



In the Name of Allah  
the Compassionate, the Merciful

**Comments and Observations of the Islamic Republic of Iran on the report of  
Mr. Javaid Rehman to be presented to the 55th Session of the United Nations  
Human Rights Council - March 2024  
with the aim of enlightenment for countries**

The Islamic Republic of Iran considers the appointment of a Special Country Rapporteur that is the product of Resolutions based on the political goals of countries which, as evidenced by history, have had their hands stained with the blood of nations in the past, and are still supporting the massacre of tens of thousands of Palestinian children and women, as political and biased act.

Special Rapporteur on Iran (Mr. Javaid Rehman), who holds the citizenship of Britain as the main sponsor of this political and fictitious mission, and of course, the issue of conflict of interest has been raised from the beginning, showed no desire to consider the information, opinions and positions expressed by Iran, and, on the contrary, he unilaterally and merely spread and expressed his unfounded allegations and accusations against Iran. Projecting unrealistic and exaggerated statistics throughout the reports compiled and introduced by him over the past few years, and adopting of an approach that is completely contrary to the rules of conduct of special procedures, misled him out of the circle of independence and professionalism. Therefore, it was decided to share the views and considerations of the Islamic Republic of Iran, too, directly with the Members of the United Nations regarding the Mr. Rehman's recent report, as it was done for his previous three reports.

## A) Methodological issues of the report

- On the strength of Article 3 of the Code of Conduct for Special Procedures Mandate-holders of the Human Rights Council (A/HRCRES/5/2 adopted on 18 June 2007): “Mandate-holders are independent United Nations experts. While discharging their mandate, they shall: (a) Act in an independent capacity, and exercise their functions in accordance with their mandate, through a professional, impartial assessment of facts based on internationally recognized human rights standards, and free from any kind of extraneous influence, incitement, pressure, threat or interference”. Unfortunately, in Javaid Rehman’s report, the assumption of allegations made by some fugitive criminals, the sources related to terrorist groups hostile to the Iranian nation, the repetition of issues and cases to which necessary responses have already been provided – on the basis of which Javaid Rehman attributed a large volume of unjust accusations to the Islamic Republic of Iran.
- The reliance of the prepared report on fake information churned out by some sects and terrorist groups leaves no room for Javaid Rehman’s claim of impartiality. Deviating from the framework of assigned duties, taking an aggressive and insulting approach, and making broad unfounded claims and accusations with a brazen tone in the report in question is emblematic of his convergence with the political objectives of the sponsors of the Resolution to extend his mandate.
- The inappropriate and interventionist statements made by Javaid Rehman to support the criminals who endangered the safety of society and killed or injured passers-by, ordinary citizens, and law enforcement personnel with arms blanches and firearms, have no purpose other than exonerating rioters and, in fact, supporting impunity and granting immunity to the offenders.
- Despite the fact that according to the provisions of the Human Rights Council Resolution 52/27, the mandate of Javaid Rehman is specifically to: “Report on the Situation of Human Rights in the Islamic Republic of Iran”, from a logical

point of view, in addition to mentioning accusations and claims about violations of human rights, the cases of protection and improvement of the human rights situation should also be raised. But unfortunately, regardless of the truth or falsity of the claims and accusations contained therein, the report is purposefully focused on a range of misleading and unconfirmed information; and the efforts, measures, and actions resulting in improving the situation of human rights in the Islamic Republic of Iran have no place therein. This is while the Government of the Islamic Republic of Iran continuously spares no effort to promote and protect the human rights of its citizens and has made significant progress and achievements in this regard; however, such positive cases are not reflected in the reports, or they are presented incompletely and with misleading analyzes and biased interpretations.

- The reliance of the reports on false information obtained from fugitive criminals and terrorist groups – in addition to calling into question Javaid Rehman’s credibility, stability, goodwill, independence, and impartiality – has caused him to reach false conclusions based on fabricated data. The report is entirely contrary to the principles, criteria, and requirements set out in Resolution 5/2 adopted by the Human Rights Council on 18 June 2007 and annex thereto, the Code of Conduct of Special Procedures Mandate-holders of the Human Rights Council, in particular Articles 6 and 8 on the “necessity of obtaining facts through objective and reliable information from reliable sources” and “observing the principles of transparency, impartiality and prudence in collecting information”. On average, only about 3 percent of the information sources mentioned in the reports are from Iran’s domestic sources. Accordingly, this is enough to completely undermine and call into question the credibility of such reports, all of which fail to provide any valid, fair, and impartial assessment of the human rights situation in the Islamic Republic of Iran.
- In his reports, Javaid Rehman has always refrained from pointing out the negative, destructive, and deadly impacts of the illegal, cruel, and criminal

unilateral coercive measures of the United States of America on the Iranian people's enjoyment of human rights and the international responsibility of the said government. This is an indication of the fact that his mandate was established purely based on political objectives. Not only did he show no will to address this issue in any of his previous reports, but in his latest report (paragraph 96), the foregoing person rudely asked the international community to press ahead with their sanctions, which have never been targeted, and the adverse consequences of which have violated the most fundamental rights of the Iranian nation. His terrible ignorance of the death of dozens of children and hundreds of innocent patients who died due to the lack of access to pharmaceuticals and medical equipment as a result of the United States' unilateral coercive measures – which is a clear violation of the "right to life" and the "right to health" of thousands of Iranian citizens – cannot be justified in any way. It is deplorable that Javaid Rehman has never joined any statement condemning the unilateral coercive measures, but his name is reflected in all other statements issued against the Islamic Republic of Iran.

- Javaid Rehman has also deliberately ignored the adverse effects of terrorist acts on the Iranian people's enjoyment of human rights and turned a blind eye to the responsibility of the perpetrators and supporters of such heinous acts that have claimed the lives of more than 17,000 innocent people over the past four decades.
- The UN Special Procedures Mandate-holder shall avoid the fall of their mandate as a tool into the hands of terrorist and hostile groups and those with political agendas. Such an approach is against the Code of Conduct for the Special Procedures Mandate-holders of the Human Rights Council. Unfortunately, Javaid Rehman has turned his mandate into a political tool against the Islamic Republic of Iran and the Iranian nation. It has also become a platform for terrorist and hostile groups.

## b) Content issues of the report

## Paragraphs 8 to 13

The statistics presented in the mentioned paragraphs are not correct. But it seems necessary to mention a few points about the allegations:

- It is no secret that the death penalty is a legal punishment that no consensus has been established in the international community on its elimination, and there is no legally enforceable and international document in this field. Moreover, in accordance with the provisions of recognized international laws and regulations, notably the International Covenant on Civil and Political Rights, the Islamic Republic of Iran applies the death penalty only to the most serious crimes (homicide, terrorist acts, and massive organized drug trafficking).
- According to official statistics, 90% of the world's opium, 72% of the world's morphine and 20% of the world's heroin are discovered in Iran. It should also be noted that as a result of drug abuse, about 4 thousand people die in Iran every year. Therefore, the policy of Iran in handling the issue drugs is a definite policy based on serious threats caused by this recondite problem. So far, nearly 4,000 law enforcement agents have been martyred and about 12,000 have been injured in the fight against drug trafficking. This issue has caused planning to deal with drug trafficking to be of strategic importance for our country. As the main partner of the policy and programs of the United Nations Office against Narcotics and Crime in West Asia and thanks to its tremendous efforts it in this struggle, Iran has been repeatedly recognized by the executive directors of this office as the standard bearer of the international fight against drugs.
- In paragraph 10, an allegation is made, without any basis that the criminal laws of the Islamic Republic of Iran have anticipated the death penalty for more than 80 crimes, which is baseless and may not be confirmed.

- According to the criminal laws of the Islamic Republic of Iran, the criminal courts competent to issue capital punishment sentences issue sentences with a multi-judge system (3 judges). Also, it is illegal to process criminal charges in such courts without the presence of a lawyer. Even if the accused can't afford a lawyer, the judiciary is required to appoint a lawyer for them, both during the preliminary investigation stage and during the trial of the crime in the court. The decision of these courts is reviewed in the branches of the Supreme Court with the presence of prominent and high-ranking judges (the principle of plurality of judges). In addition to the above-mentioned regular methods, extraordinary methods are also provided in the law for re-examination of final sentences (re-trial) if the relevant legal criteria are met. The deployment of a mechanism to petition for a retrial from the Supreme Court according to Article 474 of the Code of Criminal Procedure, the possibility of overruling the sentence through the application of Article 477 of the aforementioned law by the head of the judiciary (in case the sentence is found to be against Sharia), once the previous proceedings have been completed and the special oversight functions of the Office of Citizen Rights of the Judiciary and the Human Rights Headquarters of the Islamic Republic of Iran to ensure a due process for death penalty, cases all indicate that the Iranian judicial system is moving in the direction of limiting the application of the death penalty to the most serious crimes.
- According to Article 38 of the Constitution of the Islamic Republic of Iran, any torture to extract a confession or information is prohibited. Forcing a person to testify, confess, or swear is not allowed, and such testimony, confession, and oath possess no value and validity, and the violator of this principle will be punished according to the law. Also, as per Article 578 of the Islamic Penal Code approved in 2013, "Any judicial or non-judicial government employee and official who tortures or physically harasses an accused person in order to force them to confess, in addition to retribution or payment of dowry, shall be imprisoned from six months to three years. If someone has given an order in

this regard, only the one who gave the order will be sentenced to the aforementioned imprisonment. If the accused dies due to torture and ill-treatment, the agent will be punished as the murderer and the enabler will be punished as the perpetrator of the murder". Therefore, it is not possible to obtain a confession from a person by force or any other means, and this confession has no legal basis. The accused has the right to remain silent in front of the investigator's questions, and it is the investigator who must present their evidence that the person is guilty. Furthermore, in Article 197 of the Criminal Procedure Law, the legislator has clearly stated that the accused can remain silent. In this case, the extent of his refusal to answer or sign the statement will be recorded in the minutes of the meeting.

- Regarding the allegation that those sentenced to capital punishment are disproportionately from ethnic and religious minority communities, it should be noted that there is no difference between minority and non-minority anywhere in the law. In addition, the Iranian society is a multi-ethnic society with ancient cultural and religious blend. There are multiple ethnicities living in Iran. Therefore attribution of the term "minorities"; to them is not in conformity with this background. so drug criminals, Iranian and otherwise, from whatever ethnic group or practicing whatever religion or faith are equal before the law

## Paragraphs 12 to 14

In relation to the execution of a number of convicts related to the riots after September 2022, it seems necessary to remember a few points:

- The targeted and long-term plots constructed and hatched by the enemies of the Islamic Republic of Iran to spark unrest and incite the rioters in the Country, including through disseminating fake news, orchestrating acts of terror and destruction, commanding the direct presence of operatives and

terrorist groups in the street riots to destroy public property, and providing various equipment to confront the police and incendiaries for setting fire to public and personal buildings, property and vehicles, are all part of a pre-planned scenario developed by the adversaries of the Islamic Republic of Iran in parallel with the United States' illegitimate and cruel sanctions against the Iranian nation.

- When the United States and certain Western countries failed to achieve their objectives against the Islamic Republic of Iran by applying or implementing cruel and illegal unilateral sanctions, they turned from the strategy of maximum pressure to a hybrid war. The saddening death of Mahsa Amini on 16 September 2022 caused these countries to ratchet up and implement their complex plot in a hybrid war that was supposed to commence under various pretexts. Therefore, Albeit the official reports produced by the Legal Medicine Organization, the Islamic Consultative Assembly (Parliament), and the Law Enforcement Command of the Islamic Republic of Iran, as well as the expert medical opinions, proved that, Mrs. Mehsa Amini's death was not caused by hitting her head or vital organs, the riots however started – and basically, the issue of the deceased herself was forgotten. Peaceful protests quickly morphed into illegal processes and street riots due to negative media hype created by terrorist media outlets, including BBC and Iran International. Within a short period, and following the engagement of a network of professional and organized rioters egged on by the UK-based anti-Iran media outlet, the peaceful protests morphed into riots and acts of terror. Launching direct attacks on security, military, and law enforcement centers, executing the killing scheme among the protesting crowd, destroying medical centers and ambulances, as well as widespread vandalism of public places such as municipalities, fire engines, mosques, banks, and private property were put on the agenda.
- The countries in question also sought to devise a pretext to deprive the people of comfort and spread unrest on the streets by resorting to widespread

psychological warfare, killing schemes, building consensus among anti-Iranian groups, and using social media networks. Therefore, what was before people's eyes today was not civil protests, but destruction, violence, and insecurity by a rioting minority, which laid the groundwork for the entry and abuse of terrorist groups to carry out brutal attacks on innocent compatriots – two cases in point are the terrorist attacks in Shiraz's holy shrine of Shah Cheragh and Izeh. Investigations by the relevant authorities show that the rioters have killed several law enforcement forces and ordinary people. Moreover, during these incidents, damages worth thousands of billions of Tomans have been caused to Government, public and private centers. The Investigation Committee of the Ministry of Interior has been obliged to accurately and separately estimate the material and spiritual damages and determine the compensation method.

- As it was said before, the execution of the sentences of a handful of those convicted of last year's riots was not due to their participation in the protests. Committing murder and creating terror among people are clear examples of terrorist crimes. Undoubtedly, raising the issue of these people under the title of "execution in relation to protests" without paying attention to the facts of their cases, which have been clarified in numerous occasions in the form of responses to special procedures reports and correspondence, is an act of media propaganda for the interests of anti-Iranian groups.
- These people were arrested and convicted on the basis of documents and convincing evidence and after going through the legal procedures (hearing the defenses of the defendants and their lawyers and reviewing the sentences issued by the Supreme Judicial Authority). Necessary explanations are given regarding the criminal actions and the judicial proceedings in the case of Mr. Milad Zahrevand:

## The account of the criminal act

At 8 p.m. of October 26, 2022, following the report of a shooting and show of force with firearms in one of the intersections of Malair city of Hamedan province (Shahid Mousavi Street), law enforcement and security officers were dispatched to the place. Once the officers got to the place, they noticed three white Peugeot Pars cars, which were occupied by about ten men who covered their heads and faces with black cloth. Upon seeing the police officers and scared of the possibility of identification, the perpetrators who were known to the police fled in two Peugeot Pars cars while the driver of the third car abandoned his vehicle and ran away. To check the abandoned vehicle out of duty, a police officer moved towards the car unarmed under the impression that the car had no occupants. The convict Milad Zohreh Vand, who was hiding inside the car, opened fire at the security forces with a firearm (pump-action shotgun), which eventually led to the martyrdom of one of the security forces named Ali Nazari after which the perpetrator escaped the scene.

## Identification and arrest

Following this bitter and unfortunate incident, a case was immediately filed in the Criminal Affairs and Special Crimes of Prosecutor's Office and the necessary judicial orders were issued to investigate the dimensions of the incident and identify and arrest the perpetrator. Later, with the coordination between the judicial and law enforcement authorities, a number of thugs and mobs who were involved in the incident were arrested. Finally, the main defendant who had fled to Markazi province was arrested in Arak city on the charges of deliberate murder of Mr. Ali Nazari, possession of unlicensed firearms, etc. based on a judicial order and after the identification of his hiding place. The defendant received an explanation of charges and then was transferred to the detention center according to the provisions of the Code of Criminal Procedure once the course of legal proceedings had been completed.

