

HUMAN RIGHTS COUNCIL

35th special session of the Human Rights Council on the deteriorating human rights situation in the Islamic Republic of Iran, especially with respect to women and children

24 November 2022

Background

On 11 November 2022, H.E. Ambassador Katharina Stasch, the Permanent Representative of the Federal Republic of Germany, and H.E. Ambassador Einar Gunnarsson, the Permanent Representative of Iceland, addressed a letter to the President of the Human Rights Council (HRC), requesting the Council to convene a special session **to address the deteriorating human rights situation in the Islamic Republic of Iran**. The request was supported by **17 member states and 27 observer states**. [Letter of request](#). The special session was scheduled to take place on **24 November 2022**, with a **resolution**, tabled by Germany and Iceland, to be adopted at the end of the debate.

Opening Statements

Mr. Volker Türk, United Nations High Commissioner for Human Rights:

Mr. Türk expressed deep admiration for the people of Iran, who along with their country's rich cultural and literary heritage have inspired him and Iran's hosting of Afghan refugees remains a true expression of international solidarity. Iran's authorities have a history of dealing with protests with **violence and repression** and what is happening is painful, with images of **children being killed, women being beaten, and people sentenced to death**. Iran is now in a **full-fledged human rights crisis**. The protests, sparked on 16 September following the death in custody of Jina Mahsa Amini, have expanded throughout the country, reportedly having taken place in over 150 cities and 140 universities in **all 31 provinces**. Security forces have responded to the protests by using lethal force against unarmed demonstrators and bystanders. The Islamic Revolutionary Guard Corps (IRGC) and Basij forces have used **live ammunition, birdshot and other metal pellets, teargas and batons**. A conservative estimate of the **death toll stands at over 300, including at least 40 children**. Minority regions continue to be disproportionately affected, especially in terms of casualties. Women, young people, and men across society are demanding change, an end to discriminatory laws and practices against women and girls, for the full respect of the rights and freedoms of all Iranians, for inclusion and equality, and for a better, more just future. Mr. Türk urged the Government and those in power to listen to them. According to reports, injured protesters fear going to hospital for risk of being arrested by the security forces. Around **14,000 people, including children, have been arrested**. Hundreds of university students have been summoned for questioning, threatened or suspended and barred from entering university campuses. Civil society actors have been targeted and arrested from their homes and workplaces, among them human rights defenders, journalists, and lawyers. Arrested protesters continue to be **denied access to a lawyer**. Many face national security charges with lengthy prison sentences. There are troubling reports of **physical and psychological torture and ill treatment** of protesters in detention to extract **forced confessions**, with some broadcast on State media. Families of victims are **harassed and targeted**. At least 21 people arrested in the context of the protests currently face the **death penalty** of which at least six have been sentenced to death on charges of *moharebeh* (enmity against God) and *efsad-e fel-arz* (corruption on earth), **inconsistent with international standards**. Protesters, civil society actors and journalists are labelled as **agents of enemies and foreign States**.

The OHCHR has received multiple communications from the Government regarding the events, including domestic investigations into Ms. Amini's death. Concerns remain that the **investigations have failed to meet international standards** of impartiality, independence and transparency. There is deep concern over the **alarming increase in the number of executions** since 2021, particularly for drug-related charges. At least 85 individuals who were children at the time of committing the alleged offence are currently on death row, two were executed this year. Mr. Türk urged the Government to

urgently implement the key **recommendations of the UPR**, which Iran has accepted, on guaranteeing the right to a fair trial, access to justice, ensuring freedom from torture in detention, and ensuring the rights of detainees, including access to medical treatment. He concluded that no society can be fossilized at a single point in time, and to attempt to do so against the will of its people is futile. He urged those holding power fully to respect the fundamental freedoms of expression, association and assembly, and to engage with the people of Iran about their vision for the future of their country: *“Change is inevitable. The way forward is meaningful reforms.”*

Mr. Javaid Rehman, *Special Rapporteur on the human rights situation in the Islamic Republic of Iran and on behalf of the Coordination Committee of Special Procedures:*

