



# General Assembly

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## Seventy-seventh session

### Third Committee

Agenda item 68 (c)

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

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

#### **Situation of human rights in the Islamic Republic of Iran**

*The General Assembly,*

*Guided* by the Charter of the United Nations, as well as the Universal Declaration of Human Rights,<sup>1</sup> the International Covenants on Human Rights<sup>2</sup> and other international human rights instruments,

*Recalling* its previous resolutions on the situation of human rights in the Islamic Republic of Iran, the most recent of which is resolution [76/178](#) of 16 December 2021,

*Welcoming* the statements made by the Acting United Nations High Commissioner for Human Rights and special procedure mandate holders in September and October 2022, in which they noted concerns about the deteriorating human rights situation in the Islamic Republic of Iran,

1. *Takes note* of the report of the Secretary-General submitted pursuant to resolution [76/178](#)<sup>3</sup> and the report of the Special Rapporteur of the Human Rights Council on the situation of human rights in the Islamic Republic of Iran,<sup>4</sup> submitted pursuant to Council resolution [49/24](#) of 1 April 2022;<sup>5</sup>

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<sup>1</sup> Resolution [217 A \(III\)](#).

<sup>2</sup> Resolution [2200 A \(XXI\)](#), annex.

<sup>3</sup> [A/77/525](#).

<sup>4</sup> [A/77/181](#).

<sup>5</sup> See *Official Records of the General Assembly, Seventy-seventh Session, Supplement No. 53 (A/77/53)*, chap. VI, sect. A.



2. *Welcomes* the continuing efforts of the Islamic Republic of Iran to host one of the largest refugee populations in the world, including approximately 3.6 million Afghan refugees, and to provide them with access to basic services, in particular health care, including coronavirus disease (COVID-19) vaccinations, temporary work permits and education for children, and also welcomes the organization of a census of the Afghan population and a decision to grant newly documented Afghans six-month residence permits;

3. *Also welcomes* the approval of the Law for the Protection of the Rights of Persons with Disabilities and subsequent discussions regarding its implementation, while noting that the law remains unimplemented, and urges the authorities to work together with civil society and persons with disabilities to ensure that sufficient State funds are allocated for its implementation and monitoring;

4. *Further welcomes* the adoption of a bill to protect children and adolescents, noting the effort to prioritize children's education and facilitate virtual learning during the COVID-19 pandemic, calls upon the relevant Iranian authorities to fully implement the amendment to the Nationality Law, which gives Iranian women married to men with foreign nationality the right to request Iranian citizenship for their children under the age of 18 years, and emphasizes the importance of continuing discussions on prohibiting child, early and forced marriage, female genital mutilation, subjection of children to torture and other cruel, inhuman or degrading treatment or punishment, and increasing the age of majority for boys and girls in the Islamic Republic of Iran to 18 years;

5. *Welcomes* the engagement of the Islamic Republic of Iran with human rights treaty bodies, including through the submission of periodic reports, and notes in particular the engagement of the Government of the Islamic Republic of Iran with the Office of the United Nations High Commissioner for Human Rights, the Committee on the Rights of the Child and the Committee on the Rights of Persons with Disabilities and its participation in the universal periodic review;

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

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

8. *Acknowledges* the efforts of the Government of the Islamic Republic of Iran to mitigate the impact of the COVID-19 pandemic on human rights, in cooperation with international aid organizations, and welcomes the recent acceleration of the COVID-19 vaccination campaign;

9. *Expresses serious concern* at the alarmingly high frequency of the imposition of the death penalty and significant increase in the carrying-out of the death penalty by the Islamic Republic of Iran in violation of its international obligations, including executions undertaken against persons on the basis of forced confessions; reiterates the concern of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran that a number of offences carrying the death penalty do not qualify as the most serious crimes, including drug-related offences, as well as other actions provided under the penal code of the Islamic Republic of Iran, including adultery, same-sex relations, apostasy, blasphemy and