## Investigation and indictment

Following the arrest, an investigation was initiated in the investigation branch of the prosecutor's office to reveal the hidden aspects of the matter. By virtue of undeniable evidence, proofs and documents, statements of witnesses, some

explicit confessions of the defendant and after receiving the last defenses by the inspector, the end of the investigation was announced and the final order of detention and indictment of the defendant on the charges of intentional murder of Mr. Ali Nazari and possession of an unlicensed Winchester hunting weapon and its ammunition was issued where the case was sent to a competent court.

### Proceedings leading to a death sentence

After sending the case to the competent court, it was processed in accordance with all the relevant regulations, laws and international standards of proceedings contained in Article 14 of the International Covenant on Civil and Political Rights, including the appealability of court decisions, the handling of accusations by multiple judges, the principle of presumption of innocence, etc. After receiving the last legal defenses of the defendant and his lawyer in several hearings, the court announced the end of the proceedings by taking into account the existing laws, all the contents and materials of the case and undisputed evidence and proofs, finding the defendant guilty beyond any reasonable doubt. Based on articles 205 and 206 of the Islamic Penal Code and at the request of the blood avengers, the defendant was sentenced to capital punishment for the intentional murder of martyr Nazari and 6 months of incarceration on the charge of carrying and possession of unlicensed firearms based on article 6 of the Arms Penalty Law.

### Appealing the decision and the Supreme Court's upholding of the sentence

The sentence could be appealed in the Supreme Court of the country and according to the law which was communicated to the defendant and his lawyer. As the convict and his defense lawyer lodged an appeal, the case was forwarded to the Supreme Court (with the presence of 3 high-ranking judges) for a detailed examination. However, compliance of the decision with all the principles and rules of due process, the relevant regulations and finally, its compatibility with the Shari'a and legal standards prompted the Supreme Court to uphold the ruling and approval of its execution.

## The process of execution of the sentence

The sentence was executed on November 23, 2023 in the central prison of Hamadan city after completing all the formalities and complying with the Shari'a and legal standards. It should be noted that 48 hours before the execution of the sentence, the family and the lawyer were formally notified about the execution of the sentence.

## Rejection of the allegation of torture

The allegation of torture and extracting forced confessions in the trial process is pure falsehood as the sentence was issued based on the indisputable documents and evidence in the case. In this regard, it should be pointed out that Article 38 of the Constitution prohibits any kind of torture, while according to Articles 570, 578, 579 and 587 of the Iranian Penal Code and the Single Articles of the Law on Honoring Legitimate Freedoms and Protecting Citizen Rights, the perpetrators of torture and other ill-treatments will be seriously punished. In addition, in order to monitor the proper implementation of this law, according to paragraph 15 of the Executive Directive and in cooperation with the provincial supervision boards, the Central Oversight Board carries out the necessary supervision and inspections and deals with any possible violation or commission of crimes. In addition, any possible confession or information obtained from defendant by exercise of torture and mistreatment is invalid.

## Access to a lawyer

According to the contents of the case, the defendant enjoyed the right to access to a lawyer at all stages of the proceedings, while the lawyer, not only presented defense bills to the court, but also defended his client during all the hearings. It should be noted that according to the note of Article 48 of the Code of Criminal Procedure (approved in 2013), in internal and external security crimes as well as organized crimes whose punishment is covered by Article 302 of this law, in the preliminary investigation stage, the parties to the lawsuit, choose their lawyer(s) from among the certified lawyers of the judiciary who have already been approved by the Head of the Judiciary.

## Compliance of the issuance and execution of the sentence with international laws

The International Covenant on Civil and Political Rights in paragraph 2 of article 6 regarding the right to life stipulates as follows" In countries which have not abolished the death penalty, sentence of death may be imposed only for the most serious crimes in accordance with the law in force at the time of the commission of the crime and not contrary to the provisions of the present Covenant and to the Convention on the Prevention and Punishment of the Crime of Genocide. This penalty can only be carried out pursuant to a final judgment rendered by a competent court". As regards the compliance of these conditions with the present case, it should be noted that according the explanations provided herein demonstrate that the crimes committed by Milad Zohreh Vand are among the crimes that took the lives of some people and threatened public order and security. Few international lawyers and experts also disagree with the point that such crimes are among the examples of "the most serious crimes". The second condition mentioned in Clause 2 of Article 6 of the Covenant regarding the application of punishment based on the law at the time of committing the act has been fully observed in this case. The aforementioned sentence was issued based on the provisions of the Islamic Penal Code. This ruling does not come into conflict with other provisions of the International Covenant on Civil and Political Rights and the Convention on the Prohibition of Genocide. Also, the fourth condition regarding the issuance of the sentence by the competent court, as explained, has been strictly observed in this case. Therefore, based on the above explanations, it can be concluded that the sentence issued is in full compliance with the laws and regulations of the Islamic Republic of Iran, as well as the country's international obligations, including the International Covenant on Civil and Political Rights. Therefore, Milad Zohreh Vand has been sentenced to death penalty for committing intentional murder, which is one of the most serious crimes. Also, considering that it was a private right, this punishment was executed at the request of parents of the victim as recognized blood avengers.

## Paragraphs 15 & 16

Regarding the allegations related to the implementation of the death penalty for criminals less than 18 years of age, it is stated that:

- First, the Convention on the Rights of the Child does not declare the age of 18 as a definitive and mandatory age and allows domestic laws to determine another age as the age of majority. Article 1 of the Convention stipulates: "For the purposes of this Convention, a child is a human being under the age of 18, unless the age of puberty is determined to be lower according to the law applicable to the child." Therefore, the age of 18 is not an absolute requirement according to the Convention on the Rights of the Child.
- Second, in light of Islamic and humanitarian considerations and compassion, Islamic Republic of Iran has shown much leniency toward offenders under age of 18. Cases relating to these offenders are heard by a special court and alternative punitive measures, minimum and light sentencing are applied. Only for the offence of intentional homicide, offenders under 18 are tried by "First Provincial Criminal Court" in presence of three judges. According to the law and Islamic Sharia punishment for the offence of intentional homicide is Qisas. Function of the government in such cases is to prove and show that the homicide was intentional and premeditated, and enforcement of Qisas is only upon the request by the "owner of blood". Current practice requires that after final ruling by courts and its approval by the Supreme Court extensive efforts shall be made by Reconciliation Commission to acquire the consent of "owner of blood" in order to change Qisas ruling into payment of blood money. Over the past recent years many lives have been saved by not applying Qisas rulings.
- General policy of the Islamic republic of Iran is to encourage reconciliation, even by providing financial grants for payment of blood money. This is the predominant and main course of action to deal with this group of offenders. In providing financial assistance, financial strength of the next of kin is taken into consideration by the Reconciliation Commission. Judiciary Branch has also

created a new working group under the title of Prevention of Capital Punishment. This working group is under the umbrella of Executive Committee for Protection of Rights of Child and Juveniles and operates from Department of Justice of Province of Tehran and other provinces of the country. The purpose of this group is to persuade close relatives of the homicide victims to forego the right of qisas. This group can even attempt and intervene during court trials to receive consent of “owners of blood” to waive their right of qisas. This working group has members from Rights of the Child National Authority, a psychologist from Juveniles Correctional Center, a lawyer with practice in children’s and juvenile affairs, Executive Secretary of the Committee for Protection of the Rights of the Child and Juveniles and a person in charge of fund raising. Other members include artists, members of community-based organizations, experts in children affairs and charitable donors assist this committee upon invitation on honorary basis.

- Also according to articles 88 and 89 of Islamic Penal code, criminal punitive measures for sentences lower than death sentence for individuals who are 9 to 15 years of age at the time of commission of a punishable offence, the court applies one of the five attenuating lesser verdicts in article 88. As a result of this provision, punitive measures are mitigated to correctional and disciplinary measures. Article 89 for lighter sentences for persons between 15 to 18 years of age for criminal sentences (lower than death sentence). These light sentences include short-term internment at juvenile Correctional Center or payment of pecuniary fine. According to article 91 “when mature persons under age of 18 are not capable of discerning the nature of the crime or its prohibition or if there are doubts about their maturity or development of their reasoning, due to their age, they will be sentenced to the stipulated punishments.” These measures are new developments in the Iranian judicial system for maximum observation of affection and for realization of justice for adult offenders under the age of 18, which has also taken into consideration the high interests of the country and the particular requirements in various

sectors and customs and traditions of different ethnicities. Therefore, the circumstances and nature of the crime committed are considered in the current laws and regulations of the country.

- Regarding Mr. Hamidreza Azari should be said that he was apprehended on the charge of deliberate murder on April 30, 2023. Having a criminal record (committing a murder in 2021), Mr. Hamidreza Azari murdered Mr. Hamidreza Al-Daghi with repeated knife stabs on April 28, 2023. According to the Code of Criminal Procedure, after explaining the charges, giving the defendant a defense lawyer of his choice and receiving their defenses, a competent court (Criminal Branch 1 of the province where the fact occurred) sentenced Mr. Azari to retribution upon the request of the victim's blood avengers. Since the convict and his defense lawyer lodged an appeal, the case was sent for review to the Supreme Court of the country where the initial sentence was upheld.

### Paragraph 17

Regarding the subject of this paragraph, while rejecting the raised statistics, it needs to be stated that according to the laws of the Islamic Republic of Iran, there is no difference between criminals in terms of gender in the application of legal punishments.

### Paragraphs 18 to 22

- As stated above, the allegation of torture and mistreatment with the accused and convicts is fabrication of lie and untrue, and according to the provisions of the Constitution and the Islamic Penal Code, perpetrators of such actions will be severely dealt with.
- The allegation of torture and mistreatment of the convict against Mr. Abbas Kurkuri is not true. This allegation originated from the fact that a video of him resting on a hospital bed was released and some anti-Iranian media used this

film to claim that he had been subjected to beating. In this connection, the High Council of Human Rights investigated the matter and it was clarified that On October 30, 2023, the defendant was trying to commit suicide by banging his head and face against the prison wall and once the prison officers tried to intervene, he got into a fight with them and attacked the officers and fell to the ground. As a result, he got injured in his side and hand and was sent to the hospital for treatment. The records of this incident which was signed by the mentioned person read:

**"I started to hit myself in the head and neck when the officers immediately took me out of the dormitory. Because of my mental state, I started insulting and cursing the prison officers. In the meantime, I lost my balance and fell to the ground. I hit the floor and got injured in my side, and they immediately transferred me to the prison infirmary where all the medical procedures and measures were performed on me. Upon the decision of the prison doctor, I was sent to Golestan Hospital in Ahvaz to complete the treatment. After completing my recovery and by the opinion of the hospital doctor, I was discharged and returned to the prison. I have no complaint against anyone or any official and I declare this in complete mental and physical health".**

- Contrary to what is stated in paragraph 21 of the report that "no meaningful investigation has been carried out on the numerous allegations of torture of the detainees", the High Council of Human Rights investigates, in various ways, including through the Central Board for Monitoring the Protection of Citizen Rights, regarding all the allegations raised in news sites and media as well as in the received communications and reports; and if a matter against the law of the country is observed, it is reported and reflected to the relevant judicial authority for follow-up and legal action. In this case, the offender may be sentenced to Qisas (retribution-in-kind), payment of Diyeh (compensation), or imprisonment, depending on the case.

- As for the reference to the confessions of the arrested individual, which is mentioned in paragraph 21 of the report, it should be mentioned that although according to Article 171 of the Islamic Penal Code, whenever the accused confesses to committing a crime, his confession is valid; but for the confession to be accepted, the following conditions should be observed:
  - Confession is valid only when it is made by the perpetrator himself/herself. The statements of the lawyer, guardian and legally-appointed guardian are not considered confessions.
  - Confession is valid in criminal matters when it is expressed with free will. Any confession obtained under reluctance, coercion, torture, harassment and mental or physical abuse carries no legal weight.
  - Confession in criminal matters must be made in court and before the judge to be valid and it is not accepted if given anywhere else.
  - Confession should be clearly stated.
  - Confession may not be conditional and suspended, and it must be mentioned without any condition to be considered as valid. Otherwise, the pending confession is invalid.

Therefore, it can be clearly noticed that according to the afore-mentioned preconditions, the citation of the confession of the arrested person has legal validity merely when it is made with free will and volition, and away from any pressure and reluctance; otherwise according to Article 38 of the Constitution and Articles 168 and 169 of the Islamic Penal Code, any confession will be considered as invalid.

- As for the issued raised in paragraph 22 on the torture of Mr. Toumaj Salehi, it should be declared that such allegations are fabrication of lies and may not be confirmed.

## Articles 23 to 27

In connection with the arrest of a few foreign nationals and also of the so-called persons with dual citizenship who were arrested and put to trial merely for committing the crimes anticipated in the Islamic Penal Code, Mr. Javaid Rehman, makes, in his report, unsuitable literature such as "the pattern of resistance in arbitrary detention", "retaliatory execution" or "taking foreign nationals and dual nationalities as hostages", which are quite unfair and far from the truth. Every year, thousands of foreign nationals enter the country in the form of travelers, tourists, businessmen, etc., without being subjected to any abuse. Dealing with a handful of people who often have the original Iranian citizenship is done simply because of committing serious crimes such as espionage or terrorist acts leading to murder or massacre. It is reminded again that adhering to the principles of "equality of individuals before the law" and "prohibition of discrimination between individuals", possessing citizenship of another country does not confer additional privileges, nor does it provide grounds for infringing upon the rights of such individuals. Furthermore, the Islamic Republic of Iran vehemently condemns the inhumane actions of certain Western nations in conferring citizenship upon some Iranian nationals, with the intent of exploiting them for espionage and anti-security activities. It calls for the earnest attention of the Secretary-General, the High Commissioner for Human Rights, and the members of the Human Rights Council, to halt this systematic and inhumane practice. Hereunder are a number of criminal acts committed by the individuals mentioned in the report and it is highly expected that the respected readers, with a fair and impartial view, make judges on the allegations made by the so-called Special Rapporteur:

### Jamshid Sharmahd:

Led by Jamshid Sharmahd, the Tondar terrorist group has designed and executed a total of 29 successful and abortive terrorist attacks, such as the Hosseynieh Seyyed al-Shohada bombing in Shiraz, the Imam Khomeini Mausoleum explosion, the Sivand Dam blast, and planting to detonate a bomb in the Ministry of Foreign Affairs in

protest against the Iran-China 25-Year Cooperation Program. The trial of the foregoing person was held following the conclusion of the investigations and the issuance of the indictment in late 2021 in Tehran Court with the presence of the defendant, the lawyer thereof, the families of the martyrs, and a number of those who sustained injuries during the Hosseynieh Seyyed al-Shohada blast. Ultimately, the convict was sentenced to the death penalty after a fair trial. The judgment pronounced thereagainst was also upheld by the Supreme Court. Jamshid Sharmahd has never been a journalist or a reporter. Based on corroborative evidence (film, audio, and written documents), prior to the arrest, he had introduced himself as the leader of the so-called Kingdom Assembly of Iran (known as the Tondar terrorist group) and claimed responsibility for designing and implementing all of the terrorist attacks. The abovenamed directed the terrorist acts inside Iran and through contacting the terrorist agents inside the Country. He has conducted and agreed to carry out several acts of terror in Iran. Moreover, INTERPOL has also issued a Red Notice against the foregoing person.

