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**Annual report of the United Nations High Commissioner
for Human Rights and reports of the Office of the
High Commissioner and the Secretary-General**

Interim report of the Secretary-General on the situation of human rights in the Islamic Republic of Iran* **

Summary

The present report is submitted in accordance with General Assembly resolution 65/226, in which the Assembly requested the Secretary-General to submit an interim report to the Human Rights Council at its sixteenth session. The report reflects the patterns and trends in the human rights situation in the Islamic Republic of Iran and provides information on the progress made in the implementation of resolution 65/226, including recommendations to improve its implementation. In that resolution, the Assembly called upon the Government of the Islamic Republic of Iran to address the substantive concerns highlighted in the previous report of the Secretary-General (A/65/370) and the specific calls to action found in previous resolutions of the Assembly (resolutions 63/191, 62/168 and 64/176), and to respect fully its human rights obligations, in law and in practice, in relation to a number of specifically identified concerns.

* Late submission.

** The annex to the present report is circulated as received.

Contents

	<i>Paragraphs</i>	<i>Page</i>
I. Introduction.....	1–3	3
II. Thematic issues	4–40	3
A. Torture and cruel, inhuman or degrading treatment or punishment, including flogging and amputation	4–8	3
B. The death penalty, including public executions.....	9–16	5
C. Executions of juvenile offenders	17–19	7
D. Stoning as a method of execution	20–22	8
E. Women’s rights.....	23	9
F. Rights of minorities	24–27	9
G. Freedom of peaceful assembly and association and freedom of opinion and expression	28–38	10
H. Lack of right to due process.....	39–40	13
III. Cooperation with international human rights mechanisms and the Office of the United Nations High Commissioner for Human Rights.....	41–52	13
A. Universal periodic review	41	13
B. Cooperation with the United Nations human rights treaty system.....	42–43	14
C. Cooperation with United Nations special procedures	44–47	14
D. Cooperation with the Office of the United Nations High Commissioner for Human Rights	48–52	15
IV. Conclusions and recommendations.....	53–58	16
Annex		18

I. Introduction

1. The present report is submitted pursuant to General Assembly resolution 65/226, in which the Assembly requested the Secretary-General to submit an interim report to the Human Rights Council at its sixteenth session. The report reflects the patterns and trends in the human rights situation in the Islamic Republic of Iran and provides information on the progress made in the implementation of resolution 65/226, including recommendations to improve its implementation. The report also draws upon observations made by treaty monitoring bodies and the special procedures of the Human Rights Council.¹

2. Since the previous report of the Secretary-General (A/65/370), the human rights situation in the Islamic Republic of Iran has been marked by a crackdown on human rights defenders, women's rights activists, journalists and Government opponents. Concerns about torture, arbitrary detentions and unfair trials continue to be raised by United Nations human rights mechanisms. There was a noticeable increase in application of the death penalty, including in cases of political prisoners, since the beginning of 2011. Discrimination persisted against minority groups, in some cases amounting to persecution. Against this backdrop, there were, however, some positive developments, including the State's signing of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, in September 2010, its examination before the Committee for the Elimination of Racial Discrimination, in August 2010, and the conduct of a judicial colloquium together with the Office of the United Nations High Commissioner for Human Rights (OHCHR), in December 2010.

3. The Secretary-General met with the Senior Adviser to the Head of the Judiciary and Secretary-General of the High Council for Human Rights of Iran, Mohammad Javad Ardeshir Larijani, on 19 November 2010, in New York. The Secretary-General raised several human rights issues, such as constraints on human rights advocates, capital punishment, juvenile execution and concerns relating to minority rights. Mr. Larijani replied that the Islamic Republic of Iran appreciated the general cooperation with the United Nations on human rights with both the Secretary-General and the United Nations High Commissioner for Human Rights. He insisted, however, that his country strongly rejected the recent General Assembly resolution on human rights in the Islamic Republic of Iran.

II. Thematic issues

A. Torture and cruel, inhuman or degrading treatment or punishment, including flogging and amputation

4. Article 7 of the International Covenant on Civil and Political Rights, to which the Islamic Republic of Iran is a State party, prohibits the use of torture or cruel, inhuman or degrading treatment or punishment. The State's Constitution forbids the use of all forms of torture for the purpose of extracting confessions or acquiring information, and articles of the Penal Code and code on citizen's rights provide for acts of torture to be punished. Reports continue to be received, however, about torture and cruel, inhuman or degrading treatment taking place in various detention facilities.