convictions for drinking alcohol,<sup>6</sup> as well as crimes that are overly broad or vaguely defined, which is in violation of the International Covenant on Civil and Political Rights;<sup>7</sup> expresses serious concern at the disproportionate application of the death penalty to persons belonging to minorities, who are particularly targeted for death sentences relating to their alleged involvement in political or religious groups; expresses concern at the continuing disregard for protections under Iranian law or internationally recognized safeguards relating to the imposition of the death penalty, including executions undertaken without prior notification of the prisoner's family members or legal counsel, as required by Iranian law, and calls upon the Government of the Islamic Republic of Iran to abolish, in law and in practice, public executions, which are contrary to the 2008 directive seeking to end this practice issued by the former head of the judiciary, and to consider establishing a moratorium on executions;

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

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

12. *Urges* the Islamic Republic of Iran to cease the widespread and systematic use of arbitrary arrests and detention, including the frequent use of this practice to target dual and foreign nationals, who in some cases reside overseas and may be prosecuted upon return, and the practices of enforced disappearance and incommunicado detention, to release those who have been arbitrarily detained and to account for the fate or whereabouts of those subjected to enforced disappearance and to hold those responsible to account, and to uphold, in law and in practice, procedural guarantees and other legal protections to ensure a fair trial, including timely access to legal representation of one's choice from the time of arrest through all stages of trials and appeals, being informed promptly and in detail, in a language that the accused speaks and understands, of the charges faced, and being provided consideration of bail and other reasonable terms for release from custody pending trial, and respect the prohibition of torture and other cruel, inhuman or degrading treatment or punishment, and calls upon the Islamic Republic of Iran to ensure that it meets its obligations under article 36 of the Vienna Convention on Consular Relations<sup>10</sup> in relation to communication with and access to nationals of sending States who are in prison, custody or detention;

13. *Calls upon* the Islamic Republic of Iran to address the poor conditions of prisons, recognizing the particular risks for prisoners in the context of COVID-19 and welcoming in this regard the initiative to temporarily furlough prisoners so as to

<sup>6</sup> A/77/181, para. 12.

<sup>7</sup> See resolution 2200 A (XXI), annex.

<sup>8</sup> United Nations, *Treaty Series*, vol. 1577, No. 27531.

<sup>9</sup> Resolution 70/175, annex.

<sup>10</sup> United Nations, *Treaty Series*, vol. 596, No. 8638.

mitigate the risks associated with COVID-19 in prisons, welcomes the adoption by the Prison Service of a new directive on prison conditions and the treatment of prisoners, which expressly forbids torture and other gender-based discrimination, and calls for its implementation, urges an end to the practice of deliberately denying prisoners access to adequate medical treatment and supplies, safe drinking water, sanitation and hygiene, or making such access contingent upon confession, calls upon the Islamic Republic of Iran to establish credible and independent prison oversight authorities to investigate reports of suspicious deaths in detention and complaints of abuse, and urges the relevant authorities to conduct transparent, independent, impartial investigations and ensure accountability;

14. *Strongly urges* the Islamic Republic of Iran to eliminate, in law and in practice, all forms of systemic discrimination and other human rights violations against women and girls; to take gender-responsive measures to prevent and ensure protection for women and girls against sexual and gender-based violence in all its forms, including sexual assault and intimate partner violence, including during the COVID-19 pandemic; to ensure women's and girls' equal protection and access to justice, including by preventing and prohibiting so-called honour killings and child, early and forced marriage, as recommended by the Committee on the Rights of the Child; to promote, support and enable women's and girls' full, equal and meaningful participation in political and other decision-making processes, and, while recognizing the high enrolment of women in all levels of education in the Islamic Republic of Iran, to lift restrictions on women's and girls' equal access to free, equitable primary and secondary education and remove legal, regulatory and cultural barriers to women's free, equal and meaningful participation in the labour market and in all aspects of economic, cultural, social and political life, including participation in and attendance at sporting events; expresses concern at the lack of developments on the adoption of the bill to protect women against violence and calls for its implementation; and expresses further concern that the entry into force of the bill on youth and protection of the family in November 2021 undermines the rights of women and girls to the enjoyment of the highest attainable standard of physical and mental health;

