to counsel.

11. Please describe the State party’s current legal framework governing the use of force and discuss any efforts made in bringing it into line with the Covenant and with the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (1990) and the United Nations Human Rights Guidance on Less-Lethal Weapons in Law Enforcement (2020). Please indicate measures taken to combat the excessive use of force by security, border and law enforcement officials, particularly against border couriers and women who are arrested and detained for allegedly violating hijab laws, including in the case of Mahsa Amini who died following her arrest by the morality police. Please describe the mechanisms in place to receive and investigate complaints of excessive use of force by security, border and law enforcement officials, including information on their independence and impartiality, and detail the investigations conducted into complaints of excessive use of force received during the reporting period, and their outcomes, including any remedies provided to the victims.

<sup>9</sup> [CCPR/C/IRN/CO/3](#), para. 12.

**Prohibition of torture and other cruel, inhuman or degrading treatment or punishment (art. 7)**

12. With reference to the Committee's previous concluding observations,<sup>10</sup> please report on legislative and other measures taken to address the widespread practice of torture and ill-treatment of persons deprived of liberty, particularly human rights defenders, journalists, political dissidents and those charged with drug-related offences. Please respond to reports that, in practice, forced confessions obtained under torture continue to be admitted in evidence, including in death penalty cases. Please detail any investigations conducted into deaths in custody, during the reporting period, owing to torture and ill-treatment, inhumane detention conditions and denial of medical care, including in the context of the COVID-19 pandemic, such as the cases of Mahsa Amini, Baktash Abtin, Adel Kianpour, Shahin Naseri and Amirhossein Hatami and the outcomes thereof, including any remedies provided to the victims.

13. With reference to the Committee's previous recommendations<sup>11</sup> and the information provided by the State party,<sup>12</sup> please report on any steps taken towards abolishing the imposition of corporal punishment by judicial and administrative authorities, in particular amputations, flogging and stoning. Please include statistical information, disaggregated by sex, age and ethnic origin, on the application of corporal punishment, particularly amputations and flogging during the reporting period. In light of the Committee's previous recommendations<sup>13</sup> and the information provided by the State party,<sup>14</sup> please indicate whether the State party intends to remove the legal defences for the use of corporal punishment against children in article 1179 of the Civil Code, article 7 of the Law on the Protection of Children and the Penal Code.

**Liberty and security of person (arts. 9 and 11)**

14. With reference to the Committee's previous concluding observations,<sup>15</sup> please report on the measures taken to reduce the length of pretrial detention and include disaggregated statistics on the number of individuals held in pretrial detention for the reporting period. Please comment on reports of incommunicado detention of, inter alia, journalists, human rights defenders, lawyers, members of minority groups, dissidents and protestors in unofficial places of detention without access to judicial authorities and without being afforded fundamental legal safeguards, including contact with family or access to counsel. Please respond to allegations of arbitrary arrests and detention of foreign and dual nationals on the basis of national security charges, including information on the number of such individuals currently detained in the State party. With reference to the information provided in the State party's report,<sup>16</sup> please inform the Committee on additional measures taken to ensure that persons are not imprisoned for their inability to fulfil contractual obligations, including relating to the payment of dowry, and provide updated statistics on the number of persons detained for such reasons.

**Treatment of persons deprived of their liberty (arts. 7 and 10)**

15. With reference to the Committee's previous concluding observations<sup>17</sup> and information provided by the State party,<sup>18</sup> please provide further information on the existing bodies that monitor places of detention, such as the Citizens' Rights Supervision Board, including detailed information on their mandates, structural independence, frequency of their visits to the places of detention and whether they have unimpeded access to all places of detention in the State party, including facilities under the control of the Islamic Revolutionary

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<sup>10</sup> [CCPR/C/IRN/CO/3](#), para. 14.

<sup>11</sup> [CCPR/C/IRN/CO/3](#), para. 16.

<sup>12</sup> [CCPR/C/IRN/4](#), para. 45.

<sup>13</sup> [CCPR/C/IRN/CO/3](#), para. 16.

<sup>14</sup> [CCPR/C/IRN/4](#), para. 45.

<sup>15</sup> [CCPR/C/IRN/CO/3](#), para. 18.

<sup>16</sup> [CCPR/C/IRN/4](#), para. 68.

<sup>17</sup> [CCPR/C/IRN/CO/3](#), para. 19.

<sup>18</sup> [CCPR/C/IRN/4](#), paras. 42 and 61.

Guard Corps and the Ministry of Intelligence, without prior notice. Please report on the progress made in improving the material conditions of detention in relation to hygiene, overcrowding and healthcare services, particularly in the context of the COVID-19 pandemic, in all places of deprivation of liberty, including secret detention centres under the control of the Ministry of Intelligence and the Intelligence Organization of the Islamic Revolutionary Guard Corps. In view of the Committee's previous concluding observations,<sup>19</sup> please respond to continuing reports of the use of prolonged solitary confinement, often without access to medical care.