¹ Since the previous report of the Secretary-General submitted to the General Assembly, a number of special procedures mandate holders have reported on their communications with the Government on cases of concern. These are flagged in relevant sections of the report (see also annex).

5. The Special Rapporteur on torture and other cruel, inhuman and degrading treatment or punishment sent a number of individual communications to the Iranian authorities concerning allegations of torture.² The Special Rapporteur was joined in some communications by other special procedures, including the Working Group on Arbitrary Detention and the Special Rapporteur on the independence of judges and lawyers.

6. In recent months, there has been a number of reports in the Iranian media regarding the application of amputation and flogging. On 1 December 2010, Iranian authorities amputated the hand of a man accused of theft in the central prison of Kermanshah; the sentence was reportedly carried out in the presence of local judiciary officials and prisoners.³ On 22 November 2010, after amputating the hand of a thief, the Public Prosecutor of Mashhad stressed that the judiciary would show no mercy to those who disturb public order and security, particularly thieves.⁴ On 26 October 2010, in connection with the amputation of the limb of a thief in Yazd, the First Deputy to the Head of Judiciary stated that the execution of such punishment was in compliance with the law, a source of pride and would be repeated in the future.⁵ On 22 July 2010, following the amputation of the hands of five robbers in Hamedan prison, the Prosecutor of Hamedan stressed that, “when a hand is used to steal and causes harassment to people, it should be cut off”.⁶

7. An Iranian news agency reported that, on 18 December 2010, a man accused of drinking alcohol was publicly punished with 80 lashes in the city of Ramshir.⁷ On 5 January 2011, the judiciary in Tehran convicted a woman, a Ms Saeeda, also known as Kimya, to 100 lashes for adultery.⁸ On 31 January 2011, three people accused of illicit sexual relations were subjected to 99 lashes in public in Qaimeshehr.⁹ Punishments have been reported in the context of retribution or “an eye for an eye”. According to Iranian press reports, on 28 December 2010, a court in Tehran ruled that a man named Hamid had to lose his eye and part of an ear after he blinded and burned the ear of another man in an acid attack.¹⁰ During the preparation of the present report, the Iranian authorities confirmed amputation and flogging sentences were carried out in Ramshir and other locations in conformity with the Penal Code.

8. The Penal Code allows amputation and flogging for a range of crimes, including theft, enmity against God (*Mohareb*) and certain sexual acts. The Iranian authorities argue that punishments of this kind are prescribed by Islamic law and are not considered to be torture or cruel, inhuman or degrading treatment. They argue that the application of sentences of this kind are effective in deterring crime and offer an alternative to incarceration. The Committee against Torture and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment have consistently held that the imposition of corporal punishment by judicial and administrative authorities, including, in particular, flogging and the amputation of limbs, is contrary to the prohibition of torture and other cruel, inhuman or degrading treatment or punishment. The Human Rights Committee, which monitors implementation of the International Covenant on Civil and Political Rights, held a similar view in its general comment No. 20 (1992).

² The Special Rapporteur reported to the Human Rights Council in February 2010 on past communications (see annex).

³ <http://isna.ir/ISNA/NewsView.aspx?ID=News-1665994&Lang=P>.

⁴ www.dadgostarikhr.ir/tabid/38/ctl/edit/mid/372/code/1080/default.aspx and www.jomhourieslami.com/1389/13890907/13890907_06_jomhori_islami_goonagoon_0006.html.

⁵ www.aftabnews.ir/vdceoz8zoh8zpi.b9bj.html.

⁶ www.ilna.ir/newstext.aspx?ID=137025.

⁷ www.isna.ir/isna/newsview.aspx?id=news-1679374&lang=P.

⁸ www.isna.ir/Isna/newsview.aspx?id=news-1688304&lang=p and www.irna.ir/newsshow.aspx?nid=30170347.

⁹ www.isna.ir/ISNA/Newsview.aspx?id=news-1706375&lang=P.

¹⁰ www.kayhannews.ir/891008/15.htm#other1508.