#### Ahmadreza Jalali:

Mr. Ahmadreza Jalali was detained, trialed and convicted for committing criminal acts such as communication and collaboration with an adversary's intelligence service (Mossad) for material gains (for receiving 250 thousand Euros) and securing the citizenship of a European country, disclosing information of some sensitive facilities, cooperation in the assassination of nuclear scientists (including Martyr Ali Mohammadi and Martyr Shahriari), providing detailed information about the work and personal routines of 30 of the country's prominent nuclear scientists, and the transmission of classified (secret and completely secret) technical and security intelligence to the intelligence apparatus of a hostile regime (Mossad) etc. all of which are backed up by incontrovertible proofs, positive evidence and indisputable documents, including explicit confessions. Therefore, allegation of "arbitrary detention" or "retaliatory execution" is groundless.

## Habib Chaab:

Habib Farajollah Chaab, the leader of the terrorist group Harkat al-Nidal, martyred or injured 450 Iranian citizens, including women and children, by directing dozens of terrorist operations. Bombing in Ahvaz Governorate in 2005, bombing in Khuzestan Management and Planning Organization in 2005, bombing operation in Ahvaz Housing and Urban Development Department in 2005, bombing in Ahvaz Environment Department in 2005, bombing in Khuzestan oil transmission lines, bombing in oil transmission line of Ahvaz- Abadan- Mahshahr, bombings in Dezful and Abadan governorates in 2005, and the planning of the bombing in the Judiciary Department of Ahvaz city and the terrorist attack on the parade of military and police forces on September 22, 2018 in Ahvaz are just a few of the acts of terrorism perpetrated by the mentioned individual.

## Article 28 to 35

- Freedom of speech and opinion is recognized in the legal framework of the Islamic Republic of Iran, particularly by the Constitution, the Press Law, and by the Law on Publication and Free Access to Information. The Islamic Republic of Iran has guaranteed freedom of expression and opinion within the framework of its domestic laws and within its international human rights obligations (including Article 18 and Article 19 of the International Covenant on Civil and Political Rights), provided that written, audio, visual and electronic content contents of mass media lead insults, defamation, spreading ethnic and religious hatred and violation of the public and private rights of citizens.
- With a glance at the statistical situation of domestic mass media holding publishing license in the Islamic Republic of Iran, it gets clear that the allegation of increasing restriction on the rights of freedom of speech and opinion is a baseless allegation. In the Islamic Republic of Iran, more than 13,964 media outlets have been issued with publication licenses. From amongst them, 5,560

media are published in print form, which includes newspapers, weeklies, fortnightlies, monthlies, bi-monthlies, quarterlies, and yearbooks. Also, 5 thousand 560 electronic media including 5 thousand 495 online electronic media and 2 thousand 909 non-online electronic media are published. Thus, all members of the society, especially different ethnic groups (Azeris, Kurds, Balochis, Arabs, etc.) and different religions and sects (Sunni Muslims, Jews, Christians, and Zoroastrians) have access to mass media and may freely express their voice and have it heard in the society.

- In terms of the statistical status of licensed foreign media outlets, the following should be mentioned: 151 foreign media outlets with 315 reporters as well as news agents from 31 countries are active and operate in the Islamic Republic of Iran. The Ministry of Culture and Islamic Guidance did not ban the activities of foreign journalists in Iran even at the same time as the domestic unrest in the fall of 2022, in a way that in addition to the activities of resident foreign media representatives, a number of non-resident foreign journalists (from the US, Japan, Spain, etc.) also traveled to Iran and prepared and published/broadcast reports about the then ongoing developments in Iran.
- As for the press freedom index of *Reporters Without Borders* of 2023 and its ranking of 177 out of 180, many points could be made; but due to the lack of time, it is sufficient to make reference to the following key points:
  1. The world press freedom index research, conducted by the Reporters Without Borders, is usually made under the influence of Methodological Bias in various stages of the research (including the selection of respondents to complete the questionnaire), constantly results in unscientific, biased and political results.
  2. With a glance at the rank of the Islamic Republic of Iran in all previous published annual reports, and comparing it with the rank of many other countries which claim to advocate freedom of speech and opinion, but do not hesitate to impose any restrictions on the mass media, one may easily recognize the prevailing political approach governing the researches of the Reporters Without Borders organization. As an example, one may cite the reports of the

Committee for the Protection of Journalists (CPI) which states that so far dozens of journalists have been martyred by the Zionist regime in Gaza.

- In the case of Ms. **Saeideh Shafi'ei** and **Nasim Sultan Begi**, it should be declared that according to the announcement of the relevant judicial authority, they were charged with: 1. cooperation with the media affiliated with the criminal group of the Monafeghin (MKO) and cooperating with counter-revolutionary currents through the preparation and fanning negative propaganda in favor of the terrorist group and intensifying the media rampage against the system of the Islamic Republic of Iran, 2. Continuous communication with members of anti-revolutionary propaganda circles and implementing their orders through the publication of false news in the form of articles and newsletters and 3. Cooperation and Communicating with the members of the terrorist group of the Monafeghin (MKO) in a coordinated manner with the focus of attacking the security of the country, were put on trial upon exhaustion of the legal formalities and hearing the defenses of the defendants and their appointed defense lawyers.
- Regarding Mrs. **Nilufar Hamedi** should be said that she was seeking to implement a campaign project to serve the goal of soft subversion and inciting street disturbances in the wake of the death of Mahsa Amini, through communication with the elements of the Alliance for Iran organization (one of the partner organizations of the US State Department). She has been in contact with employees of anti-Iranian and subversive media such as Iran International, BBC and Iran Wire. Once the case was assigned to the investigation unit of the Tehran Prosecutor's Office, the defendant was arrested on September 23, 2022 and after receiving the explanation of charges and being notified of the right to counsel according to the provisions of the Code of criminal procedure, she was committed to prison on the strength of a temporary arrest warrant. Later, on December 20, 2022, considering the items in her case, including the judicial officer's report, the results of the investigation, the review of the content and materials published by the defendant in cyberspace as also her statements and

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defenses, an indictment was issued and the case was sent to the court where she was sentenced to 7 years of penal servitude. At present, due to her appealing of the sentence, the case has been sent from the court of first instance to the appeals court, but so far it has not resulted in the issuance of a final decision and she is free on bail. It should be noted that Ms. Hamedi has benefited from the advice and assistance of attorneys such as Partow Burhanpour and Shahab Mirlohi during all stages of the prosecutor's investigation and then during the trial stage along with Mrs. Elaha Mohammadi. Also, the judicial authority has repeatedly granted the requests of their lawyers to meet with them in person.

Regarding Mrs. **Elaheh Mohammadi** should be said that she has been prosecuted and tried on charges of cooperating with the hostile American government as also acting against national security by playing a role in the street riots of last year. By colluding with organizations, media and elements affiliated with the US Department of State, notably the organization known as "Alliance for Iran", she has been acting under the guise of a reporter to implement the "Harassment Watchdog" project, engage in campaigning for soft subversion and lay the groundwork for provoking street disturbances. "Alliance for Iran", which has a 13-year history of carrying out influence and social engineering projects in the Islamic Republic of Iran, follows numerous projects directly and sometimes through intermediary organizations for empowerment, training, networking and strengthening of influential people in the target countries of the American government. The project that was designed for Iran under the guidance of this organization is the so-called "harassment watchdog" project. The process of investigation revealed that the main agent of this project inside the country was Ms. Mohammadi, who adopted considerable measures by knowingly managing the dedicated social networks accounts for content generation, field actions and coordination between the networks of the project's stakeholders. By playing a role in the street riots that unfolded in the wake of death of Mehsa Amini and the attack on the security forces, as the main element of the "Harassment Watcher" group in the country, Mrs. Mohammadi took

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several measures such as generating extensive and continuous content to promote social insecurity, communicating with the primary source of news production in the anti-Iranian TV Iran International, trying to suggest the occurrence of systematic violence in Iran and exercised efforts to introduce the death of Miss. Mehsa Amini as “murder”. The defendant was arrested on September 29, 2022 and after receiving the explanation of charges and being notified of the right to counsel according to the provisions of the Code of criminal procedure, she was committed to prison on the strength of a temporary arrest warrant. Later, on December 20, 2022, she was indicted when the case was sent to the court where she was sentenced to 6 years of penal servitude. At present, due to her appealing of to sentence, the case has been sent from the court of first instance to the appeals court, but so far it has not resulted in the issuance of a final decision and she is free on bail.

- Regarding the virtual space, it is worth mentioning that the Islamic Republic of Iran, being aware of the opportunities and threats of information and communication technologies, particularly the virtual space, and by passing laws and regulations and creating organizational mechanisms, believes that the approaches of absolute acceptance or rejection of Cyberspace, both, is harmful and, thus, they should be planned and managed in such a way that the opportunities and advantages of cyberspace to be exploited to the maximum, and the social and cultural harms, and the crimes caused by cyberspace, to be minimized.
- In connection with the platforms mentioned in paragraph 32, it should be noted that the policy of the Islamic Republic of Iran has always been on not hindering the activities of companies which own foreign platforms alongside Iranian platforms. However, the legal requirement for the sustainable operation of external platforms is based on respect for laws, regulations and users' rights and their responsible cooperation. Unfortunately, in the course of the recent disturbances and unrest, the Instagram platform played a serious role in encouraging and inciting violence and chaos in Iran by teaching how to make

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smoke bombs and Molotov cocktails, advertising for the sale of various types of firearms, and broadcasting hundreds of violent videos following the death of Ms. Mahsa Amini. In addition, with the organized publication of false news and the promotion of discriminatory and hateful behavior, Instagram not only lacks the minimum preconditions of a free and independent media, but also provides all its facilities and capacity to terrorist, separatist and violent groups for spreading of chaos and sedition in Iran. This platform has also been turned into a platform for creating social, ethnic and religious divisions in Iran; and terrorist and separatist groups (by publishing content encouraging subversion, videos of separatist groups which caused the terrorist incident of Ahvaz in September 2018) use it for inciting ethnic feelings, separatism and creating enmity and conflict between Iranian ethnicities. Some other illegal actions of Instagram in relation with the Islamic Republic of Iran are as follows:

- Promotion of inappropriate sexual behavior towards children and teenagers (11,519,133 vulgar posts and promotion of porn);
- Users' access to live sex, providing sexual services and prostitution, while such contents and their hashtags cannot be published in English;
- Organized crimes, including the transfer and trade of war weapons and drugs (so far, in this regard, 3,314,189 posts have been monitored but they have not been deleted due to the non-cooperation of Meta Company);
- Organized publication of false news, promotion of hatred, incitement of violence and social unrest (repeated release of a video of the murder of a student in the city of Hamedan by mobs in 2019 and encouraging other mobs to behave similarly, publishing of invitations to riot and destruction of property in reaction to increase in gasoline the price in Iran and fueling insecurity, teaching how to make smoke bombs and

Molotov cocktails, and broadcasting more than hundreds of violent videos following the death of Ms. Mahsa Amini).

It is evident that the actions of this platform, while being a violation of Iran's national sovereignty, have resulted in the violation of users' rights through the application of double standards; and it has also been preparing the ground for propaganda and operational activities of terrorist groups. Nevertheless, Meta Company has not responded to the legal requests of Iranian authorities in a responsible and professional manner. Several official correspondences have been sent out to Meta company by the relevant departments in the Iranian Police (Iranian Cyber Police- FATA) and SATRA (the Islamic Republic of Iran Audio and Broadcasting Regulatory Organization) and the Radio Communications Regulatory Organization of the Ministry of Communications and Information Technology, etc.. These communications indicate the demand for response and preventive action on the side of Meta Company against the spread of illegal practices which have been contrary to the declared policies of that company, the laws of the Islamic Republic of Iran, including the approval (96/101875 dated Aug. 2, 2017)<sup>1</sup> and the international law.

- In connection with the proposed plan of "Cyberspace Service Regulation System", it should be said that the Supreme Council of Cyberspace, examines and approves the laws and regulations of the country's cyberspace use with the approach of protecting the rights of cyberspace users, on the basis of the strategic document of Cyberspace and within the framework of the freedoms specified in the Constitution and the country's international human rights obligations. The process of reviewing the said plan is not an exception to this rule. Therefore, unlike the media propaganda of antagonists, the mentioned plan is on the agenda of expert reviews with an approach of supporting the users of virtual space (such as protecting the privacy of users and preventing

1 - Note 2, Article 2: It is mandatory for foreign social networks, which apply for license, to store and process data inside the country, and to introduce a plenipotentiary domestic legal representative.

unauthorized access to users' data). It should be noted that fair pacifism and mutual respect in international relations, justice, human dignity and responsible freedom, protection of privacy and public rights, transparency and free and fair access to information and preservation of the environment are among the fundamental values anticipated in the strategic document of the virtual space of the Islamic Republic of Iran.

- As for the labor union protests, it is noteworthy to mention that the agreement permits issued for holding of thousands of union protest rallies throughout the country, throughout the year, which have been held due to the imposed economic pressures caused by the unilateral, oppressive and illegitimate actions of the United States on the Iranian nation, the dealing with a handful of disturbance gatherings which may threaten people's lives and public and private property indicates the high tolerance threshold of the government in protecting the rights of the Iranian nation.

### Paragraphs 36 to 43

The baseless allegation raised in the report of Mr. Javaid Rehman on the situation of women and girls, and the issue of hijab, are against the existing facts and are politically motivated and contrary to the principle of respect for cultural diversity. The following points are necessary to be in this connection:

- On the basis of the principles derived from Islamic religious jurisprudence and in accordance with the verses of the Holy Qur'an which read: "***O mankind! Indeed, We created you from a male and a female, and made you nations and tribes that you may identify yourselves with one another ...***" and "***Certainly We have honored the Children of Adam ...***" the Islamic Republic of Iran considers the essence of humanity arising from the existence of two human beings with different sexes but with equal value and credibility. Therefore, from

its point of view, being a man or a woman is neither a cause for superiority over the other nor a cause of inferiority.

- The repeated unfounded allegations of Mr. Javaid Rehman on the rights of women and girls in the Islamic Republic of Iran takes place while their brilliant statistics of the status in all social fields well indicate the country's serious efforts to provide a favorable platform for the advancement of women's status. In this context, the presence and participation of women in various administrative and managerial levels, higher education and in various jobs, indicates the practical support of the government for women. Empowerment of rural women and the women heads of households, insurance for housewives, increase in life expectancy among women to 77 years, reducing illiteracy among women to the level of under 10%, holding the first place in the world for equality of the right to education for boys and girls and educational justice, increasing percentage of female specialists to 40% and subspecialists to 30%, winning hundreds of sports medals in 49 disciplines and federations in the international arena by Iranian girls and women are just a small corner of the progress of girls and women of the Islamic Republic.
- Observance of hijab and chastity is neither exclusive to Iranian society nor exclusive to Islam, but all Divine religions emphasize it. A historical and unbiased review shows that observing proper dressing is one of the common commandments among Divine religions, including Judaism, Christianity, and Islam. The only difference between them rests in the limits of Hijab. In the religion of Islam, the observance of Hijab is respected in order to protect the dignity of women and for the protection of women's privacy; and its limits are introduced according to the Holy Quranic verses and the Prophetic traditions. In the Iranian society, from ancient times until now, observing Hijab has been a cultural requirement and has an inseparable link with the cultural tradition of the Iranian society. Historical studies reveal that Iranian women in pre-Islamic Iranian dynasties such as the Medes, Parthians, Sassanians, etc. observed full hijab. In fact, in the context of Iranian history, women's dressing is a result of

cultural and social, religious and moral values and has been and is respected by the society. Following the advent of Islam in Iran, Hijab gained more glory with the influence of the rich Islamic culture, and the Iranian women protected the principle of the Hijab for religious and cultural reasons. In Islamic teachings, the observance of Hijab is emphasized and many noble Quranic verses have been revealed regarding the obligation to observe the Hijab. Considering the high religious and cultural status of Hijab and chastity in the Iranian society and its integration with the ideals of the Islamic Revolution, laws and regulations have been formulated to improve the level of Hijab and chastity in the society, including determining the limits of dressing. The Constitution has clearly anticipated that the Islamic Republic of Iran is a system based on faith in the one God, and all civil, criminal, financial, economic, administrative, cultural, military, political, etc. laws and regulations must be based on Islamic standards. According to the third principle of the Constitution, the government of the Islamic Republic of Iran is obliged to use all its possibilities and power to "create a favorable environment for the growth of moral virtues based on faith and piety and fight against all manifestations of corruption and depravity". In the general policies notified by the supreme leader of the Islamic Republic of Iran, it is generally emphasized on "the need to pay attention to the mental health of the society and create a healthy atmosphere in the relationship between men and women in the society".

