



International Covenant on Civil and Political Rights

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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,¹ 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 on the status of international human rights treaties in domestic law. Please describe any efforts made to raise 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 Optional Protocol to the Covenant, which establishes an individual complaint mechanism.
2. With reference to the Committee's previous concluding observations² and the information provided by the State party,³ 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.

Fight against impunity and past human rights violations (arts. 2, 6–7 and 14)

3. With reference to the previous concluding observations⁴ and the information provided by the State party,⁵ please provide detailed information on the investigations conducted into the alleged killings, torture and other ill-treatment perpetrated during and following the presidential elections held on 12 June 2009, and their outcomes. Please comment on reports that victims of past human rights violations and their relatives, lawyers or human rights defenders who have called 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 those held in November 2019, such as the imprisonment of Manouchehr Bakhtiari, the father of a protester killed in those protests; and (c) threats against and harassment of

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

¹ [CCPR/C/IRN/CO/3](#), paras. 5–6.

² *Ibid.*, para. 7.

³ [CCPR/C/IRN/4](#), para. 11.

⁴ [CCPR/C/IRN/CO/3](#), para. 15.

⁵ [CCPR/C/IRN/4](#), para. 44.



those who are seeking accountability for the killing of their family members when Ukraine International Airlines flight 752 was shot down on 8 January 2020.

Anti-corruption measures (art. 2)

4. Please describe the legal and institutional frameworks that have been put in place to prevent and combat corruption in the State party, including information on any plans to establish an independent oversight mechanism. Please provide information on specific steps taken to tackle corruption within government 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 and prosecutions, convictions of those found responsible and sentences handed down in corruption cases during the reporting period, particularly 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 in order to provide full and effective protection against direct, indirect and multiple discrimination in all spheres, including 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,⁶ please report on steps taken or planned to decriminalize sexual relations between consenting adults of the same sex and to abolish the death penalty for such 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 concluding observations,⁷ 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 to remove the legal obligation for a woman to be obedient to her husband and the requirement for a husband's approval for a woman's departure from the country. Please indicate the legislative and other measures that have been taken to: (a) achieve the equitable representation of women in public and political life, especially senior decision-making positions such as Supreme Leader, President, Head of the Judiciary, Attorney General, Head of the Supreme Court and members of the Guardian Council; and (b) explicitly state that all political and judicial positions, including those of President and presiding judges, are open to women.

⁶ CCPR/C/IRN/CO/3, para. 10.

⁷ Ibid., para. 9.

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

8. With reference to the Committee’s previous concluding observations,⁸ please comment on the compatibility with the Covenant of the bill on the protection, dignity and security of women against violence, particularly articles 31, 66, 71 and 77 therein, which may increase women’s risk of exposure to violence, and on the failure to define 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 victims throughout the country. Please provide the Committee with information about any steps that have been taken to prevent and combat harassment of and violence against women who allegedly do not comply with laws on the wearing of the hijab.

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 Youthful Population and Protection of the Family law, which was approved by the Guardian Council on 1 November 2021, and the directive of the food and drug authorities issued on 30 January 2022, particularly concerning the severe restrictions they impose on access to abortion, contraception, voluntary sterilization services and related information. Please respond to concerns that the risks inherent in seeking and undergoing clandestine and unsafe abortions will increase owing to the requirement for approval from a three-person panel for therapeutic abortions and the imposition of the 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 an abortion or providing abortion services within the reporting period.

Right to life (art. 6)

10. With reference to the Committee’s previous concluding observations,⁹ please indicate what steps have been 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 comment on 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* (armed rebellion), rape and *moharebeh* (taking up arms to take lives or property or to create fear among the public). Please provide statistical information for the reporting period, disaggregated by sex, age and ethnic origin, on the number of death sentences imposed, including on 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 comment on any efforts that have been made to bring it into line with the Covenant and with the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and the United Nations Human Rights Guidance on Less-Lethal Weapons in Law Enforcement. Please indicate the measures that have been 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 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

⁸ Ibid., para. 11.

⁹ Ibid., para. 12.

and law enforcement officials, including information on their independence and impartiality, and provide details of 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.

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

12. With reference to the Committee's previous concluding observations,¹⁰ please report on legislative and other measures taken to address the widespread practice of torture and ill-treatment of persons deprived of their 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 as evidence, including in death penalty cases. Please provide details of any investigations conducted into deaths in custody during the reporting period resulting from torture, ill-treatment, inhumane detention conditions and denial of medical care, including in the context of the coronavirus disease (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 concluding observations¹¹ and the information provided by the State party,¹² 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. Please indicate whether the State party intends to remove the legal defence of corporal punishment of children contained in article 1179 of the Civil Code, article 7 of the law on the protection of children and adolescents and the Penal Code.

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

14. With reference to the Committee's previous concluding observations,¹³ 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 during 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 them having access to judicial authorities and without them being afforded fundamental legal safeguards, including contact with family or access to counsel. Please respond to allegations of arbitrary arrest and detention of foreign and dual nationals on the basis of national security charges, including information on the number of individuals currently detained on such charges in the State party. With reference to the information provided by the State party,¹⁴ please provide the Committee with information 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 observations¹⁵ and the information provided by the State party,¹⁶ 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, their structural independence, the

¹⁰ Ibid., para. 14.