#### **Elimination of slavery, servitude and trafficking in persons (arts. 2, 7–8, 24 and 26)**

16. With reference to the Committee's previous concluding observations<sup>20</sup> and information provided by the State party,<sup>21</sup> please indicate legislative and other measures taken to eliminate and combat trafficking in women and children, including for the purposes of sexual and labour exploitation and in the form of temporary marriages (or "*siqeh*"), including information on the status of the "Bill on fighting human and human organs trafficking and punishment for illicit carriers that transport persons across the borders of the country". Further to the statistics in the State party's report,<sup>22</sup> please detail the investigations conducted into cases of trafficking during the reporting period and outcomes thereof, including any remedies provided to the victims. Please describe any efforts made by the State party in eradicating child labour, including as garbage collectors.

#### **Right to freedom of movement (arts. 9, 12, 17 and 19)**

17. Please comment on reports of arbitrary international travel bans, including concerning human rights defenders, lawyers, journalists and dissidents. In this respect, please provide statistical information on the number of individuals banned from traveling abroad and the legal grounds for such bans in each individual case. Please also indicate any measures taken to ensure that women are not subjected to discriminatory restrictions on their freedom of movement.

#### **Access to justice, independence of the judiciary and fair trial (art. 14)**

18. With reference to the Committee's previous concluding observations,<sup>23</sup> please report on the measures taken to revise the procedure and criteria for the selection, appointment and dismissal of judges with a view to guaranteeing the full autonomy, independence and impartiality of the judiciary without undue pressure or interference from the executive branch and the clergy. In this respect, please explain how the Supreme Leader's appointment of the head of the judiciary who then directly appoints the head of the Supreme Court and the Prosecutor General, can ensure the independence and impartiality of judges and prosecutors. Please also discuss the compatibility with the Covenant of the requirement of particular religious and political affiliations to become and remain as a judge.

19. In view of the Committee's previous concluding observations,<sup>24</sup> please respond to: (a) continuing reports of the restricted access to legal counsel, especially during the investigative phase and for offences punishable by death; and (b) allegations that lawyers are often denied access to essential court documents, have limited visits to their clients and are subjected to harassment. Please report on the measures taken to ensure the respect of fair trial guarantees, as set out in article 14 of the Covenant, at the revolutionary courts where many activists, journalists, lawyers, human rights defenders and others are reportedly tried and convicted on drug offences or national security charges without due process, resulting in a high number of death sentences and summary executions.

<sup>19</sup> [CCPR/C/IRN/CO/3](#), para. 19.

<sup>20</sup> [CCPR/C/IRN/CO/3](#), para. 20.

<sup>21</sup> [CCPR/C/IRN/4](#), para. 48.

<sup>22</sup> [CCPR/C/IRN/4](#), para. 49.

<sup>23</sup> [CCPR/C/IRN/CO/3](#), para. 22.

<sup>24</sup> [CCPR/C/IRN/CO/3](#), para. 21.

**Treatment of aliens, including migrants, refugees and asylum seekers (arts. 6–7, 9, 12–13 and 24)**

20. With reference to the information provided by the State party,<sup>25</sup> please provide further information on specific measures taken to ensure that asylum claims and refugee status are determined on a case-by-case basis, in respect of the non-refoulement principle, particularly with respect to Afghans, and that a provision for appeals to be brought before an independent and impartial authority is guaranteed. Please comment on allegations concerning: (a) the increased number of deportations of Afghans, despite UNHCR's non-return advisory after the Taliban takeover in August 2021; (b) the arrests, pushback and excessive use of force by Iranian border officials against Afghan migrants, including information on such incidents on 2 May 2020, which led to the death of at least 10 people, including one child; and (c) the recruitment of Afghan migrants, including children, to fight in Syria.

**Right to privacy (art. 17)**

21. Please indicate the legal safeguards applied to the State party's surveillance regime and any existing independent oversight mechanisms in this regard. In this respect, please comment on allegations of targeted surveillance of journalists, human rights defenders, lawyers, political dissidents and minority rights activists, including those abroad, and provide information on investigations conducted into such allegations and their outcomes. Please discuss the compatibility with the Covenant of the Computer Crimes Law of 2010, which criminalizes the encryption of Internet communications by imposing liability without a requirement to show any harm caused by such encryption. Please also respond to concerns that the Regulatory System for Online Services Bill, also known as the User Protection Bill, would arbitrarily restrict access to the global internet and undermine the right to privacy by requiring social media platforms to cooperate with the Government in surveillance and censorship.

**Right to freedom of conscience and religious belief (art. 18)**

22. With reference to the Committee's previous concluding observations,<sup>26</sup> please respond to continuing reports of the restricted right to freedom of conscience and religious belief and discriminatory attitudes and practices against religious minorities, particularly those unrecognized by law, including through the prohibition of holding religious services in Farsi language, closing of houses of worship on national security grounds and arbitrary arrests and detention of religious minorities, including Christians, for their practice of religious beliefs. Please discuss the compatibility with the Covenant of the amendment made to the Penal Code in February 2021, which reportedly suppresses the freedom of religion as well as freedom of expression, including information on the number of individuals convicted under the amended articles 499 and 500 of the Code. Please respond to allegations of systematic targeting of members of the Baha'i religious minority, including through the application of overbroad and vague national security and espionage charges, arbitrary raids, arrests and detention, and the destruction or confiscation of their properties, including on the basis of article 49 of the Constitution.