- In this connection, the important point in this is the efforts that are being made to impose cultural values and western lifestyles through international human rights institutions and mechanisms, which are definitely reprehensible, unacceptable and against human rights standards. The diversity of cultures in the global arena and the laws and regulations of countries should be respected. That some mechanisms and countries try to make all countries think, act and behave like them is a kind of imposition and is completely contrary to the principle of self-determination and national sovereignty of countries. The West and human rights mechanisms must admit that Iran is an Islamic country and is

governed on the basis of Islamic standards, and it is not supposed to follow their specific standards. This does not mean that the Islamic Republic of Iran opposes its internationally accepted obligations in the field of human rights, but it says that it rejects the imposition of the Western lifestyle.

- Regarding the death of Ms. Armita Geravand, the necessary explanations have already been provided many times in the form of replies to communications of Special Procedures and other communications, and, thus, repeating the same allegations and accusations is baseless and unjustified. It should be repeated and reminded again that on the morning of Sunday, October 1, 2023, as in the previous days, Miss. Armita Geravand, an Iranian female student, was going to school from Shohadaye Tehran Metro station, but, unfortunately, she encountered a pressure drop at the entrance to the train and lost her balance and fell down. The released videos of the closed-circuit television cameras of the subway show that this 16-year-old girl is being taken out of the train by her companions. Immediately, the operatives of the Metro began the initial treatment and after calling the Emergency, the Emergency personnel performed the treatment on the spot and then transferred Miss. Geravand to **Fajar Hospital, which is the nearest specialized hospital to the place of the incident** (equipped with general surgery, brain surgery and nerves, internal clinic, heart clinic, lung clinic, etc.). Unfortunately, Miss. Geravand, who was in a coma after the incident, passed away on Oct. 28, 2023. The explicit statements of parents, friends and classmates on the day of the accident, eyewitnesses and Metro employees and a complete review of the Metro camera footage, the description of the forensic autopsy report and finally the judicial investigation all indicate that the mentioned individual was not in physical contact of fight with anyone and her death was not caused by trauma or injury; and this incident had nothing to do with her Hijab. In fact, the false allegation of conflict and controversy over the dressing and this false narrative, was fabricated by the anti-Iranian media, which was, unfortunately, raised by some officials of the western countries who are used to politicization of different

issues and using any means to attack the Islamic Republic of Iran; and it was repeated in this report, too, regardless of the previous clarifications.

- In relation to the bill known as the Chastity and Hijab Bill with its full title of "supporting the family through the promotion of the culture of chastity and Hijab", it is necessary to pay attention to the following points:
  - One of the lines of thought followed by the keyword "mandatory hijab" is casting doubts and also presentation of a vague and false image of the said bill. The baseless allegations of "gender segregation" or "systematic discrimination" or similar expressions are being made while the bill and its provisions are not fundamentally gender-specific. The bill refers to issues such as nudity or bad-clothing which relevant for all men and women. In other words, the scope of this bill includes all sections of society, including men and women, and has not imposed discrimination against any group or stratum.
  - The groundless allegation of gender apartheid by Mr. Javaid Rehman regarding the said bill, while reducing the importance of the word apartheid, is raised while women in Iranian and Islamic culture, at all times, have played a prominent and influential role in various cultural, economic, political and social fields. Reflection of the influence of women in the Islamic Republic of Iran may be well recognized in the country's Constitution, which was approved by 98% of the Iranian people immediately following the triumph of the Islamic Revolution. The Constitution, at the top of the hierarchy of laws, has played an important role in describing the position of the human rights of women in the society. The status of women's rights has been one of the concerns of the Islamic Republic of Iran since the adoption of the Constitution; and from the very beginning, the role and the status of women in advancing the lofty goals of the society based on religious values was taken seriously into account and consideration.

- Regarding the use of technology to identify offenders, it should be noted that this technology is used all over the world to ensure the safety of society and also for dealing with all types of crimes (both crimes that pose an immediate threat to people's lives and property and, also, other crimes). This technology is expanding and updating. The use of this technology in the Islamic Republic of Iran is subject to the law and in order to protect the privacy of individuals, and its examples are determined by the law.
- The said bill is being adopted according to the rules of drafting and enactment of laws and it has not been finalized due to some objections raised by the Guardian Council. According to Article 85 of the Constitution, this bill will be implemented on a trial basis for a certain period of time, and after reviewing the trial period and its feedback in the society, it will be adopted in the final form. In addition, on the basis of the principles of the Constitution the bill, whether in the stages of drafting or in the Islamic Consultative Assembly, has been put into discussion by specialized critics, many times, by related non-governmental organizations as well as scientific and academic assemblies and research institutes with the participation of women active in this field. It has been reviewed and this process is still ongoing. Therefore, commenting on the content and approval process of this bill before its text is finalized, is against the principles of neutrality and objectivity and confirms the existence of a politically-motivated approach in the report.

#### Paragraphs 44 to 46

In connection with the baseless allegation raised in these report paragraphs, which were previously published in a report, with the same themes, by Amnesty

International, the High Council of Human Rights of the Islamic Republic of Iran conducted an extensive investigation, the result of which is as follows:

### **The Results of investigating Amnesty International's allegations of rape and sexual violence**

#### **Introduction**

The non-governmental organization known as Amnesty International published a report on 6 December 2023 full of lies and devoid of facts entitled "I was brutally raped: sexual violence, a weapon in the hands of the Islamic Republic of Iran to suppress the uprising of women, life, freedom" made false claims and accusations against some law enforcement officers in the course of dealing with last year's riots. Amnesty International has claimed in its report that between January 2023 and August 2023, it has collected the testimonies of 45 people from 17 provinces of the country regarding rape and other forms of sexual violence against protesters.

Before we address the basic objections of the undocumented and biased report of Amnesty International, it is necessary to briefly explain the seriousness of the crime of rape, assault and sexual violence from the perspective of the laws of the Islamic Republic of Iran.

The Islamic Republic of Iran is a system based on preserving the dignity and high value of human beings and freedom combined with responsibility, and in order to achieve this goal, it has used all its resources to create a favorable environment for the growth of moral virtues and fight against all manifestations of corruption and decadence. In this system, people's dignity, life, property, rights, residence, and job are inviolable, and violating the dignity and desecration of a person who is arrested, detained, or imprisoned, in any way, is prohibited and punishable. Based on this, the Judiciary that supports individual and social rights and is responsible for hearing and issuing judgments about grievances and violations, will handle and issue judgments to all complaints received in this regard.

The legislator of the Islamic Republic of Iran, in order to preserve the dignity of the people of the nation, both in the Constitution and in the Law on Legitimate Freedoms and Protection of Citizenship Rights, has respected the dignity of mankind and his/her dignity, and in the Islamic Penal Code, Indecency crimes have been covered by establishing legal provisions that guarantee the prevention of any assault on any member of the society, their life and dignity; So that for the perpetrator of the criminal act of sexual assault, it has also provided for the most severe punishment, which is death penalty. In the Islamic society, if someone commits any acts of sexual assault, according to the provisions of the Islamic Penal Code, he/she will be dealt with legally and punished according to the crime committed. In criminalizing sexual relations, the legislator acted on the basis of Islamic rulings beyond the existing laws in some countries that claim to protect the rights of women and girls, and criminalized any sexual relations outside of marriage, even based on the consent of the parties.

The Amnesty International's report contains many methodological flaws that cause any impartial and independent reader to doubt the authenticity of the report and reject it:

- The reliance of the report on fake information and not respecting the principle of "the need to obtain facts through objective and reliable information from reliable sources" indicates the dishonesty of the compilers of this report and its political nature.
- Amnesty International is claiming that in order to protect the privacy, safety and security of the victims and other sources, it has used pseudonyms in this report, refrained from mentioning the date and place of the interviews and any identity details such as name, age, ethnicity and geographic location where people were detained have been removed. Accordingly, the credibility of the report is achieved when people or institutions other than its compiler can also verify the claims, or the documents and evidence provided are strong enough to eliminate any doubt. The question here is why Amnesty International acted in this regard without conducting any verification and inquiry from the relevant authority in the Islamic Republic of

Iran, contrary to the provisions of international law regarding the "sufficiency", "certainty" and "persuasiveness" of the evidence. It has published material that has no ability to be verified.

- Amnesty International has claimed on its website that it conducts in-depth research on cases of human rights violations and prepares substantiated reports with detailed documentation. This report, anonymous and without any possibility of verification, completely questions the claim of documented and substantiated activities of Amnesty International. If the purpose of this organization is to deal with alleged cases of human rights violations in any country and not propaganda and political activity against countries, it should have provided its documents to the Islamic Republic of Iran for review and consideration. If the International Amnesty procedure is to prevail in the field of human rights, we will only see accusations against countries, without any documentation.

## The results of investigation of claims about rape and sexual violence

Although according to principles 35 and 156 of the Constitution, it is the right of every person to file a lawsuit, and anyone can refer to the competent courts for the purpose of filing a lawsuit and no one can be denied from the court that he or she has the right to refer to according to the law, and the Judiciary, as the supporter of individual and social rights, is responsible for hearing and issuing judgments about grievances, violations and complaints, but the High Council for Human Rights of the Islamic Republic of Iran and other relevant authorities, according to their inherent duty, have investigated claims raised in cyberspace and media, before the publication of Amnesty International's report,

## 1) The results of the review of claims before the publication of Amnesty International's report

With the first allegations of sexual assault, the Secretary-General of the High Council for Human Rights of the Islamic Republic of Iran sent a letter to the Prosecutor General of the state on 2 January 2023 requesting him to investigate all the claims made by any natural or legal person, domestic or foreign, the documents of the claimants should be demanded and based on the results of the investigations,

serious actions should be taken against the perpetrators of the crimes in case of proof and in the case of denial against the claimants (accused of spreading lies) according to the law and the results should be informed to the public opinion as well. The Prosecutor General's Office also announced after the investigation that the claimants have not submitted any documents to prove their claims. Following the submission of other claims by one of the convicts in prison regarding this matter, the Secretary-General of the High Council for Human Rights of the Islamic Republic of Iran corresponded with the Prosecutor of Tehran Province on 17 October 2023 and requested him to investigate and deal with these claims. In this letter, it is emphasized that if the alleged crime is confirmed, legal action should be taken against the perpetrators according to the laws and regulations. In response, the Prosecutor of Tehran Province announced that the convicted person refused to provide any answers and documents regarding her claims.

On the other hand, all the courts of the whole country were also asked to seriously investigate and deal with the matter if any complaint is announced and any claim is made in this regard. Therefore, the human rights headquarters conducted the necessary investigations through inquiries from the courts, and it was found that in 28 out of 31 provinces, no complaints were filed under the headings of rape, assault and sexual harassment. However, in the case of 3 provinces, complaints have been received and processed as follows:

#### Province 1:

In this province, a case of sexual harassment was filed by a citizen against a person who introduced himself as a law enforcement officer, under the title of intentional assault and sexual harassment. After the investigation conducted by the investigator, no evidence was found and finally, due to insufficient evidence, the accused's case, which had no connection with the law enforcement forces, was terminated on 16 March 2023.

#### Province 2:

On 18 March 2023, a complaint was filed in the military court of the province by a female citizen about the sexual abuse of her child by a person who introduced

himself as a law enforcement officer. After the preliminary investigation, the prosecutor's office sent the case to the public prosecutor's office since the accused was not a military staff. After considering the accused's text messages to the victim, which clearly showed sexual requests, the court summoned the accused and considering his non-appearance, and according to his statements in the court hearing about the preparation of obscene pictures of the victim- seen in order to put pressure on him, first under the two headings of communicating with teenagers in cyberspace with the intention of having sex (the subject of Article 10 of the Law on the Protection of Children and Adolescents) and threatening to publish obscene content with the intention of preventing the realization of rights (the subject of Article 5 of the Audio and Visual Law), the charges were explained and he was arrested and sent to prison with the issuance of a bail order. According to the evidence in the case, the charge of disturbing the children in the streets was also explained to the accused and the temporary detention order was intensified. The accused, who has no connection with the law enforcement forces, is currently in custody and his case is under investigation.

### Province 3:

In this province, a complaint under the title of rape has been filed against two people as follows and resulted in a verdict. In this case, with the complaint of two women against two people who introduced themselves as law enforcement officers (and actually had no connection with the law enforcement forces) of rape, the matter was dealt with in Public and Revolutionary Court and with the issuance of the indictment on 30 November 2022, the case was referred to the First Criminal Court of the province. In terms of rape, this court, after conducting the legal formalities and hearing the defenses of the defendants and defense lawyers, convicted one of the defendants based on articles 160, 164, 211, 221, and 224 of the Islamic Penal Code (approved in 2013) and Article 637 of the Islamic Penal Code to death on the charge of adultery by force and unwillingness and the other defendant was sentenced to 99 lashes on the charge of acting contrary to chastity (without adultery) and as a supplementary punishment based on Article 23 of the Islamic

Penal Code (approved 2013) was sentenced to two years of compulsory residence in one of the remote cities.

### **The result of the investigation of the allegations regarding the rape of Ms. Armita Abbasi:**

CNN was the architect of one of the biggest lies against the Islamic Republic of Iran during last year's riots. In a series of baseless and undocumented reports, this media claimed harassment and sexual assault of women detained in Iran. On November 21, 2022, in a completely contradictory and undocumented report, this media introduced Armita Abbasi as a female protester who was arrested for participating in peaceful protests in Iran and subjected to sexual harassment by Iranian security authorities. In this baseless report, which only refers to undocumented quotes and statements of people whose identities are not disclosed, CNN claimed that Armita Abbasi was arrested during the protests in Iran and after a week of detention, she was taken to a hospital in Karaj, while her hair was shaved, and in the hospital it was found that she had been raped. Some foreign media also wrote that she is facing execution!

According to the judicial authorities, Ms. Armita Abbasi, born on 18 February 2002, was the leader of a group of 100 to 200 people to cause chaos in Iran. As soon as the concerned call, she gathered around 100 to 200 people and according to her last call, she gathered in a place called Bagh Fateh and after that they were supposed to go to the second square of Gohardasht city and make use of Molotov cocktails prepared by Ms. Armita Abbasi to set fire to police stations. Upon receiving the above report on 12 October 2022, the case was referred to the Karaj investigation branch and on the same date, the branch investigator issued an order to arrest the accused with the permission to enter the house and hideout and collect evidence and equipment of the crime. The accused was arrested in execution of the arrest warrant issued, and items such as gasoline bottles and a number of Molotov cocktails were discovered during the search of her house. The information obtained from the phone of the accused showed that she was making videos of her criminal actions and sending them to foreign media.