B. The death penalty, including public executions

9. A dramatic surge in the number of executions has been recorded since the beginning of 2011. According to Iranian press reports, at least 66 people were executed in January, with some sources indicating the figure to be as high as 83.¹¹ Most executions were reportedly carried out in relation to drug offences, but at least three political prisoners were among those hanged. The Iranian authorities assert that the executions were carried out after a fair trial and review by a higher court. On 2 February 2011, the High Commissioner publicly expressed alarm at the dramatic increase in executions since the beginning of 2011, and called upon the country to institute a moratorium on executions with a view to abolishing the death penalty. The High Commissioner also expressed concern that a large number of people reportedly remain on death row, including political prisoners, drug offenders and even juvenile offenders, and encouraged the country to respect international standards guaranteeing due process and the protection of the rights of those facing the death penalty, to progressively restrict its use and reduce the number of offences for which it may be imposed. Furthermore, the Special Rapporteur on extrajudicial, summary or arbitrary executions jointly with the Special Rapporteur on the independence of judges and lawyers also warned in a public statement of a dramatic surge in death sentences, carried out in the absence of internationally recognized safeguards, despite numerous calls by the United Nations to halt executions immediately. The experts pointed out that, under international law, the death penalty is regarded as an extreme form of punishment which, if it is used at all, should only be imposed for the most serious crimes after a fair trial has been granted to the accused.

10. Special procedures mandate holders continued to receive many reports from various sources concerning individuals who had allegedly been executed for drug-related offences and drug trafficking. Several cases involved foreign citizens or persons with dual nationality.¹² Despite growing acknowledgment by some Iranian authorities that the death penalty may not be an effective deterrent to drug crime, the judiciary has continued to stress in public the need for tough punishment.

11. A new anti-narcotics law was passed in December 2010 and came into force on 4 January 2011. Article 18 provides for the death penalty for drug traffickers and major traders, and also foresees punishment such as a travel ban ranging from one to 15 years for carrying or smuggling any quantity of drugs.¹³ The new law classes drug-addicted persons as criminals unless they are in possession of a certificate of treatment. On 27 December 2010, the Deputy Prosecutor General for Legal Affairs warned of a stricter approach in dealing with drug trafficking, and stressed that drug traffickers and major drug traders would face execution under the new law.¹⁴ The judiciary has also pledged to use the death penalty in a crackdown on other serious crimes. On 8 December 2010, the head of the Iranian judiciary, Ayatollah Sadiq Larijani, announced that armed robbers would still be

¹¹ According to Amnesty International, at least 71 people mostly linked to drug trafficking were executed between 1 and 24 January 2011.

¹² According to numerous reports, foreign citizens, including from Nigeria and Afghanistan, were among those executed for drug-related charges. Zahra Bahrani, an Iranian-Dutch dual citizen was executed on 29 January 2011 on charges of drug trafficking. The Iranian authorities note that the country's laws do not distinguish between Iranian and non-Iranian nationals who commit a crime on Iranian territory.

¹³ The penalty for trafficking and trading 30 gm of crystal meth, just like other psychedelic substances such as crack and heroin, are punishable by imprisonment, whereas more than 30 gm is punishable by death. See www.isna.ir/ISNA/NewsView.aspx?ID=News-1687435&Lang=P.

¹⁴ www.irannewsdaily.com/view_news.asp?id=213176, <http://english.farsnews.com/newstext.php?nn=8910071407> and www.dadiran.ir/default.aspx?tabid=40&ctl=edit&mid=389&code=7697.

executed by hanging, even if they stole nothing.¹⁵ Police Commander Sardar Doctor Ismael Ahmadi stressed that such measures would undoubtedly be most effective in combating crime.¹⁶

12. In July 2010, a large number of prisoners were reportedly executed at one time in Mashhad prison. When OHCHR staff sought further information from Iranian counterparts during a visit to Tehran in December 2010, the latter confirmed that 60 people had been executed in Mashhad in pending cases mostly linked to drug trafficking. On 3 January 2011, seven people convicted of drug trafficking were hanged in the western city of Kermanshah.¹⁷ On 19 January 2011, 10 people were executed in Rajai Shahr prison for drug trafficking.¹⁸ On 24 January 2011, three people charged with rape were executed in Evin prison.¹⁹