The death of Jina Mahsa Amini, a 22-year-old Kurdish woman in the custody of the so-called morality police on 16 September 2022, is the latest in a **long series of extreme violence** committed by Iranian authorities against women. It came a month after President Raisi signed a decree ordering further **repressive measures** for ‘improper hijab’. Women and girls took to the streets, demanding accountability for the death of Jina Mahsa and seeking an end to decades of systematic gender discriminatory laws, policies, and practices. In an unprecedented movement, fathers, sons and brothers joined women and girls under the banner of one slogan **“Zan, Zendegi, Azadi”, “Women Life, Freedom”**. Iranian people united across class, geographic and ethnic lines to demand a life in peace and dignity. Since the start of the protests, top State officials have instructed security forces to **violently repress** people. There has been no genuine willingness to engage in discussion with demonstrators. Protestors have been labelled as “enemy to confront”, “terrorist” or as **“foreign agent attempting to destabilize Iran”**. Both the head of the Judiciary and the President emphasized the need to act **“without leniency”** against protesters. There are at least **300 reported deaths** including at least **40 children** and **20 women and girls**. Oppressed **religious and ethnic minorities** have been paying the heaviest price. In the past week, crackdown on protests has intensified with at least **60 to 70 persons killed including five children**, most of them from **Kurdish areas**. Last week, three young boys were shot dead during a demonstration in the city of Izeh. At least four girls aged 16 and 17 were **beaten to death**. Security forces raided universities and student gatherings and fired **tear gas, metal pellets, and live ammunition** at students. **Over 15 000 people** have been arrested. Since 13 November, at least six people have been **sentenced to death** and at least 21 including one woman have been indicted on vague and broadly formulated criminal offences carrying the death penalty through **summary trials conducted behind closed doors**. These courts issuing most of the death sentences have been used for decades to sentence political activists, journalists, lawyers and human rights defenders on the basis of **forced confessions extracted through torture** and other forms of ill treatment. On 11 November, 227 parliamentarians called on the judiciary to pronounce **severe punishment** including sentences carrying the **death penalty**. Mr. Rehman urged the Iranian authorities to stop using the death penalty as a tool to squash protests reiterating our call to immediately release all peaceful protesters.

Furthermore, reporting on human rights violations has led to smear campaigns, threats, surveillance, arbitrary arrests, detentions, torture and ill-treatment in detention, including sexual abuse. There are accounts of officials **refusing to return the bodies** to their relatives until they committed in writing not to hold a funeral. Families have been forced to bury their loved ones in remote burial sites, often during the night and in the presence of intelligence agents. On 17 October, the CRC publicly expressed concern over **families being pressured** to declare that their children had died as a result of suicide. **Intimidation expands beyond Iranian borders** and the staff of major media outlets have been receiving death threats while their family members in Iran remain subjected to interrogations, arbitrary arrests, detentions and travel bans. Structural impunity remains. The Government has consistently presented unsubstantiated ‘reports’ and reiterated assertions claiming that Jina Mahsa did not die as a result of violence or beatings. The Government **refutes the killings of children** by security forces, claiming that they committed suicide, fell from a height, were poisoned or killed by anonymous “enemy agents”. There is a **complete absence of accountability** for crimes under international law and other serious human rights violations. The **judiciary acts as a repressive organ**

instead of an independent body from which victims can seek recourse. To conclude, Mr. Rehman reiterated the call on the HRC to fulfil its duty and hear the prolonged cries of victims for accountability.

Country Concerned:

Islamic Republic of Iran: *statement delivered by H.E. Ms. Khadijeh Karimi, Deputy of the Vice President for Women and Family Affairs of the Islamic Republic of Iran:* Deeply regrets that the HRC is abused again by some arrogant States to antagonize a UN Member State fully committed to promoting and protecting human rights. Using human rights as a political tool for the purposes of some Western countries is disgraceful and the move by Germany an orchestrated ploy for ulterior motives. Iranian people have been widely violated by the so called champions of human rights, imposing UCMs and supporting terrorist groups who have assassinated more than 17,000 Iranians. Expressing concern over human rights in Iran and holding a special session is fraudulent. Countries including the U.S, Germany, UK and France lack moral credibility. This year is the 35th anniversary the chemical attacks by Saddam’s



regime on Kurdish city of Sardasht in Iran. As Germany equipped Saddam’s regime with chemical weapons, they killed over 13,000 Iranian citizens and injured more than 100,000, including women and children, which constitutes a crime against humanity. Iran took necessary measures including an independent investigation to the death of Mahsa Amini, but before the formal announcement of the analysis, the hasty reaction of many western authorities turned the peaceful assemblies into violent protests, setting the ground for terrorist attacks in many cities. A