Before entering the penitentiary, the named person was admitted to the hospital and diagnosed with IBS (irritable bowel syndrome) and hemorrhoid disease, and upon entering the prison, she was referred to the hospital and in terms of having physical and mental illnesses, for the mentioned, a case was filed and then it was referred to an internist and a psychiatrist. According to the opinion of the prison psychiatrist, she did not have an acute psychiatric problem, and the internal specialist referred her to the CBS laboratory and performed the test, and the result of the test declared her condition to be normal. As of the date of the above-mentioned answer, she has visited the prison health center more than 14 times and on 15 November 2022, she was visited by a doctor specializing in obstetrics and gynecology, and the opinion of this specialist also stated that her condition was without any problems.

Armita Abbasi was released from prison on the 7 February 2023 and was granted a broad amnesty by the Supreme Leader. She had a completely smiling and cheerful face, her hair was not shaved, there were no signs of fractures on her head and, contrary to what CNN claimed, there were no torture marks on her face. Armita Abbasi's appearance at the time of her release, from the make-up on her head and face to the dyed hair and polished nails, was very different from what was described by the Western and anti-Iranian media. Armita Abbasi's very favorable and happy condition on the day of her release from prison revealed such a contradiction in the claims made by some media that it made social media users react. Armita Abbasi, who had previously been talked about by some media about the deterioration of her condition, is now, according to many users, "more cheerful than before", since the moment she was released from prison, she is constantly active in social media, publishing videos, thanks her followers on Instagram and asks them to continue to follow her. Many users on social media, especially Twitter, reacted to this issue and spoke about it in a sarcastic tone. Many users on Twitter have placed the pictures of Armita Abbasi when she was released from prison next to the CNN report and have expressed surprise at this difference. Many other users also challenged the claims made by this US media by comparing this image and the CNN report and described it as "liar".

## 2) The results of investigating the claims after the publication of Amnesty International's report

2-1. As it was said, the Amnesty report includes a series of general claims without referring to the specifics of the alleged people. The report only mentions the names and surnames of the alleged people in 5 cases. We have carefully examined these claims about these 5 people, and the general results are as follows:

### **Mehdi Mohammadi Fard and Javad Rouhi:**

According to the announcement of the Justice of Mazandaran Province, in the case of Javad Rouhi (who passed away in prison due to illness), there were no written or oral complaints from the deceased during his lifetime and after that from his parents under the title of rape and violence. Sex has not been communicated and there are no documents proving this claim in the contents of his file. Regarding Mr. Mehdi Mohammadi Fard, he has been in good conditions during his stay in prison, and during this period, no complaints have been received from the mentioned person or his relatives under the title of harassment and sexual harassment. In addition, the mentioned person is now on leave after posting bail.

### **Mansour Dehmardeh and Ebrahim Naroi:**

According to the announcement of the Judiciary of Sistan and Baluchistan Province, no complaint or allegation indicating the occurrence of rape, molestation and sexual harassment has been raised.

### **Majid Kazemi:**

According to the announcement of the Judiciary of Isfahan Province, according to the investigations carried out, the allegations of rape and sexual violence, as well as the threat of sexual assault against the convict Mr. Majid Kazemi during the interrogation and trial were basically false and, according to the inquiries made from the cities of Isfahan province, no complaints of rape, molestation and sexual harassment related to the riots of 2022 have been received and registered in the jurisdictions of Isfahan province.

2-2. Regarding the claims of the Amnesty report regarding the other 40 people, it is not possible to investigate and verify them because no information has been

provided about them. As emphasized in the introduction, Amnesty International has claimed that in order to protect the privacy, safety and security of the victims and other sources, it used pseudonyms in this report and did not mention the date and place of the interview and the report lacks any identity details such as name, age, ethnicity and geographical location where the people were detained.

### Conclusion

1. Rape, harassment and sexual violence are not only prohibited in Islamic laws and subject to severe punishment, they are also criminalized in the criminal laws of the Islamic Republic of Iran and, in the most severe form, subject to death.
2. The judicial authorities of the Islamic Republic of Iran seriously investigate and handle any claim or complaint regarding violence, rape and sexual harassment. Accordingly, even before Amnesty International's claims were published, other claims were investigated, and the judicial authorities seriously dealt with a few complaints (3 cases) in this regard, which were not related to the law enforcement forces and in one case, severe punishment (death sentence) was issued for the perpetrator. This issue indicates the seriousness and accountability of the Islamic Republic of Iran in dealing with such crimes and pursuing the rights of possible victims.
3. Amnesty International's review of claims shows that in 5 cases where the names and surnames of the alleged persons are mentioned, no complaints regarding rape and sexual violence have been made and the claims have not been proven. As for the other 40 alleged people, since no identity characteristics of them have been mentioned, it is not possible to verify the claims.

## Paragraphs 47 to 49

In Iran, no one is prosecuted merely because of affiliation to a particular guild, profession or group, and at the same time, no law-breaking person is tolerated because of holding positions or affiliation to a particular guild, group or profession. Therefore, the title of human rights defender, lawyer, journalist or any other title is neither a reason for prosecution nor an escape from lawlessness. However, regarding the names mentioned in this section and the raised allegations, the following explanations are given for due consideration:

### **Ms. Nasrin Sotoudeh**

The said defendant has been detained, trialed and convicted for committing acts that are criminalized by the provisions of the Islamic Penal Code, including carrying out propaganda against the state, membership in an illegal outfit, encouraging corruption, and publishing false content with the aim of agitation of the public mind and breaching public peace and order. The judicial authority of the Islamic Republic of Iran suspended the execution of Ms. Nasreen Sotoudeh's punishment, despite having committed numerous crimes, by applying Islamic compassion and mercy and in view of Article 522 of the Code of Criminal Procedure from July 21, 2021. However, during the suspension of the execution of the sentence and outside the prison, she committed crimes again, which led to her arrest on October 30, 2023. Be that as it may, she was released from prison in less than two weeks, and is still out of prison in the implementation of the above-mentioned article, while the execution of her previous punishments has also been suspended. It should be noted that no report of her hunger strike during her detention has been received, and the allegation of her arrest with violence and ill-treatment ("severely beaten on her head and face, as her glasses were broken") is not correct and cannot be confirmed.

## Ms. Nazanin Salari and Mr. Mahmoud Tarawat Roy

The mentioned persons were detained due to taking actions aimed at escalating tension and agitation of the society during last year's riots, active involvement in illegal and non-peaceful gatherings that led to the battery of one of the law enforcement officers, and hurling insulting terms. After receiving the explanation of their charges and being notified of their all defense rights, including the right to counsel and access to the phone to inform the family (according to articles 49 to 53 of the Code of Criminal Procedure), they were committed to the detention center with a criminal warrant but were released on bail a short time later. Finally, on the occasion of the holy holidays of the month of Rajab and the anniversary of the glorious victory of the Islamic Revolution of Iran on February 11, 2023 and according to Article 13 of the Criminal Procedure Law, they were granted a stay of prosecution and their case was dismissed.

### Mr. Masoud Ahmadian

Mr. Masoud Ahmadian, the lawyer of one of the defendants (Mr. Mahmoud Tarawat Rooy) was not charged and thus has never been prosecute, and mentioning her name in this report is completely unfounded.

### Mr. Narges Mohammadi

Regarding the medical treatment of the above-mentioned prisoner, it should be noted that since the beginning of 2022, she has been sent to medical centers outside the prison more than 20 times, while on several occasions she withdrew from being treated in such centers when the consequences of such refusals were explained to her. Mrs. Mohammadi is constantly supervised by a doctor, and if prescribed by the latter, she would be sent to external specialized and super-specialized medical centers. It should be noted that at the end of 2021, after administering treatment measures and introduction to the medical examiner, in the implementation of Article 522 of the Code of Criminal Procedure approved in 2013 and according to the opinion of the doctor, she was sent out of prison for

2 weeks and was actually temporarily released by virtue of a stay of prosecution issued by the judicial authority. After the expiration of the mentioned deadline, the named person and her lawyer were notified that she should report to the prison. However, the said prisoner not only did report to the prison at the appointed time, but also abused her medical furlough for anti-security measures and holding meetings with people with a criminal record in anti-security issues, including interviews with hostile networks and anti-Iranian media for the purpose of demonizing the state and dissemination of untruths. Therefore, after refusing to comply with the judicial authority's warrant to return to prison, the mentioned person was arrested by judicial officers during a meeting which had been convened to incite people to create disturbance and anti-security measures and later was committed to the place of imprisonment. As is the case with other convicts and defendants, regardless of the type and title of their charge, she has easy and quick access to the infirmary and prison physicians round the clock. In line with Article 137 of the Executive Regulations of the Prisons Organization and Security and Educational Measures approved in 2021, should special medical facilities and equipment in prisons be found wanting, inmates could be sent out of the prison at any hour to pursue their treatment. Therefore, the allegation of hindrance in access to medical care is unfounded.

### **Ms. Nasim Soltan Beygi**

According to the inquiries made, she, who has been in prison since Nov. 21, 2023, has access to the health and medical facilities of the prison clinic on a 24-hour basis, as well as medical centers outside the prison, if necessary, and no specific health or other problem has been reported about her.

### **Paragraphs 51 to 54**

- Concerning the allegations made in this section, it deserves a mention that the Islamic Republic of Iran is made up of various ethnic groups with different

languages and dialects, including but not limited to Kurds, Baloch, Turks, Arabs, Lurs, Persians, and none of which are considered minorities. Abovementioned ethnic groups in Iran are NOT considered to be among the minorities, but given the diversity and multiplicity of ethnicities of the population in Iran, they are the purest and deep-rooted Iranian ethnic groups, which, as evidenced by history, have a brilliant record in supporting the territorial integrity of the Country. It is bitterly surprising and regrettable that not only has there been no statement in support of the victims of terrorism and to condemn the unending killings of the Kurdish people of Iran in western boarders by the Komalah, PKK, and the so-called Democrat terrorist groups, and the Baloch people of Iran as a result of the terrorist acts of terrorist groups located in the eastern borders of the country, Javaid Rehman – in a completely biased stance – attributes the killing of citizens, including children and women, to the Government of the Islamic Republic of Iran. This comes as the operations against the terrorist groups supported by the West in Baloch and Kurdish areas have left several peacekeeping officers martyred, with dozens sustaining injuries or becoming disabled.

- Regarding religious minorities, it is necessary to mention that the Constitution of the Islamic Republic of Iran obliges the government, in its third Principle, to utilize its possibilities for the realization of the ground which guarantees the rights and security of the nation; Also, in the Principle 19, it stipulates to equality of rights, in the Principle, to the legal protection of all persons of the nation, in Principle 23, to the prohibition inquisition, in Principle 26, to the freedom of religious minorities, in Principle 34, to the right to litigation, in Principle 35, to the right of access to defense lawyer and, in Principle 37, to the principle of innocence. In Article 6 of the Iranian Civil Code, the legislator has stipulated the rules on personal status as being applicable for all Iranian nationals, and the law has also obliged courts to observe the personal status of the non-Shiite Iranians in accordance with the rules established in their schools of thought, and take the measures set forth in the law. The legislator of the

Islamic Republic of Iran has stipulated the frameworks, based on the principles of the Constitution and the customary laws, in order to respect the rights of religious minorities and their security; and the Government is required to implement them. In addition, the country's leaders abide by the policy of observing the rights and security of religious minorities. According to Article 26 of the Constitution, religious minorities may, in abidance with the relevant law, establish their own societies and associations. The law on the activities of parties, adopted in 1981, has stipulated establishment of the association of religious minorities and its Article 4 presents a description on the association of religious minorities. In addition, the Constitution has stipulated that religious minorities shall be represented in the Islamic Consultative Assembly (parliament) and elect a representative from among their member to represent them in the Parliament. Presently there are five MPs in the Islamic Consultative Assembly, who represent religious minorities, despite the small population.

- Principles of the constitution recognize fundamental rights such as equality before the law, security of life and property, occupation, housing, freedom of opinion, choice of job, access to social security, litigation, education, fair trial, citizenship, participation in the management of the affairs of the country and other citizenship rights for all residents and citizens of Iran, regardless of their religious or ethnic affiliation. They shall enjoy all those rights without any discrimination. It is noted that according to principle 13 of the Constitution, religious minorities are free, within the law, to perform their religious ceremonies and act in their personal status and religious teachings in accordance with their religion; and in accordance with the law, the personal status of non-Shiite Iranians and their personal status, the inheritance rights and the wills, recognized by their religion, are also observed in courts.
- According to the Constitution, no Iranian enjoys preference to the other, by virtue of belonging to a certain religion, ethnicity or race. It is, of course, natural that from amongst the existing religions and languages, only one religion and one language to be recognized as the official religion and language of the

country; but this do not mean that the Iranians of other races, religions and languages are deprived from freedom and Rights in cultural and religious arenas. Principle 19 of the Constitution states: "The people of Iran enjoy equal rights, regardless of the tribe or ethnic group to which". Nevertheless, all people are obliged to obey the law, and as they are free to keep their language, religion, etc., they are expected not to ignore their duties before public and formal laws of the country. Hence, Principle 20 of the Constitution reads; "Members of the nation, whether man or woman, are equally protected by the law. They enjoy all the human, political, economic, social, and cultural rights that are in compliance with the Islamic criteria".