15. *Expresses serious concern* that the enforcement of the hijab and chastity law and its violent implementation by the Iranian morality police fundamentally undermines the human rights of women and girls, including the right to freedom of expression and opinion, and strongly urges the Islamic Republic of Iran to cease the use of excessive force, up to and including lethal force, in the enforcement of any policy contrary to the human rights of women and girls, as well as the use of force, and use of lethal force resulting in death, against peaceful protestors, including women and children, such as that in the aftermath of Mahsa Amini's arbitrary arrest and subsequent death while in custody, and reiterates the importance of prompt, thorough, independent, impartial and transparent investigations into all such instances in order to hold those responsible to account;

16. *Calls upon* the Islamic Republic of Iran to release persons detained for the exercise of their human rights and fundamental freedoms, including those who have been detained solely for taking part in peaceful protests, including the protests of November 2019, January 2020, November 2021, May 2022 and September to November 2022;

17. *Condemns* the widespread use of force against non-violent protestors, expresses concern at the bill proposed by the Government of the Islamic Republic of Iran on the use of firearms during protests and calls for its withdrawal, and calls upon the Iranian authorities to uphold the human rights of those involved in peaceful protests, to consider rescinding unduly harsh sentences, including those involving the death penalty and long-term internal exile, and to end reprisals against human rights

defenders, including women human rights defenders, peaceful protesters and their families, journalists and media workers covering the protests, and individuals who cooperate or attempt to cooperate with the United Nations human rights mechanisms, to investigate reprisals and instances of use of force with respect to peaceful protests and to hold those responsible to account, and emphasizes the commitments made by judicial authorities to review the cases of those arrested;

18. *Expresses serious concern* at the widespread restrictions on the rights to freedom of peaceful assembly and association and freedom of expression, and the use of excessive force with respect to the peaceful protests regarding water shortages in November 2021 and labour rights between March 2020 and July 2022, and calls upon the Islamic Republic of Iran to release human rights defenders working on labour and environmental issues and members of teachers associations subjected to arbitrary arrest and detention, and prison sentences, and urges the Government to address violations of the rights to social security and to just and favourable conditions of work, and to address wage arrears, denial of employee protections and benefits, unjustified dismissals and low worker wages, and to increase wages and pensions to ensure an adequate living standard;

19. *Strongly urges* the Islamic Republic of Iran to end violations of the rights to freedom of expression and of opinion, both online and offline, which includes the freedom to seek, receive and impart information, and to freedom of peaceful assembly and of association, including through Internet disruption practices such as shutting down networks and throttling access to the Internet, applications and services on mobile data, or measures to unlawfully or arbitrarily block or take down media websites and social networks, and other widespread restrictions on Internet access or dissemination of information online, and calls upon the Islamic Republic of Iran to withdraw the bill on protecting the rights of users in cyberspace as its implementation undermines the rights of individuals online;

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

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

22. *Calls upon* the Islamic Republic of Iran to release women human rights defenders imprisoned for exercising their rights, including the rights to freedom of association and peaceful assembly and the right to freedom of expression and opinion, and to take appropriate, robust and practical steps to protect women human rights defenders and guarantee their full enjoyment of all their human rights, recalls the positive, important and legitimate role of human rights defenders, including women human rights defenders, in promoting and protecting human rights and strengthening understanding, tolerance and peace, and urges the Islamic Republic of Iran to create

and support a safe, enabling and accessible and inclusive environment online and offline for their participation in all relevant activities;