number of anti-Iran TV stations in the U.S. and UK provoked hatred and incited violence and terrorism. Instagram and WhatsApp are spreading disinformation through bogus accounts, showing tutorials on making Molotov cocktails. On 4 November 2022 millions of people marched in support of the Government. The champions of human rights are ignoring systematic violence against women and girls in their own countries and are silent about women’s situation in Yemen and Palestine. According to credible statistics and reports Iran has achieved a lot in empowering women and girls in the past decades with equal opportunities for women provided in all areas of personal and public life. Out of all students in public universities 56% are women, as well as thousands of judges, sports referees, professional athletes, and coaches are actively serving their country. These women are well qualified to decide on their own without the need for the interference of external forces.

(Image: Capture of 1st meeting.)

List of Speakers:

<p><u>Members of the Human Rights Council:</u></p> <p>Dignitaries: Ministers for Foreign Affairs of Germany, Luxembourg, Netherlands, and Vice-Minister of Foreign Affairs of Lithuania.</p> <p>Members: Germany, Luxembourg, Netherlands, Lithuania, Czechia (on behalf of the European Union), Finland (on behalf of the Nordic-Baltic countries), France, Japan, Venezuela, Mexico, United Kingdom, Brazil, Republic of Korea, Czechia, Paraguay, Argentina, Montenegro, China, Ukraine, Pakistan, United States, Cuba, Kazakhstan.</p> <p style="text-align: center;"><u>Observers:</u></p> <p>Dignitaries: Ministers for Foreign Affairs of Belgium, Iceland, Slovenia.</p> <p>Observers: Belgium, Iceland, Slovenia, Ecuador, Canada, Slovakia, Syrian Arab Republic, Liechtenstein, Chile, Costa Rica, Nicaragua, Colombia, Democratic People’s Republic of Korea, Portugal, Austria, Uruguay, Spain, Belarus, Ireland, Zimbabwe, Peru, Republic of Moldova, Australia, Albania, Timor-Leste, Switzerland, Israel, Sri Lanka, Russian Federation, Malta, New Zealand, Philippines, Egypt.</p> <p style="text-align: center;"><u>NHRIs and NGOs:</u></p> <p>Article 19 - International Centre Against Censorship, International Commission of Jurists, Organization for Defending Victims of Violence, Institute for NGO Research, Charitable Institute for Protecting Social Victims, Ensemble contre la Peine de Mort, Equality Now, Association for Women’s Rights in Development, Baha’i International Community, The Institute for Protection of Women’s Rights (IPWR), International Federation of Journalists, Iran Human Rights Documentation Center, International Humanist and Ethical Union, Front Line, The International Foundation for the</p>

Protection of Human Rights Defenders, Amnesty International, Advocates for Human Rights, International Lesbian and Gay Association, CIVICUS - World Alliance for Citizen Participation, United Nations Watch.

Summary of the Debate:

Statements by Members

The overwhelming majority of speakers voiced their solidarity and support for the brave people of Iran demanding their basic human rights and **strongly condemned the widespread and disproportionate use of force by the security forces against nonviolent protesters**, many voicing the call **“women, life, freedom”**. They demanded an immediate end to violence and killings, the release of all those arrested in the context of the protests, and an urgent moratorium on the death penalty. The speakers called for holding the **perpetrators of violence, including sexual and gender-based violence, accountable** and demanded **impartial investigations** into the death of Mahsa Amini in the hands of the security forces, as well as into the violence that followed. Many reminded that Iran is a party to the ICCPR¹ which includes the **absolute prohibition of torture**. Some speakers expressed concern over the severe **restrictions on internet access**, which is a clear violation of freedom of expression and freedom of association. The vast majority of speakers voiced their strong support to the holding of the special session and called for the Council to establish the FFM. Iran must uphold its international obligations to respect, protect and fulfil human rights.