- In spite of the fact that Baha'ism is not recognized as a religious minority under the Constitution, the citizenship rights of the followers of this sect are respected. The observance of the citizenship rights of individuals is indeed deferred to the fulfillment of the legal duties and obligations of each person in society. The validity of any right is conditional upon the fulfillment of reciprocal duty, and this legal principle, i.e., placing the duty against the right, is recognized as the main principle in legal systems;
  - Despite having a very small population, Baha'is in Iran do not face any restrictions for performing important jobs such as working as a doctor, establishing a pharmacy, working in medical centers, and teaching in universities;
  - The laws and regulations and the practical procedure of the institutions and executive bodies of the Country are emblematic of non-discrimination against and non-discriminatory treatment of all citizens, including the followers of the Baha'i sect. While rejecting the statistics mentioned in these paragraphs, it should be announced that, if a legal action is implemented in some cases, it is under three circumstances:
    - ✓ Several Baha'is have committed illegal actions such as unauthorized construction and confiscation of national lands and the like in some regions. Analogous to sections of society who commit property

violations, the Baha'is are dealt with legally without discrimination. A case in point is the legal action taken based upon the judicial order in the village of Roshankoh in Mazandaran Province, which was explained in response to the communication dated 12 August 2022 of the Special Procedures Mandate-Holders;

- ✓ Some Baha'is, like other members of society, have private plaintiffs and face prosecution due to personal disputes. Unfortunately, such cases have been deemed as politically-charged by hostile media outlets. In addition, some Baha'is – in order to flout the law, which is equal for all citizens – use the propaganda capacity of biased media to play the innocent on a large scale; and
- ✓ A small group of Baha'is act against the Country's interests by engaging in or becoming a member of illegal groups without obtaining permission from the relevant authorities. They pursue their agendas in various ways by abusing other Baha'i citizens. This is while Article 19 of the Constitution states that all people of Iran, whatever the ethnic group or tribe to which they belong, enjoy equal rights; color, race, language, and the like do not bestow any privilege. Article 20 of the Constitution also stipulates that all citizens of the Country, both men and women, equally enjoy the protection of the law and enjoy all human, political, economic, social, and cultural rights, in conformity with Islamic criteria.
- In this report, by falsifying and using derogatory words and phrases such as "arbitrary deprivation of the right to life of Baluchis and Kurds" Mr. Javaid Rehman, has sought to support some terrorist groups stationed in the western and eastern border areas of the country. They are, in fact, those who put the security of the country's borders in jeopardy under the guise of being goods or fuel piggybacks. Notwithstanding cruel sanctions imposed by the United States and certain Western countries, the Islamic Republic of Iran has made extensive efforts to support border couriers. The Islamic Republic of Iran, however, has a long way to go to reach the desired point; but, moving towards the development

of employment and production in border areas and creating sustainable employment top the agenda thereof. However, it should not be forgotten that the issue of border couriers, which is often raised by enemy media outlets affiliated with terrorist groups, has no purpose other than to weaken the security of the Country's borders and create a suitable platform for terrorist groups to move freely in border areas. The support offered to border couriers by terrorist groups is not only unrealistic and a mere pathetic charade to provoke public opinion and sensitize human rights institutions to put pressure on the Islamic Republic of Iran; rather, it works as a cover for terrorist groups to carry out their terrorist activities and spell an end to legal missions assigned thereto in the fight against terrorism. Terrorist groups such as the dissolved Kurdistan Democratic Party of Iran, Komala and PJAK which falsely claim to be supporting the border couriers are stationed at the country's borders and force them to pay ransom in the form of so-called customs duties. This is while they claim to defend the rights of the working class and border couriers in their media outlets. On the other hand, certain western countries accuse the Islamic Republic of Iran of violating the rights of border couriers while they themselves finance terrorist groups. One of the outrageous and unsubstantiated accusations leveled against the Islamic Republic of Iran by certain Western countries is the border guards' shooting of border couriers. Security forces differentiate armed smugglers from border couriers. If there was a shoot-out, it was definitely to target members of terrorist groups as well as armed and dangerous smugglers, NOT the hard-working border couriers who get paid for legally carrying goods. In the meantime, what is important is that the Country's western borders are highly sensitive due to the activities of terrorist groups in neighboring countries and occasional encroachment thereof upon border areas. Several border guards are martyred almost every month while defending the Country's borders during clashes with terrorist groups. Accordingly, the Iranian border guards, while in charge of securing the activities of border couriers, will seriously deal with those who carry out destabilizing actions under the cover of border couriers.

Therefore, it is obvious that if illegal traffic takes place in restricted areas, violators will be dealt with according to the law.

## Paragraphs 55 to 57

As mentioned in the introduction, unfortunately, in this report, as in previous reports, Mr. Javaid Rehman, in an unbalanced, unfair and unjust manner; and contrary to the rules of procedure of the Human Rights Council (subject of document 5/2), has merely made a very incomplete and insignificant reference to few of human rights achievements of the Islamic Republic of Iran and he has not paid attention to the country's achievements in the field of economic and social rights:

**In the field of health**, including: an increase in the insurance coverage of about 2 million people by the Social Security Organization, and a 7% increase in the social insurance coverage of farmers, villagers and nomads by inclusion of 578 thousand new insured people (more than 20 million villagers benefit from free of charge health insurance); 43% increase in the salaries of pensioners; 40% development of social emergency in cities with the population of less than 50,000 people;

**In the field of employment**, including: 200% growth in issuing business licenses, 300% growth in skill training, 24% growth in vocational technical, technical and professional training in the public sector; more than 2-fold increase in support for economic enterprises; 11% reduction in work-related deaths; 605% increase in labor health centers;

**In the field of women and family**, including: 100% infertility treatment insurance, introduction of administrative positions for female advisors at the level of deputy Minister or director general; a 5-fold increase in the population covered by comprehensive insurance, including women and girls, housewives, students, etc., establishment of a guarantee fund for women heads of households (covering 1,000 women heads of households), protective coverage for 277,000 women heads of

households; implementation of the Family Business Plan in 21 provinces of the country and coverage of 4000 women;

**In the field of access to information and communication technology:** development of communication infrastructure including 80% coverage of household fixed broadband access with an average access speed of 25 Mbps and 100% coverage of the country's population for mobile broadband access with an average speed of 10 Mbps and the launch and development of the national window of Intelligent Government Services and the development of the fiber-optic access network in homes and businesses across the country, are part of the achievements of the Islamic Republic of Iran only in the past two years that Mr. Javaid Rehman has never mentioned them in his reports.

### Paragraphs 58 to 63

Please refer to the explanations provided in paragraphs 8 to 11. Meanwhile, the statistics mentioned in paragraphs 61 to 63 are not confirmed.

### Paragraphs 64 and 65

Please refer to the explanations provided in paragraphs 15 and 16. In addition, the statistics and figures mentioned in paragraph 64 are not confirmed.

### Paragraphs 66

According to the criminal laws of the Islamic Republic of Iran, the criminal courts competent to issue capital punishment sentences issue sentences with a multi-judge system (3 judges). Also, it is illegal to process criminal charges in such courts without the presence of a lawyer. Even if the accused can't afford a lawyer, the judiciary is required to appoint a lawyer for them, both during the preliminary

investigation stage and during the trial of the crime in the court. The decision of these courts is reviewed in the branches of the Supreme Court with the presence of prominent and high-ranking judges (the principle of plurality of judges). In addition to the above-mentioned regular methods, extraordinary methods are also provided in the law for re-examination of final sentences (re-trial) if the relevant legal criteria are met. The deployment of a mechanism to petition for a retrial from the Supreme Court according to Article 474 of the Code of Criminal Procedure, the possibility of overruling the sentence through the application of Article 477 of the aforementioned law by the head of the judiciary (in case the sentence is found to be against Sharia), once the previous proceedings have been completed and the special oversight functions of the Office of Citizen Rights of the Judiciary and the Human Rights Headquarters of the Islamic Republic of Iran to ensure a due process for death penalty, cases all indicate that the Iranian judicial system is moving in the direction of limiting the application of the death penalty to the most serious crimes. Also according to Article 38 of the Constitution of the Islamic Republic of Iran, any torture to extract a confession or information is prohibited. Forcing a person to testify, confess, or swear is not allowed, and such testimony, confession, and oath possess no value and validity, and the violator of this principle will be punished according to the law. Also, as per Article 578 of the Islamic Penal Code approved in 2013, "Any judicial or non-judicial government employee and official who tortures or physically harasses an accused person in order to force them to confess, in addition to retribution or payment of dowry, shall be imprisoned from six months to three years. If someone has given an order in this regard, only the one who gave the order will be sentenced to the aforementioned imprisonment. If the accused dies due to torture and ill-treatment, the agent will be punished as the murderer and the enabler will be punished as the perpetrator of the murder". Therefore, it is not possible to obtain a confession from a person by force or any other means, and this confession has no legal basis. The accused has the right to remain silent in front of the investigator's questions, and it is the investigator who must present their evidence that the person is guilty. Furthermore,

in Article 197 of the Criminal Procedure Law, the legislator has clearly stated that the accused can remain silent.

## Paragraph 67

As for the reference to the confession of the arrested individual, which was also mentioned in paragraph 21 of the report, it is necessary to remind, again, that although according to Article 171 of the Islamic Penal Code “whenever the accused confesses to committing a crime, his/her confession is valid”, but in order for the confession to be accepted, the following conditions must be met:

- Confession is valid only when it is made by the perpetrator himself/herself. The statements of the lawyer, guardian and legal guardian are not considered as confessions.
- Confession is valid in criminal matters when it is expressed with free will. A confession obtained under reluctance, coercion, torture, embracement and mental or physical abuse is considered invalid.
- Confession in criminal matters must be made in court of law and before the judge to be valid; and it is not accepted anywhere else.
- Confession should be stated clearly.
- Confession cannot be conditional and suspended and it must be made without any condition so that to be considered valid. Otherwise, the pending confession is invalid.

Therefore, one may easily find that according to the above-mentioned conditions, the reference to the confession of the arrested individual has legal validity when it is merely made with volition and free will, and away from any pressure and reluctance; otherwise according to Article 38 of the Constitution and the Articles 168 and 169 of the Islamic Penal Code the confession shall be considered invalid.

## Paragraph 68

Note to Article 48 of the 2013 Code of Criminal Procedure – by accepting the right to enjoy the presence of a lawyer in the preliminary stage of investigations for specific crimes against domestic and external security as well as organized crimes – is an essential step in line with the principle of the presence of a lawyer in all crimes. The note has been accepted by the legislative system of the Islamic Republic of Iran, leading to a situation in which no person can be prohibited from the right to have a lawyer in the preliminary stage of investigations. Moreover, the Note in question has a critical stipulation, which is that the intervention of lawyers who do not qualify under Article 48 is possible in crimes against internal or external security and organized crimes, whose punishment is less than the cases provided for in Article 302 of the Code of Criminal Procedure. This excludes many cases from the scope of the ruling contained in the aforementioned Note. Therefore, the Note is only related to the preliminary stage of investigations in specific crimes and is not included in the trial stage in court. The request of the First Deputy Chief of the Judiciary from the Central Bar Association and the Judiciary Lawyers' Center regarding the increase of attorneys subject to the Note to Article 48 of the 2013 Code of Criminal Procedure led to the introduction of trusted counselors by the two said centers.

## Paragraph 69

Firstly, the allegations made in this paragraph are baseless and untrue, and the statistics brought up in the paragraph are not confirmed in any way. Secondly, as mentioned in the methodological flaws section, despite the repeated explanations over the past years regarding the title "Courts of Revolution", Mr. Javaid Rehman has, unfortunately, has used the forged term "revolutionary courts" in this report. It will be announced again that the word "revolution" in the "Revolution Court" is the special name of a dedicated and specialized tribunal. It does not correspond to the fabricated

and fake concept of "revolutionary courts", which has been repeated in the report. The Revolution Court has a president and two advisors, and is formed according to the provisions of the Code of Criminal Procedure; the rulings issued therein can be appealed in the provincial courts and the Supreme Court. Undoubtedly, repeating such phrases is emblematic of his politically-motivated approach and decision to ignore the opinions of the Islamic Republic of Iran.

## Paragraph 70

In connection with the allegations made in this paragraph, the following contents are stated:

- The system of the Islamic Republic of Iran has generally anticipated a "policy based on equalizing opportunities for all women" so that while respecting, supporting and implementing women's rights in various civil, political, economic, social and cultural dimensions, to prepare the necessary grounds for full realization of women's rights at three legislative, executive and judicial levels. Therefore, the special protection of the women demographic group was legislated in the Constitution of the Islamic Republic of Iran, and following the explicit anticipation of the Constitution, as the highest law of the country, that all laws and regulations as well as procedures and methods must be approved and based on the norms contained in it, the laws and regulations, each of them, for their part, tried to take into account and consideration the protective approach of the Constitution towards the women group.

- **At the level of upstream laws**, the Constitution has explicitly made anticipations, in paragraphs 9 and 14 of Principle 3 and principles 19 and 20 on "elimination of discrimination", "ensuring the rights of individuals and everyone's equality before the law", "enjoyment of equal rights by all individuals" and "enjoyment of equal legal protection"; But nevertheless, with the approach of "positive discrimination" in paragraph 1 of Article 21, the government is assigned to provide the necessary platforms for the realization of women's rights in all

dimensions. This means that although this law considers all women and men to enjoy equal rights in the above principles, but considering the vulnerabilities particular of women, in paragraph 1 of Principle 21, the government is duty bound to provide for the necessary grounds for personality development of woman and for realization of her material and moral rights .That is, in fact, this law has firstly placed all citizens, both men and women, in an equal legal stance, and then, considering the particular and vulnerable position of women, this group has benefited from special protection on the basis of "positive discrimination". The "General policies of the 6th Development Plan", promulgated in 2015, too, obeying the approach of differential protection of the Constitution, in its paragraph 46, while paying attention to the strengthening of the position of women and their constructive role, has paid special attention to the need to fulfill the Shariah and legal rights of this vulnerable group in all fields. The "General policies of the 7th Development Plan", notified in 2022, in its paragraph 15 emphasized on "removal of obstacles to the growth and prosperity of women" and also clause 10 of paragraph 9 of "General Policies of Legislation", notified on September 24, 2019, of the Leadership specifies " justice-central approach in the laws and avoiding unfair discrimination as well as the generality of the law and its inclusion and comprehensiveness" at the legislative phase and considers it as one of the principles of legislation. All this well indicate the supportive approach of the country's legal system in the field of improving the status of women.

- **At the level of developmental laws**, following the special protection of women and the necessity of providing the necessary grounds for the realization of their rights, in various dimensions, was taken into consideration by the upstream documents of the country's legal system, the legislator, subsequently, in line with the same policies and macro-normatives, took into consideration paid special attention the importance of special attention to women at the level of development laws of the country; in such a way that the "Law of the Sixth Plan

of Economic, Social and Cultural Development of the Islamic Republic of Iran", approved on March 4, 2017, particularly in Article 101, "assigned all executive bodies to benefit the society from the human capital of women in the process of sustainable and balanced development, while organizing and strengthening the organizational position of women and family affairs in the relevant government institutions, apply the 'gender justice approach' at the level of their policies, programs and plans." And, subsequently, on the basis of note 1 of the mentioned Article, the Vice President for Women and Family Affairs was assigned to report on the implementation of the gender justice approach in the executive bodies by evaluating and implementing the policies, programs and plans of the institutions and continuously monitoring the improvement of indicators of the status of women and the family, on an annual basis, to the Islamic Consultative Assembly and to the Cabinet of Ministers.

- **At the level of regular laws**, in addition to the necessity of special protection of women's rights which has been manifested at the level of "upstream laws" and "developmental laws" of the country, at the same time, the legislative procedure of the country confirms that the legislation procedure has constantly endeavored to, firstly, make specific protection guarantees for women at the level of laws, and, secondly, to allocate specific laws directly for the protection of women. The most important of those laws are: provision of special protective laws for women in the context of Articles 75 to 78 of the Labor Law, adopted on November 20, 1990, with subsequent amendments; the Law on the part-time service of women approved on December 1, 1983, with subsequent amendments and additions; Law on the manner of implementation of the Law on part-time service of women, approved on April 7, 1985, with subsequent amendments; Law on protection of women and children with no guardian, approved November 15, 1992, with subsequent amendments and additions; Law on promoting breastfeeding and protection of mothers during breastfeeding, approved on March 12, 1996, with subsequent amendments; Law amending some provisions related to pension

rights, working women, families and other employees, approved May 2, 2000; Anticipation of special provisions supporting the employment of women and working women in Articles 99 to 111 of the Charter of Rights and Responsibilities of Women in the Islamic Republic of Iran, approved on September 21, 2004, by the Supreme Council of the Cultural Revolution; Anticipation of special protective provisions for working women in Note 1, Article 103 and Article 105 of the Civil Service Management Law, approved on September 30, 2007, and the Law on Reduction of the Working Hours of Working Women with Special Conditions, approved on August 23, 2016; Transfer of the citizenship of an Iranian woman to her children with the approval of the law amending the law on determining the citizenship status of children resulting from the marriage of Iranian women with foreign men, approved on September 24, 2019. According to this law, in case an Iranian woman marries a foreign man and a child is born from this marriage, the mother may apply for the recognition of the Iranian citizenship of this child from the very birth of the child, by referring to the relevant authorities of Iran. While recognizing the citizenship of this child, the aforementioned authorities will issue an Iranian birth certificate for the child according to the provisions of this law.