**Freedom of expression (arts. 19–20)**

23. In view of the Committee's previous concluding observations<sup>27</sup> and the information provided by the State party,<sup>28</sup> please respond to reports of: (a) the continued censorship over media outlets and restrictions on online expression, including through shutting down the Internet and blocking social media platforms, especially during sensitive periods such as nationwide protests; (b) harassment, intimidation and attacks against and the arbitrary arrests and detention of journalists, human rights defenders, including minority and labour rights defenders, lawyers and dissidents, for exercising their right to freedom of expression, including of online expression; and (c) arbitrary arrests and detention of those who express

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<sup>25</sup> [CCPR/C/IRN/4](#), paras. 69-72.

<sup>26</sup> [CCPR/C/IRN/CO/3](#), paras. 23 and 24.

<sup>27</sup> [CCPR/C/IRN/CO/3](#), para. 27.

<sup>28</sup> [CCPR/C/IRN/4](#), paras. 111, 114, 123 and 126.



critical views about the Government, including the conviction on national security charges of five lawyers and human rights defenders who prepared to file a complaint concerning the Government response to the COVID-19 pandemic.

#### **Right of peaceful assembly (art. 21)**

24. Please respond to reports of: (a) the use of criminal provisions against protestors, such as national security charges, and the imposition of the death penalty and summary execution of protestors, such as Navid Afkari, without fair trial guarantees; (b) excessive use of force against and arbitrary arrest and detention of protestors, including children, particularly in the context of the nationwide protests in December 2017, January 2018, and November 2019, the protests over water shortage and food insecurity in 2021 and 2022, respectively, and the protests following the death of Mahsa Amini in September 2022, with continued impunity; and (c) internet disruptions or shutdowns during protests, including for the purpose of preventing access to information and information-sharing about the protests.

#### **Freedom of association (art. 22)**

25. With reference to the Committee's previous concluding observations<sup>29</sup> and the information provided by the State party,<sup>30</sup> please clarify whether the establishment of associations remains conditional upon compliance with "principles of Islam", which are not defined under national legislation. Please respond to continuing reports of restricted freedom of association, in particular through: (a) the involvement of the Ministry of Intelligence and the Ministry of the Interior in the registration procedure for non-governmental organizations, including statistical information on the number of registration requests received and that of approvals and rejections thereof during the reporting period; and (b) the involuntary closing of non-governmental organizations, such as the involuntary dissolution of Imam Ali Popular Student Relief Society, in 2022, and detention of its senior staff.

#### **Participation in public affairs (arts. 25–26)**

26. Please provide updated information on the legislative and other measures taken to ensure the holding of transparent and free elections and promote genuine political pluralism in the State party, including steps taken to revise articles 3 and 28, sections 1 and 3, of the Majlis Elections Act, as per the Committee's previous recommendations.<sup>31</sup> With reference to the information provided by the State party,<sup>32</sup> please discuss the compatibility with the Covenant the strict criteria for candidates standing for elections and the power of the Guardian Council to disqualify candidates, including information on the criteria used in approving only seven candidates and disqualifying 585 candidates for the 2021 presidential election as well as on the right and the procedure to challenge the Council's decision. Please report on any investigations conducted into allegations of harassment and arbitrary arrests of journalists and activists who called for a boycott of the elections and comment on media censorship, including online outlets, during election campaigns, such as during the Presidential election in 2021.

#### **Rights of minorities (art. 27)**

27. In light of the Committee's previous concluding observations<sup>33</sup> and information provided by the State party,<sup>34</sup> please provide updated information on measures taken to ensure that all members of minorities enjoy effective protection against discrimination and are able to enjoy their own culture and use their own language in media. In this respect, please comment on reports of arrests and use of national security charges against minority civil society actors for exercising their right to enjoy their own culture and use their own language, such as in the cases of Zara Mohammadi and Anisa Jafari-Mehr for teaching the Kurdish

<sup>29</sup> [CCPR/C/IRN/CO/3](#), para. 26.

<sup>30</sup> [CCPR/C/IRN/4](#), paras. 141-142.

<sup>31</sup> [CCPR/C/IRN/CO/3](#), para. 29.

<sup>32</sup> [CCPR/C/IRN/4](#), para. 156.

<sup>33</sup> [CCPR/C/IRN/CO/3](#), para. 30.

<sup>34</sup> [CCPR/C/IRN/4](#), paras. 192-195.

language and culture and of Abbas Lisani for advocating for the right to education in the mother tongue and protesting against Government policies. Please report on measures taken to address concerns relating to the disproportionate number of members of minority communities, in particular the Baluch and Kurdish minorities, who are affected by the imposition of the death penalty and arbitrary deprivation of life.

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