The **European Union** said that they will continue to react firmly against violations of human rights in Iran and stand ready to engage with Iranian authorities to promote and protect human rights in the country. **United Kingdom** said that the deaths of all the women and girls who have lost their lives at the hands of the Iranian security services since Mahsa died will not be forgotten and continued that Iran must stop suppressing the voices of women and girls; end the appalling state-led violence; and bring justice for victims. The Minister for Foreign Affairs of **Germany**, H.E. Annalena Baerbock, called for **“justice for sisters, sons, mothers”**. She acknowledged the comments about singling one country out but reminded that a regime which uses its power to violate the rights of its own people is violating the very values of the UN. On the many occasions when Iran has been called to respect the rights stated in the ICCPR, to which Iran is a state party, the answer has been more violence, more deaths, and the continuing refusal to give the SR access to the country. Many other speakers, including the **Nordic-Baltic states**, joined the call to grant the SR full and unhindered access and called Iran to fully cooperate with the Council’s mechanisms. Minister for Foreign and European Affairs of **Luxembourg**, H.E. Jean Asselborn, referred to credible reports that accuse security forces of weaponizing sexual violence against women protesters, and called on the Iranian authorities to stop arbitrary arrests and indictments of peaceful protesters, journalists and human rights defenders. He continued that instead of listening to them, the authorities have once again chosen repression, and this Council must show that it has heard the demands of Iranian youth for dignity and freedom. The Minister for Foreign Affairs of **Netherlands**, H.E. Wopke Hoekstra, echoed the call for a transparent and impartial investigation into the violence and regretted that no significant steps had been taken. The Vice-Minister of Foreign Affairs of **Lithuania**, H.E. Mantas Adomėnas, deplored Iran’s supply of weapons to Russia’s brutal, unprovoked and unjustified war of aggression against Ukraine, which **Ukraine** echoed by stating that this undermines the international rules-based order. The **United States** was deeply disturbed by the detention and killing of children, condemned sham trials and commended the brave protestors standing for the principles on which the UN was founded. Many speakers urged Iran to listen to the views of its people, **Republic of Korea** stating that Iranian authorities must take heed of the grievances of its people and address the underlying causes through an inclusive dialogue. **Japan** said it remained open to dialogue with Iran to further exchange views on the efforts to improve its human rights situation.

Mexico, condemning any form of violence including based on gender, urged Iran to protect their people and guarantee non-repetition and access to justice. **Brazil** shared the concerns of the

¹ International Covenant on Civil and Political Rights

international community stating that violent repression of peaceful protestors is not in line with international standards. However, they would have preferred to rely on the mandate of the SR and not create a new one. **Paraguay** deeply regretted the repression and disproportionate use of force, with the civil population once again most affected. **Argentina** was particularly alarmed by the situation of women, girls and boys, human rights defenders, civil society activists, lawyers, journalists, students, educators and relatives of the protestors, calling Iran to end – in law and in practice, and in both public and private life – all forms of discrimination against women and girls and to respect all human rights, including the rights to liberty of opinion and expression, freedom of religion or belief, and peaceful assembly and association.

Five member states out of the 23 that took the floor refrained from condemning Iranian authorities, namely **China, Cuba, Kazakhstan, Pakistan** and **Venezuela**. They highlighted the importance of constructive dialogue and cooperation based on the consent of the country concerned, rejecting the interference of the Council in a state's internal affairs. They instead focused on issues such as the illegal UCMs, some calling a resolution imposed against the will of the country doomed to fail. **Cuba** said the session was an example of the discrimination and politization by Western states and their allies and highlighted the UPR as the appropriate mechanism for analyzing the situation. **Venezuela** voiced deep concern of the growing selectivity against countries of the Global South referring to a full-blown campaign of fake news which the international media voiced. **Pakistan** was "saddened by the loss of life" while noting Iran's efforts and requesting the Council not to further aggravate the situation, highlighting, as **Venezuela** and **China**, the importance of impartiality and objectivity. **Kazakhstan**, encouraging further collaboration, had taken note of the reports provided by Iran concerning the death of Mahsa Amini and called, along with China, for respecting the human rights development path chosen by each country. **China** further noted the efforts taken by Iran and the information provided, expressing confidence that the government can take care of the situation.