- **At the level of regulations and by-laws**, the issue of protecting women and providing the necessary grounds for improving the conditions of this demographic group and improving their status, in addition to being legislated at the level of upstream and ordinary laws, at the same time and with due attention to the emphasis of the upstream laws, special attention has been paid by the executive bodies and special regulations and instructions have been adopted, especially with the approach of equalizing opportunities and removing executive obstacles and reforming methods and procedures in the field of women's rights, an example of which is the "Executive Code of Article 101 of the Law of the Sixth Plan of Economic, Social and Cultural Development of the Islamic Republic of Iran", adopted by the Cabinet of Ministers on February 17, 2019,

according to which all executive bodies are duty bound that, within three months following the enforcement of this Code, while reviewing the current situation of the structure and formations of women and family affairs in their institution, to compile their plan for rearranging the structure of women and family affairs, according to their organizational duties, and submit the final plan to the State Administrative and Employment Organization for approval, and according to Article 5 of the above mentioned Code, the Vice-President for Women and Family Affairs is responsible for monitoring and making follow-ups for the implementation of the Code. In addition, the said Vice-President, in line with the assignment listed in Note 1, Article 101 of the Law of the Sixth Development Plan, and in order to evaluate and adapt the policies, programs and plans of the executive bodies with the indicators of the realization of the gender justice approach, according to notification No. 34523 dated June 16, 2019, to notify the relevant government institutions of gender justice indicators and its sub-indicators for implementation of Article 101 of the Sixth Development Plan Law. One of the basic axes of this document is the axis of "political participation and decision-making", the main component for its realization of which is considered to be the "women's participation in decision-making and management"; and the number of appointment of women in managerial positions (basic, middle and senior) is one of the most important monitoring indicators for realization of this axis of gender justice.

• **In terms of innovative actions, the following levels are particularly important:**

- "Judicial Reform Document", approved by the Head of the Judiciary on December 20, 2020, in direction of protecting women's rights and improving their position and status as well as strengthening the implementation of laws and regulations in the field of women and family, has anticipated introduction of a "comprehensive system of legal duties", with the purpose of public release of general, online and integrated legal obligations, the status of the implementation of each law, structural and process reform proposals, as well as

the rank of administrative bodies. Also, in line with the pursuit of managers leaving their legal duties and negligence in the implementation of laws, including the laws in the field of women, "Guidelines on the manner of dealing with managers/directors and the staff failing to fulfil their legal duties, and its prevention it and determining the appropriate punishment for managers of administrative bodies" was approved by the Head of the Judiciary;

- ◆ "Judicial Transformation Document", approved February 27, 2022, which is the "Action Plan of the Thirteenth Government", in direction toward realization of the women's rights, has adopted measures, the most important of which is the amendment and updating of regulations related to the field of women's rights, including custody, leaving the country for married women, dowry, inheritance, establishing a balance between women's family and social roles, empowerment of women's individual capabilities and strengthening structures in the field of women at the level of the Executive Branch.
- ◆ "The letter of approval regarding the introduction of the position of adviser for women and family affairs in the Executive bodies" was approved by the Cabinet of Ministers on July 31, 2022, with the overall goal of promoting women's participation in decision-making managerial positions. According to this approval, "continuous monitoring of policies, plans, laws, regulations and programs in the field of women and family in the executive bodies in order to identify the challenges and obstacles in the executive bodies and to provide effective specialized solutions in the field of women's rights" and "participating in the macro-decisions of the Executive bodies" are among the duties of this position.
- ◆ The need to prepare the necessary grounds to establish a balance between women's family and professional responsibilities, according to the approval letter of the national comprehensive plan for recognition of the employment status of women, approved by the National Headquarters for Women and Family on December 28, 2022.

- ◆ The necessity of realization of women's citizenship rights in all areas of urban life (Paragraph 3 of the Charter of Citizen Rights of Tehran City Council, 2015).

## Articles 71 and 72

In the field of "provision of personal and social security of citizens", particularly the vulnerable groups and especially the "women" group, in different physical, mental, emotional and social dimensions, is considered as the most important task of any government system. Therefore, at the legislative, executive and judicial levels, the Islamic Republic of Iran has taken measures to prevent the occurrence of violence, support the victims of violence and prosecute the perpetrators of violence.

- **At the level of civil laws**, various measures have been enacted to protect women against domestic violence. For instance:
  - According to Article 1130 of the Civil Code, women enjoy the right to submit a petition for divorce in case of domestic violence by the husband;
  - According to Article 1041 of the Civil Code, the marriage of girls before the age of 13 and the marriage of boys before the age of 15 is subject to the three conditions of the father's permission, compliance with expediency and the approval of this expediency by the court of law;
- **At the level of criminal laws**, the following laws have been anticipated to protect women against various forms of violence, including domestic violence:
  - Criminalization of exploitation of women in the form of human trafficking (law against human trafficking approved in 2004);
  - Prohibition of having sexual relations with a woman without her consent while asleep, unconscious and drunk (Note 2, Article 224 of the Islamic Penal Code approved in 2013);

- Prohibition of establishing sexual relations with minor girls by deceiving them or threatening and kidnapping them (Note 2, Article 224 of the Islamic Penal Code approved in 2013);
- Criminalization of female genital mutilation or the same as female circumcision (Article 664 of the Islamic Penal Code approved in 2013);
- Provision of compensation for the woman in case of committing a crime causing sexual disease in a woman (Article 660 of the Islamic Penal Code approved in 2013);
- Criminalization of cutting off or destroying a woman's breast or its ability to produce milk (Articles 669 and 670 of the Islamic Penal Code approved in 2013);
- Intensification of the punishment of perpetrators of acid attacks and protection of acid attack victims (law on increasing the punishment of acid attack and protection of victims resulting from it, approved in 2019);
- Criminalization of the inattention and negligence of parents which has resulted in sexual abuse caused by severe and continuous negligence and carelessness toward children (girls under 18 years of age) (Note of Article 9 of the Law on Protection of Children and Adolescents, approved in 2020);
- Criminalization of contact and non-contact sexual abuse with a child (girls under 18 years of age) (paragraphs 1 to 4 of Article 10 of the Law on Protection of Children and Adolescents, approved in 2020);
- Paragraph 9 of Article 10, confronting with the impunity of adults in case of the abuse of children (girls under 18) in the online environment and in virtual networks; communicating with children in cyberspace for the purpose of any sexual harassment or illegitimate sexual relations (Para. 9 of Article 10) Law on Protection of Children and Adolescents, approved 2020);
- Dealing with virtual violence against children (girls under 18 years of age) and the task of setting up emergency contact lines and judicial actions regarding the violation

of children's rights in the cyberspace (document on the protection of children and adolescents in the cyberspace, approved in 2021).

- **In terms of innovative measures, the following measures are important to mention:**

- Issuance of a "temporary order to remove the child (girls under 18) from the dangerous environment and transferring her to a safe place by the prosecutor" for immediate and immediate protection of the child at risk (Article 35 of the Law on Protection of Children and Adolescents, approved in 2020);
- Criminalization, coupled with increased punishment, for those who hold the position of Velayat, will-based guardianship, legal guardianship or tutelage of a child (girls under 18 years of age) or are in any way responsible for taking care of her, in sexually abusing the child, sexual harassment of the child through presenting, acquiring, forcing or hiring for pornography or sexual abuse, making available or providing obscene or vulgar content or works to a child, using a child to prepare, produce, distribute, reproduce, display, selling and maintaining obscene or vulgar audiovisual works, importing, exporting, duplicating, publishing, offering, trading or uploading obscene or vulgar content or works in which a child is used, or carrying and storing them, communicating with a child in cyber space for the purpose of any sexual harassment or illicit sexual relationship (Article 10 and Paragraph A of Article 22 of the Law on the Protection of Children and Adolescents, approved in 2020);
- Provision of social emergency services. In fact, "Social Emergency Program" is a combination of intervention in individual, family and social crises (Social Emergency Center), Social Emergency Hotline (123), Social Emergency Mobile Team and Social Service Base (in marginalized and traumatized areas). Provision of social services is the important feature in this program. It means that provision of specialized, timely and available services are at the focus of attention. In this regard, the following lines have been designed to provide free telephone services: the country's social emergency hotline for timely intervention in the support of women who are victims and exposed

to violence, through the phone number 123; the line of the counselor's voice of the State Welfare Organization, through the phone number 1480; and the addiction counseling line of the State Welfare Organization and the headquarters of the fight against narcotics, at the contact number 09628.

### Paragraph 73

Regarding the issue of the age of criminal responsibility in the Islamic Republic of Iran and the contents of this paragraph, the following points are declared for clarification:

- The Islamic Penal Code has adopted a "differentiated criminal policy" in relation to the stages of children's prosecution proceedings (detection of the crime, prosecution, preliminary investigations, proceedings, issuance and execution of sentences) and articles 88 to 95 of this law are assigned to "punishments and preventive and educational measures of Children and adolescents". In addition, "graduality of the age of criminal responsibility" is also considered as one of its positive changes.
- In the new Islamic Penal Law, children are generally classified into four age groups. The first group includes "children of under 9 years of age" who are not criminally responsible. The second group includes "children in the group of 9 to 12 years of age" who, in case of committing Ta'ziri crimes, according to Article 88, will not be sentenced to criminal punishment, and the court will adopt "security and corrective measures" for them. The third group is "children in the group age of 12 to 15 years who, in case of committing penal crimes, will not be sentenced to criminal punishment according to Article 88, and "protective and educational measures" will be applied to them. The fourth group is the "children in the age group, 15 to 18 years old" who, according to Article 89, shall be sentenced to punishments such as fines and detention in a correctional center if they commit penal crimes.

- Although according to Articles 146 and 147 of the Islamic Penal Code, the ages of 9 and 15 are considered as the age of criminal responsibility, but the Penal Code, by adopting a discriminatory policy towards children of under 18 years of age who have committed crimes entailing punishment or retribution, Article 91 has specified that when a juvenile under the age of 18 does not "comprehend" the "nature of the crime" committed, or the "sanctity" of it, or there are doubts about their "growth" and "perfection of reason", the punishment of Hodud and retribution is not applied in their case, and depending on their age, they shall be sentenced to protective and educational punishments. According to the Note of Article 91, the court may refer the case to the forensic medicine for examination in order to determine the growth and maturity of the child's mind, or use any other method it deems appropriate to verify the growth and perfection of the child's mind. It is worth mentioning that individuals under 18 years of age, who were sentenced to Qisas (retribution-in-kind) by a final decision before the approval of Article 91, may initiate a retrial, so that if the conditions of Article 91 are met, their punishment shall be reduced. (Procedure 737 dated Dec. 2, 2014 of the Supreme Court)
- In connection with the individuals mentioned in this paragraph (Ms. Mahbوبه Mofidi, Zeinab Sekanvand and Samira Sabzian) it should be stated: Firstly, the punishment was imposed not because the perpetrators were women, but because of their mental maturity at the time of committing the crime, the same applies to boys. Secondly, the mentioned persons were charged with intentional murder, which is considered the most serious crime in terms of both domestic and international laws.

#### Paragraph 74

- In connection with the presence of women in various managerial and administrative jobs, it should be noted that after the triumph of the Islamic

Revolution in Iran, with the increase of awareness and the expansion of higher education for women and the promotion of their capabilities, the contribution of women in political and social participations have evolved and developed widely, in a way that their political participation and presence in decision-making positions have been recognized as a right and a duty for women. In addition to anticipation of this issue in the Constitution, upstream documents and the general policies of the country, the Supreme Leader of the Islamic Revolution has repeatedly emphasized the importance of women's presence in society and the social responsibilities and role-playing of this important segment of society. As an instance, in the recent meeting of the His Eminence with different groups of women (Dec. 27, 2023), he said in this regard: "The presence of women in various managerial, political, social and cultural jobs has no restrictions, and meritocracy is the criterion. In a position like that of a Cabinet Minister or parliamentarian, if there is an experienced and efficient woman who is better and more worthy, there is no limit for her, according to Islam, to hold office." The history of women's presence in managerial positions of the country, from the beginning of the Revolution until now, at the level of Vice President, assistant to the President, Minister, Deputy Minister, Governor, etc., indicates that there is no ban on the presence of these people in these positions.

- According to the Amendment and approval of the executive guideline on the manner of selection and appointment of professional managers of all Ministries, State institutions, State companies, non-governmental public institutions of 2017, the Supreme Administrative Council, on the basis of the proposal of the State Administrative and Employment Organization, and with the aim of benefiting from the abilities of talented women and young people in the country to hold professional management positions, and to increase their share and role in the country's executive management, in the additional Note 2 of Article 5 of the aforementioned amendment, demanded a 30% increase in women's management positions by the end of the sixth five-year plan. Also, women may

join the Council of Experts if they obtain the required votes. In 2019, Ms. Zohreh Sefati passed the academic exam, and the Guardian Council also confirmed her qualification, and she entered campaign of the Council of Experts elections. In the Assembly of Experts for the drafting of the Constitution, there was no prohibition for the presence of expert women (such as Ms. Monireh Gorji Fard).

- In 2017, the number of female managers was 9,444, and this number increased to 42,396 in 2013, which indicates their greater participation in planning and management of affairs. In addition, there are currently a number of 1006 female judges working in the courts of the Islamic Republic of Iran.

### Paragraph 75

According to Article 1070 of the Civil Code, the consent of the girl and the boy is a condition for the validity of the marriage contract, and Article 1041 of the Civil Code, which governs the marriage of girls under the age of 13, makes this marriage subject to the three conditions of the guardian's permission + compliance with the best interest of the child + permission of the court of law. Therefore, according to the provisions of Article 1041, the marriage of girls under the age of 13 does not depend on the consent of the father or the judge, but after the father's permission and consent, if the judge believes that this marriage is in the best interests of the child, upon the necessary medical and social examinations, may issue the permission for marriage, and, thus, if the judge determines that the marriage is against the best interest of the child, he, according to Article 1041, shall refuse to issue a marriage permission. Also, in order to comply with the conditions anticipated in Article 1041, the legislator defined, in Article 50 of the Family Support Law, approved on February 19, 2013, non-compliance with the three conditions stipulated in the Article 1041 as a crime and anticipated a punishment for it; and Article 56 of this law, too, has anticipated that registration of a marriage in which the conditions of Article 1041 of the Civil Code are not met, as an offense for marriage and divorce registration offices.

## Paragraphs 76 and 77

As for the untrue allegations made in these paragraphs, please refer to the explanations of paragraphs 70 and 72.