¹¹ Ibid., para. 16.

¹² CCPR/C/IRN/4, para. 45.

¹³ CCPR/C/IRN/CO/3, para. 18.

¹⁴ CCPR/C/IRN/4, para. 68.

¹⁵ CCPR/C/IRN/CO/3, para. 19.

¹⁶ CCPR/C/IRN/4, paras. 42 and 61.

frequency of their visits to places of detention and whether they have unimpeded access, without prior notice, to all places of detention in the State party, including facilities under the control of the Islamic Revolutionary Guard Corps and the Ministry of Intelligence. Please report on the progress made in improving the material conditions of detention in relation to hygiene, overcrowding and health-care 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. 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 observations¹⁷ and the information provided by the State party,¹⁸ please indicate what legislative and other measures have been 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 (*sijeh*), including information on the status of the bill on fighting trafficking in persons and human organ trafficking and punishment for illicit carriers that transport persons across the country's borders. Further to the statistics contained in the State party's report,¹⁹ please provide details of the investigations conducted into cases of trafficking in persons during the reporting period and the outcomes thereof, including any remedies provided to the victims. Please describe any efforts made by the State party to eradicate child labour, including the employment of children 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 on human rights defenders, lawyers, journalists and dissidents. In this respect, please provide statistical information on the number of individuals banned from travelling abroad and the legal grounds for such bans in the case of each individual. 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 right to a fair trial (art. 14)

18. With reference to the Committee's previous concluding observations,²⁰ 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 comment on the compatibility with the Covenant of the requirement to have particular religious and political affiliations in order to become and remain a judge.

19. With reference to the Committee's previous concluding observations,²¹ please respond to: (a) continuing reports of 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, limited in their ability to visit their clients and subjected to harassment. Please report on the measures taken to ensure respect for 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.

¹⁷ CCPR/C/IRN/CO/3, para. 20.

¹⁸ CCPR/C/IRN/4, para. 48.

¹⁹ Ibid., para. 49.

²⁰ CCPR/C/IRN/CO/3, para. 22.

²¹ Ibid., 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,²² 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 regard to Afghan citizens, and that a provision for appeals to be brought before an independent and impartial authority is guaranteed. Please comment on allegations that: (a) the number of Afghan citizens who have been deported has increased, despite the non-return advisory issued by the Office of the United Nations High Commissioner for Refugees after the Taliban takeover in August 2021; (b) Iranian border officials have arrested, pushed back and used excessive force against Afghan migrants, including on 2 May 2020, resulting in the death of at least 10 people, including one child; and (c) Afghan migrants, including children, have been recruited to fight in the Syrian Arab Republic.

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. Please comment on allegations of targeted surveillance of journalists, human rights defenders, lawyers, political dissidents and minority rights activists, including those living and working abroad, and provide information on investigations conducted into such allegations and their outcomes. Please comment on 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 that the encryption has caused any harm. Please also respond to concerns that the bill on a regulatory system for online services, 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,²³ 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 not recognized in law, including through the prohibition of holding religious services in Persian, 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 comment on the compatibility with the Covenant of the amendment made to the Penal Code in February 2021, which reportedly suppresses the freedom of religion and 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. With reference to the Committee's previous concluding observations²⁴ and the information provided by the State party,²⁵ please respond to reports of: (a) 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) attacks against and harassment, intimidation and 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

²² CCPR/C/IRN/4, paras. 69–72.

²³ CCPR/C/IRN/CO/3, paras. 23–24.

²⁴ Ibid., para. 27.

²⁵ CCPR/C/IRN/4, paras. 111, 114, 123 and 126.

expression, including online; and (c) arbitrary arrests and detention of those who express views critical of 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 shortages 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 observations²⁶ and the information provided by the State party,²⁷ please clarify whether the establishment of associations remains conditional upon compliance with principles of Islam that 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 the number 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's Popular Students Relief Society in 2022 and the 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 article 28 (1) and (3) of the Majlis Elections Act and article 3 of the Amendment to the Majlis Elections Act, in accordance with the Committee's previous concluding observations.²⁸ With reference to the information provided by the State party,²⁹ please comment on the compatibility with the Covenant of 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 7 candidates and disqualifying 585 others from the 2021 presidential election, and 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. With reference to the Committee's previous concluding observations³⁰ and the information provided by the State party,³¹ 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 the 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

²⁶ CCPR/C/IRN/CO/3, para. 26.

²⁷ CCPR/C/IRN/4, paras. 141–142.

²⁸ CCPR/C/IRN/CO/3, para. 29.

²⁹ CCPR/C/IRN/4, para. 156.

³⁰ CCPR/C/IRN/CO/3, para. 30.

³¹ CCPR/C/IRN/4, paras. 192–195.

culture and use their own language, such as in the cases of Zara Mohammadi and Anisa Jafari-Mehr for teaching the Kurdish language and culture and of Abbas Lisani for advocating for the right to mother tongue education 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.