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

24. *Expresses serious concern* about ongoing severe limitations and increasing restrictions on the right to freedom of thought, conscience, religion or belief, restrictions on the establishment of places of worship, undue restrictions on burials carried out in accordance with religious tenets, attacks against places of worship and burial and other human rights violations, including but not limited to the increased harassment, intimidation, persecution, arbitrary arrest and detention of, and incitement to hatred that leads to violence against, persons belonging to recognized and unrecognized religious minorities, including Christians (particularly converts from Islam), Gonabadi Dervishes, Jews, Sufi Muslims, Sunni Muslims, Yarsanis, Zoroastrians, and, in particular, Baha'is, who have been subjected to a sudden increase in persecution, who have faced increasing restrictions and systemic persecution by the Government of the Islamic Republic of Iran on account of their faith and have been reportedly subjected to mass arrests and lengthy prison sentences, as well as the arrest of prominent members and increased confiscation and destruction of property, and calls upon the Government to cease monitoring individuals on account of their religious identity, to release all religious practitioners imprisoned for their membership in or activities on behalf of a minority religious group, to cease the desecration of cemeteries and to ensure that everyone has the right to freedom of thought, conscience and religion or belief, including the freedom to have, to change or to adopt a religion or belief of their choice, in accordance with its obligations under the International Covenant on Civil and Political Rights;

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

26. *Also calls upon* the Islamic Republic of Iran to launch a comprehensive accountability process, including legal reforms, reiterating the importance of credible, independent and impartial investigations in response to all allegations of human rights violations, including excessive use of force, arbitrary arrest and detention, and torture and other cruel, inhuman or degrading treatment or punishment, including against dual nationals or foreign nationals, peaceful protesters and political prisoners, failure to respect fair trial guarantees, and the use of torture to extract confessions, and cases of suspicious deaths in custody, as well as long-standing violations involving the Iranian judiciary and security agencies, including enforced disappearances, extrajudicial executions and destruction of evidence and gravesites in relation to such violations, and calls upon the Government of the Islamic Republic of Iran to end

ongoing systemic impunity for such violations and ensure the availability of effective remedies for victims;

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

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

(a) Cooperating fully with the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, including by accepting the repeated requests made by the Special Rapporteur to visit the country in order to carry out the mandate;

(b) Increasing cooperation with other special procedures, including by facilitating long-standing requests for access to the country from thematic special procedure mandate holders, whose access to its territory has been restricted or denied, despite the standing invitation issued by the Islamic Republic of Iran, without imposing undue conditions upon those visits;

(c) Continuing to enhance its cooperation with the treaty bodies, including by submitting reports under the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination<sup>11</sup> and the International Covenant on Economic, Social and Cultural Rights;<sup>12</sup>

(d) Implementing all accepted universal periodic review recommendations from its first cycle, in 2010, its second cycle, in 2014, and its third cycle, in 2019, with the full and genuine participation of independent civil society and other stakeholders in the implementation process;

(e) Building upon the engagement of the Islamic Republic of Iran with the universal periodic review process by continuing to explore cooperation on human rights and justice reform with the United Nations, including the Office of the United Nations High Commissioner for Human Rights;

(f) Following through on its commitment to establish an independent national human rights institution, made in the context of its first, second and third universal periodic reviews by the Human Rights Council, with due regard for the recommendation of the Committee on Economic, Social and Cultural Rights;

29. *Also calls upon* the Islamic Republic of Iran to continue to translate the statements made by the President of the Islamic Republic of Iran with respect to human rights into concrete action that results in demonstrable improvements as soon as possible and to ensure that its national laws are consistent with its obligations under international human rights law and that they are implemented in accordance with its international obligations;

30. *Further calls upon* the Islamic Republic of Iran to address the substantive concerns highlighted in the reports of the Secretary-General and the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, as well as the specific calls to action found in previous resolutions of the General Assembly, and to respect fully its human rights obligations in law and in practice;

<sup>11</sup> Ibid., vol. 660, No. 9464.

<sup>12</sup> See resolution [2200 A \(XXI\)](#), annex.

31. *Strongly encourages* the relevant thematic special procedure mandate holders to pay particular attention to, with a view to investigating and reporting on, the human rights situation in the Islamic Republic of Iran;

32. *Requests* the Secretary-General to report to the General Assembly at its seventy-eighth session on the progress made in the implementation of the present resolution, including options and recommendations to improve its implementation, and to submit an interim report to the Human Rights Council at its fifty-third session;

33. *Decides* to continue its examination of the situation of human rights in the Islamic Republic of Iran at its seventy-eighth session under the item entitled "Promotion and protection of human rights".

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