## Paragraphs 78 to 80

As for the allegations raised in this paragraphs, please refer to the explanation in the paragraphs 51 -54. Anyway, a few points are mentioned about some of the claims:

- Based on Principle 19 of the Islamic Republic of Iran's Constitution, Iranian people, regardless of their clan and tribe, enjoy equal rights. Additional to this, based on the twentieth Principle of the Constitution, all people of the nation, whether man or woman, are equally protected by law and enjoy all human, political, social and cultural rights according to the Islamic criteria.
- According to Articles 12 and 13 of the Constitution, the official religion of Iran is Islam, and Zoroastrian, Jewish, and Christian Iranians are recognized religious minorities, who within the limits of the law, are free to perform their religious rites and ceremonies, and to act in accordance with their own canon in matters pertaining to personal affairs and religious education are conducted by associations whose members are elected by the above communities.
- Aside from the above religious minorities, the citizen rights of followers of sects, such as Baha'ism, Sufis, the Gonabadi order, Yarsanis and the Sabian Mandaeans, are fully respected. According to articles 18 and 19 of the ICCPR, freedom of expression and opinion cannot be curtailed. However, exceptions to this rule are determined by the law to preserve security, order, public morals and the rights and good reputation of individuals and the Baha'i and other groups are not exempt from this provision. Obviously, respect for the rights of individuals as citizens, is subject to the fulfillment of their obligations and

duties as members of society. In addition, based on article 23 of the Constitution investigation into a person's beliefs is prohibited and Individuals cannot be harassed or called to account for simply holding a particular belief. Therefore, contrary to political agitations, especially from the Baha'i representatives, no one is sent to prison for his or her beliefs. For example, the issue of destroying cemeteries is an example of his biased and political excuses, which has been repeated many times in Javed Rehman's reports, including his last report, despite the necessary clarifications from the Islamic Republic of Iran. It reminds again that the issue of destroying cemeteries, which is referred to here as "cemetery desecration", actually refers to urban development programs and changing the use of cemeteries. Be advised that cemeteries' destruction is contingent upon land-use change and urban development programs. The cemeteries of the Country, including those of Muslims, Christians, Jews, and those belonging to all groups and ethnic groups, are subject to regulations. Generally, these places face a land-use conversion after several years with the expansion of the urban fabric and according to the regulations. The issue of placing cemeteries in the urban fabric is inevitable, considering the increase in population and urban development programs in most of the Country's big cities. According to Note 6 of Article 96 of the Law of Municipalities, public cemeteries are considered public property owned by the municipality. On the strength of Article 45 of the Financial Regulations of Municipalities, cemeteries are regarded as public property of the Municipality. In addition, according to Article 9 of the Bylaw on Health Regulations of Sanctuaries, the deceased's grave is chosen for thirty years. In Tehran, regional cemeteries are entirely closed, and even a large cemetery called Mesgarabad has been turned into a park and cultural building, despite having hundreds of thousands of graves. Currently, 33 local cemeteries of Tehran, which have already been closed, have been made ready for land-use conversion. This issue is not specific to Tehran and applies to other cities as well. In the holy city of Qom, 23 cemeteries have been closed. Even the historical cemetery of Isfahan, Takht-e Foulad, has been

completely shut down and undergone land-use conversion. In Shiraz, two Muslim cemeteries have been subjected to land-use conversion, one has become a park called “Bagh-e Melli”, which is located at the Hafezieh intersection, and the second one has become a city bus terminal following the development of Ahmadi Nou street.

- The suitable status of ethnic and religious groups and their political, economic, social and cultural situation, and the guarantee of respect for citizenship rights for all Iranian citizens, are repeatedly presented in the form of official reports of the Islamic Republic of Iran with relevant documentation that can be referred. Meanwhile, in Iran's laws, individuals are punishable for committing an unlawful act, and it has no connection, whatsoever, with being affiliated to ethnic or religious groups.

### Paragraph 81

The Islamic Republic of Iran strongly believes in the protection and promotion of the human rights of its people. Thus, if any institution or authority commits a violation of the rights of the people, there will be investigations and the perpetrator shall face prosecution in accordance with the relevant laws. Accountability and combating impunity are provided for in various laws of the Country as well as in the practice of law enforcement agencies and judicial bodies. The problem is that Mr. Javid Rehman in his reports has defended terrorists and insurgents who have either assassinated tens of thousands of innocent people, killed civilians and police during riots, and destroyed public and private property. From this perspective, Mr. Rehman has not recognized any rights for victims of terrorism or those who have lost property and lives thereof, and instead deemed the Government's treatment of offenders, criminals and terrorists a violation of human rights. It is a matter of profound regret that he supports such individuals and groups and makes no reference to the human rights violations of the Iranian people, including innocent children, women and girls,

the elderly and the sick, who are affected by terrorism and the negative consequences of the United States' illegal and inhumane unilateral coercive measures.

## Paragraph 82

- The Government of the Islamic Republic of Iran is actively and innovatively committed to complying with the legal, religious, and moral obligations arising from the legal and political system thereof, preventing harm to citizens while dealing with riots, as well as unmasking the truth about the allegations and claims, and safeguarding the interests of public rights. During the last year's riots, the police force of the Islamic Republic of Iran, as the principal guardian of public security and order, exercised utmost restraint and tolerance and tried to calm the situation through the use of non-coercive methods with the aim of protecting citizens and public and private properties. The martyrdom of tens of law enforcement officers and the injury of more than 7,000 of them bear witness to the intensity of violence perpetrated by the rioters and the presence of violent elements in non-peaceful gatherings who disturbed public security and order.
- The statistics raised in this paragraph are not confirmed and valid in any way. In any case, a committee titled the Special Committee to Investigate the Riots of 1401, which is an independent body to investigate any damages caused by the violation of the rights of the citizens during the said riots, has carried out a detailed and impartial investigation and compensate for any possible violation of the rights of the citizens; and the results of its investigations have been presented to the President. In addition, contrary to the allegation of impunity, cases have been filed under various criminal headings and have been investigated in the Judiciary, and in some cases, verdicts have been issued.

### Paragraph 83

In connection with the poisoning of some students in a number of schools in the country, contrary to Mr. Javaid Rehman's allegation, extensive investigation was conducted and the field and laboratory findings and the results of staff investigations and statistical studies of those events and related judicial proceedings (including 48 cases in 8 provinces of the country) were announced many times in the form of various reports or considerations on the communications of the Special Procedures of the Human Rights Council. Therefore, it was pointless to repeat the issue in this report.

### Paragraph 84

It should be noted that Kurdish and Balochi people are noble ethnicities and part of the majority of Iranian society. Therefore, applying the title of minority to those two ethnicities is not correct. There is no doubt that the baseless allegations raised in this paragraph are due to the failure of the enemy's projects in activating the evil and terrorist groups based in the eastern and western border strips of the country, especially Komleh, Demokrat, Pak, Pejak and Jeish-al-Adl terrorist groups, who, they tried to disturb and inflame and create chaos in the Kurdish and Balochi regions of the country with terrorist acts during the last year's riots. Lack of attention on the side of Mr. Javaid Rehman to the crimes of those groups in killing hundreds of people from the same ethnicities, including in the terrorist attack on the city of Rask and ignoring the recent terrorist act of Kerman city in this report which took the lives of nearly 100 people and the injury of around 290 innocent people, including women and children, reveals the ridiculousness of his opinions on crimes against humanity.

### Paragraphs 85 to 89

- The Islamic Republic of Iran believes, firmly, in the protection and promotion of the human rights of its people. In this way, if any institution or authority

commits a violation of the rights of the people, it will be investigated in compliance to the relevant rules. Accountability and countering impunity are provided for in various laws of the country as well as in practice of law and justice enforcement institutions. The problem is that the Mr. Javid Rehman, on some issues, in his reports, has defended the terrorists or rioters who have either assassinated tens of thousands of innocent people or have killed them in riots; or have killed police and civilians while committing the destruction of public and private property. From this perspective, Mr. Rehman does not grant any rights to victims of assassination or to those who have lost their property and lives, and considers the government's treatment of lawbreakers, criminals and terrorists as a violation of human rights.

- It should be reminded that Mr. Hamid Nouri was arbitrarily arrested on the order of the Swedish prosecutor in absence of conducting a comprehensive investigation, and it was carried out solely on the basis of false statements and memories of a number of members of the MKO terrorist group, and without respecting the rights mentioned in enjoying the minimum standards of a fair trial. A terrorist group which the hands of its members are stained in the murder and assassination of 17 thousand people, and Mr. Javaid Rehman has referred to them, in his report, as "political dissidents". In the grave contradiction and in the open politically motivated work of Mr. Rehman's work, it suffices to say that when Iranian nationals are put under arrest abroad, he justifies and legitimizes those arrests as well as the trial process and the sentences issued in defense of terrorists and human rights violations of Western countries; but, in the case of arrest of foreign nationals or Iranian nationals with so-called dual citizenship, he considers them, without any investigation, as hostage-taking and demands their release!!

## Paragraph 90

- There is much to be regretted that Mr. Javaid Rehman deliberately reflected the cruel and widespread consequences of the unilateral coercive measures and sanctions against Iran in a selective manner with no reference to the perpetrators and those who have imposed the sanctions and not even condemning such actions and measures. His failure to point out the contradiction between applying unilateral sanctions and the principles of international humanitarian law and international human rights is another indication of his biased behavior against the Islamic Republic of Iran, which is miles away from the principles of neutrality and fairness. . This issue reveals that Mr. Javaid Rehman has a completely politically-motivated and discriminatory view on the issue of sanctions; the very sanctions in which not only food and medicine are not excluded, but the United States and its allied countries are seeking to keep on the maximum pressure on all Iranian people by applying those cruel and illegitimate measures.
- In this paragraph, Mr. Javaid Rehman has not made any reference to the sanctions of the European Union and their extraterritorial effects, especially in the form of "restrictive measures" of the members of the Union, which are in contradiction with the sanctions statute approved in 1995 of the Union, particularly in the field of exporting medicine and medical equipment, under the pretext of "exorbitant adherence ", and he has turned a blind eye toward them in general, while he could have pointed to this issue as the cause of the silent death of thousands of patients with rare diseases, including patients suffering from butterfly (EB) disease, etc.

## Paragraph 91

As for the recommendation raised in this paragraph, please refer to the explanation in the introduction.

### Paragraph 92

As for the recommendation raised in this paragraph, please refer to the explanations provided in paragraphs 8 to 11.

### Paragraph 93

In connection with the recommendations made in this paragraph which are based on the baseless allegations and accusations of Mr. Javaid Rehman during the report, it is recommended to read the entire report.

### Paragraph 94

The Islamic Republic of Iran persistently adheres to its obligations under international human rights treaty bodies to which Iran has to as a member. In addition, with continuous interaction and cooperation with the Office of the High Commissioner for Human Rights and other international institutions, Iran has played its role in promoting human rights. Furthermore, by holding bilateral talks with a number of countries and presenting periodical national reports to the treaty body and participating in the Universal Periodic Review Sessions, it has played its active role in the world stage for the real promotion of human rights.

### Paragraph 95

The plurality of violent and bloody acts of terrorist groups, in particular the MKO terrorist group during the early years of the Islamic Revolution, which witnessed the martyrdom of the President, the Head of the Judiciary, the Prime Minister, more than 72 MPs, the clerical and scientific authorities and martyrdom (assassination) of the 17,000 innocent civilians have made Iran the largest victim of terrorism in the world. The intelligence cooperation of the MKO hypocrites with

Saddam Hussein during the imposed war, the assassination of the Iraqi Shiites, the suppression of the Shabbaniyya uprising of the Iraqi people by the MKO and, in addition, the intelligence cooperation with the organizations of some foreign countries, leading to the assassination of the Iranian nuclear scientists have been among other crimes committed by the terrorist group. By organizing sectarian houses and using various types of weapons, they attacked people and created civil wars at the end of the Iraqi imposed war, just when the Islamic Republic of Iran was going to implement Resolution 598 of the Security Council To conclude the status of the imposed war with Iraq, and because of the international obligations resulting from the resolution, Saddam Hussein did not have the possibility of continuing the war. This hostile (Muhareb) group of militants, using vast military equipment and using many financial and intelligence assistance of Baghdad, whose documents were obtained after the collapse of the Iraqi regime, launched a direct military strike on the west of the country through the Iraqi soil and with the illusion of conquering the Capital Tehran. They began a massive attack in which several border towns near the capital of Kermanshah province were invaded and they carried out brutal acts such as killing ordinary people and killing patients of hospitals and students of schools and there were numerous other cases of brutality. In response to the resistance of the people and the Iranian troops, their operations ended in defeat, during which a large number of armed and aggressive members of the group were killed. The successes of the Iranian nation and the Government in the fight against organized terrorism seem to have been transmitted incorrectly, and the false information has led to prejudice on the issue which has been repeatedly analyzed and communicated in the Iranian press. The people have widely supported it and consider it as one of the hallmarks of the holy defense and the first decade of the Revolution. It should be noted that no non-violent person was executed and individuals from members of terrorist groups who had an effective role in committing armed operations were tried in accordance with the law and after having been subjected to the relevant legal procedures. Another number of those who had lighter crimes were released after being imprisoned and they are now busy with their usual lives. Many, who have little role in working and cooperating

with this group and other terrorist groups, have faced Islamic affection and have not been prosecuted. According to the existing documents, the ruling sectarian situation in the organization of the MKO hypocrite group is in such a way that the personal relations of the members are dominated by the iron dominance. Examples of this include self-immolation (in the photo of the detention of leaders in Paris), the forced marriage and organizational divorce, the dissolution of the relationship between parents and children, forced abortion and the requirement to live in camps and institutional homes including Camp Ashraf (Ashraf Garrison) in Iraq. The disclosures of hundreds of members of the organization inside and outside the country are available online and offline, and the fabricated stories and allegations and accusations of the terrorist organization are well demonstrated by the relevant authorities of the Islamic Republic of Iran.

Instead of supporting the false allegations made by the terrorist organization, it is expected that the victims of terrorism will be supported and, in particular, the innocent victims of the terrorist operations of the organization to be protected. There are more than 17,000 victims and the record of each assassination is documented.

## Paragraph 96

In his reports, Javaid Rehman has always refrained from pointing out the negative, destructive, and deadly impacts of the illegal, cruel, and criminal unilateral coercive measures of the United States of America on the Iranian people's enjoyment of human rights and the international responsibility of the said government. This is an indication of the fact that his mandate was established purely based on political objectives. Not only did he show no will to address this issue in any of his previous reports, but in his latest report (paragraph 96), the foregoing person rudely asked the international community to press ahead with their sanctions, which have never been targeted, and the adverse consequences of which have violated the most fundamental rights of the Iranian nation. His terrible ignorance of the death of dozens of children



and hundreds of innocent patients who died due to the lack of access to pharmaceuticals and medical equipment as a result of the United States' unilateral coercive measures – which is a clear violation of the “right to life” and the “right to health” of thousands of Iranian citizens – cannot be justified in any way. It is deplorable that Javaid Rehman has never joined any statement condemning the unilateral coercive measures, but his name is reflected in all other statements issued against the Islamic Republic of Iran.

## Final Considerations:

- Assigning a mandate to the citizen of a country that is the main sponsor of the anti-Iran resolution to prepare a report on the situation of human rights in a country such as the Islamic Republic of Iran, which has always adhered to its obligations vis-à-vis its citizens and the international community, is categorically unjustified, unconstructive and politicized;
- Regretfully, the prejudices and hasty judgments contained in the report to undermine the legal and practical progress made in the Country severely diminish the report's credibility.
- The present report has unfortunately distanced itself from the principles of report compilation for presenting a balanced text on the basis of impartiality and pre-judgment. It should be taken into consideration that provisions of a report need to be based upon verified information or issues, the judicial or legislative stages of which have already been passed through inside the country. The report shall not be a set of misguided words and phrases churned out carelessly, nor shall it contain claims received by the media, invalid websites, irrelevant and non-credible sources that are notorious for publishing lies and biased materials as well as fake news broadcast by terrorist organizations. In particular, it is expected that the report would be drafted based upon verified information and reflect issues properly while taking into account the principles



of fairness and impartiality. Javaid Rehman has distanced himself from acting in careful consideration of the Code of Conduct for Special Procedures Mandate-holders of the Human Rights Council (A/HRCRES/5/2 adopted on 18 June 2007), and favored incorporating personal interpretation, pre-judgment as well as fabricated allegations in his reports.

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