Statements by Observers

A vast majority of observer states joined the echo of deep concern over the human rights situation and voiced solidarity with the people of Iran, welcoming the holding of the special session and urging for the adoption of the draft resolution. Minister of Foreign Affairs of **Belgium**, H.E. Hadja Lahbib, joined the request for the Council to immediately establish a FFM to investigate the alleged human rights violations, including their gender aspects. Minister for Foreign Affairs of **Iceland**, H.E. Thordis Kolbrun Reykjadottir, said it was beyond comprehension that authorities in any country should choose to violate the human rights of their citizens so gravely, which they are obliged to protect. Minister of Foreign Affairs of **Slovenia**, H.E. Tanja Fajon, in full support of the resolution strongly condemned violent suppression of the protests and the severe abuse of power with killed children of particular concern. Several speakers, including **Switzerland, Australia, and Republic of Moldova**, voiced concern over the arbitrary arrest, detention, and the death penalties handed down to peaceful protestors, **Switzerland** calling them an instrument of repression. Several others, including **Albania, Australia, Austria, Chile, New Zealand, Peru, and Spain**, demanded accountability and independent investigations, **Portugal** calling the FFM an important step in this direction. Securing access to the internet and protecting human rights defenders, journalists, lawyers and minorities were also highlighted. Many speakers, including **Chile, Costa Rica, Liechtenstein, and Slovakia** and were horrified and concerned by the death penalties with others, including **Ireland, New Zealand, Spain, and Uruguay**, demanding an immediate moratorium. **Israel** said that the people were not fighting for outside powers but for justice.

Most speakers underscored the importance of protecting women and girls. **Costa Rica** said that violence against women and girls should be categorically deplored, all the more coming from the authorities. **Uruguay** highlighted worrying reports by the CRC of raids in schools with the aim of sending children participating in public demonstrations to "psychological centers". **The Philippines** attached high importance to the participation of women and children and the abolition of all structures and practices that perpetuate discrimination and inequality on the basis of gender. **Australia Egypt**

noted the importance of promoting the rights of women and girls and respecting the CRC, however the Council should not discuss situations without the support of the country concerned.

Some observers had a different viewpoint. The **Syrian Arab Republic** commended Iran's commitment to the promotion and protection of human rights and deplored the use of the Council as a political campaign ground. **Nicaragua** called the Council to not meddle in the internal affairs of countries and said Iran's respect for human rights was well known. **Zimbabwe** acknowledged the effort and progress made in Iran despite external obstacles such as the UCMs. The **DPRK** noted deep concern over singling out countries who did not align with the hegemonic interests of the West and **Belarus** joined the disaccord by calling the special session a blatant abuse of the Council stating that Iranian authorities were capable of addressing the situation in the interest of their people. **Sri Lanka** reiterated their position against country specific initiatives which are confrontational, counterproductive and undermine the spirit of cooperation. Finally, the **Russian Federation**, also calling the special session counterproductive, said it has nothing to do with the concern for human rights.

Statements by NGOs

Most of the NGOs stood in solidarity with the brave women, children, and all people of Iran facing violence and repression while demanding peacefully for their fundamental human rights. The speakers were deeply alarmed by the grave violations committed by the Iranian security forces in the intent to suppress the protests, with hundreds killed, including children, and thousands detained. At least six people connected to the protests have been sentenced to death based on vague charges after processes conducted behind closed doors. Many detainees have been tortured and forced to confessions. The speakers deplored the violent government crackdown and the related beatings, arbitrary arrests, and cases of SGBV, many voicing the call "women, life, freedom". Many highlighted the dire situation of human rights defenders, journalists, and lawyers, who have been arrested for representing protesters and activists.

Amnesty international highlighted the story of 10-year-old **Kian Pirfalak**, one of at least 43 children unlawfully killed by Iran's security forces since mid-September, further stating that while Iranian authorities in Geneva talk of restraint and de-escalation, killing more than 300 victims is not restraint, and seeking to execute protesters is not de-escalation. Before the security forces killed him, 16-year old **Artin Rahmani** wrote to his mother, *"I am deeply sorry, but I want to step onto a path which perhaps means you will not see me grow up."* **Ensemble contre la Peine de Mort** said that there is a risk of mass-executions of protestors, and that it was the UN has a responsibility to prevent such crimes from happening again. The organization further shared a few cases of the of at least 416 people, including 51 children, killed since Iranian citizens took to the streets. Several speakers highlighted the disproportionate effect on ethnic minorities and the **International Lesbian and Gay Association** shared their deep concern about SOGIESC being an aggravating element in issuing death sentences against the members of the LGBT community who have been arrested in the protests. **The Association for Women's Rights in Development** highlighted that while Kurds have played a significant role in the start and continuation of protests, they have paid a high price with over 100 dead, 10 of them under 18. According to the organization, in the past week alone 40 people were killed in Kurdish cities, where the IRGC used war artillery to attack unarmed citizens. Baluchistan and Iranian Kurdistan provinces have been particularly affected. **Baha'i International Community** stated that *"our hearts, and the heart of every unbiased observer, ache as we watch the loss of innocent human life in Iran"*. **The International Federation of Journalists**, among others, highlighted the situation of Iranian journalists who are not safe from death threats and abuse even outside the country. The speakers called Iran to end the crackdown on its own citizens and amend discriminatory laws and for the Council to adopt the draft resolution and establish the FFM. Moreover, they asked the international community to recognize the Iranian people's right to self-determination enshrined in the ICCPR. **United Nations Watch** crystallized the call from the NGOs in stating *"this is the moment for the United Nations to live up to its promise, by answering the desperate cries for help heard from Javanrud and Saqqez, to Tehran, Sistan and Baluchistan."*

A few speakers, including the **Organization for Defending Victims of Violence**, spoke of foreign interference and condemned efforts to push peaceful activism to violence, also recalling the negative effects of UCMs. **The Charitable Institute for Protecting Social Victims** called the special session an unfair and prejudicial process based on false information, and **The Institute for Protection of Women's Rights (IPWR)** echoed this by stating that the draft resolution is the product of misinformation.

Action on Draft Resolution:

[A/HRC/S.35/L.1](#): **"Deteriorating situation of human rights in the Islamic Republic of Iran"** (as orally revised)

Presented by Germany and Iceland: As women and men across Iran have peacefully protested for their rights, thousands have been arrested, detained and killed, including children. Given the human rights violations, including arbitrary arrests, gender-based violence, excessive use of force, torture and other inhumane treatment, the Council cannot turn away and stay silent. It must condemn violence against demonstrators. As party to the ICCPR, Iran has agreed to uphold and protect these rights. Iceland added that the FFM will investigate and preserve evidence about the current protests in Iran. The FFM will focus on women and children's rights, holding accountable those responsible for violations. The FFM will be the important first step towards such a goal.

HRC President: there are 31 additional co-sponsors.

General Comments on the Draft Resolution as orally revised: China (*proposes an oral amendment to delete OP7 on establishment of an FFM*)

General Comments on the Draft Resolution as orally revised and oral amendment proposed by China: United Kingdom, Czechia (*on behalf of the EU member states that are members of the Council*), United States, Ukraine, Finland, Lithuania

Country Concerned: Islamic Republic of Iran (does not support the draft)

PBIs: Yes (3,674,600 USD)

Voting on oral amendment

Views of Sponsors on oral amendment: Germany regrets no prior information of the amendment. The main sponsors do not support the amendment and call for a vote on it.

Explanation of Vote Prior to Vote: Germany, United Kingdom, Netherlands
The amendment was **rejected** with 6 in favor, 25 against and 15 abstained.

Explanation of Vote Prior to Vote: Pakistan (called for a vote), Luxembourg, Venezuela, Netherlands.

In favor: 25 (Argentina, Benin, Czechia, Finland, France, Gabon, Gambia, Germany, Honduras, Japan, Libya, Lithuania, Luxembourg, Marshall Islands, Mexico, Montenegro, Nepal, Netherlands, Paraguay, Poland, Republic of Korea, Somalia, Ukraine, United Kingdom, United States)

Against: 6 (Armenia, China, Cuba, Eritrea, Pakistan, Venezuela)

Abstentions: 16 (Bolivia, Brazil, Cameroon, Côte d'Ivoire, India, Indonesia, Kazakhstan, Malawi, Malaysia, Mauritania, Namibia, Qatar, Senegal, Sudan, United Arab Emirates, Uzbekistan)

Adopted by vote, with 25 votes in favor, 6 against and 16 abstentions.

Explanation of Vote After the Vote: Indonesia, Mexico, Sudan, Nepal.

For the full recordings of this session please refer to UN Web TV: [1st meeting](#) (3h 27min 24sec), [Action on Resolution](#) (01h 52min 08sec)