13. A worrying trend is the increasing number of cases in which political prisoners are accused of *Mohareb* (see paragraph 8 above), which carry the death penalty. In Iranian law, *Mohareb* relates to the use of armed violence; however, special procedures mandate holders and other independent experts have questioned the problematic and arbitrary nature of such charges. At least 22 people charged with *Mohareb* have been executed since January 2010. On 20 December 2010, 11 men accused of being linked to a bomb attack on 15 December in Chabahar were hanged in Zahedan prison after being convicted and sentenced to death for “corruption on earth, *Mohareb* and countering the sacred system of the Islamic Republic of Iran”.²⁰ On 28 December 2010, authorities executed Ali Saremi and Ali Akbar Siadat at Evin Prison in Tehran. Ali Saremi was charged with *Mohareb* for having links with a banned opposition group, the Mujahidin e Khalq Organization, while Ali Akbar Siadat was convicted of espionage for foreign intelligence services.²¹ On 24 January 2011, Jafar Kazemi and Mohammad Ali Haj Aghaei were executed after having been accused of *Mohareb* for their alleged participation in post-election unrest and contacts with the People’s Mujahidin Organization of Iran.²² The High Commissioner had previously expressed concern to the Iranian authorities over the fair trial and sentencing to death of people for *Mohareb* offences.²³

14. According to the Secretary-General of the High Council for Human Rights in Iran, over 50 per cent of death penalty cases involve retribution (*qisas*). The Iranian authorities exclude the State’s responsibility in such cases on the grounds that sharia jurisprudence considers *qisas* a private right of the victim’s family that cannot be overruled by the judiciary. The judiciary makes considerable efforts to mediate between the victim’s family and the perpetrator to promote a *diyyah* settlement, in which the victim’s family forgoes this right, sometimes following a monetary settlement. However, when the power of pardon is not viewed as lying with the State, this does not fulfil the defendants’ rights to appeal for pardon or a commuted sentence under international law. In one such case, Shahla Jahed, who had contracted a temporary marriage with Nasser Mohammad-Khani, a former player for the Iranian national football team, was executed on 1 December 2010. Shahla Jahed was convicted of stabbing her husband’s permanent wife to death.

¹⁵ www.irna.ir/newsshow.aspx?nid=30114827.

¹⁶ <http://news.police.ir/ncms/fullstory/?id=202488>.

¹⁷ <http://isna.ir/ISNA/NewsView.aspx?ID=News-1686718&Lang=P>.

¹⁸ www.irna.ir/newsshow.aspx?nid=30195341 and www.isna.ir/isna/newsview.aspx?id=news-1698211&lang=p.

¹⁹ www.isna.ir/isna/newsview.aspx?id=news-1701668&lang=P.

²⁰ www.irna.ir/html/1389/13890929/30133861.htm.

²¹ www.isna.ir/isna/newsview.aspx?id=news-1682865&lang=e.

²² www.isna.ir/isna/newsview.aspx?id=news-1701665&lang=p.

²³ See A/65/370.

15. Iranian law also criminalizes all sexually oriented relations outside valid marriage; individuals convicted of engaging in illicit sexual relations can face severe punishment, including the death penalty. Under the Islamic Penal Code, among other *hudud* crimes, certain sexual conduct, including adultery, incest, rape, fornication for the fourth time by an unmarried person, sodomy, lesbianism for the fourth time, sexual conduct between men without penetration for the fourth time, and fornication by a non-Muslim man with a Muslim woman are punishable by capital punishment. The High Commissioner wrote to the Iranian authorities to express concern about two such cases, committed by persons under the age of 18 (see also paragraphs 17-19 below). In June 2010, the Special Rapporteur on extrajudicial, summary or arbitrary executions also reported to the Human Rights Council on communications to the Government concerning the application of the death penalty in cases of sodomy, including some involving juveniles (see annex). The Human Rights Committee has consistently rejected the imposition of death sentences for offences that do not result in the loss of life, and termed them incompatible with the provisions of the International Covenant on Civil and Political Rights.

16. A number of public executions were reported during the period under review, suggesting that the circular banning public executions issued in January 2008 by the former head of the judiciary, Ayatollah Shahroudi, has not been effectively enforced. At least two public executions were carried out in January 2011. According to Iranian media, a 32-year-old man identified as Yaqoub was publicly hanged on 5 January 2011 for stabbing another man to death.²⁴ The public hanging, which took place at Sadat Abad Square in Tehran, was reportedly attended by the victim's family and large crowds. On 24 January 2011, Omaid Berg, who was convicted of killing 10 women, was publicly executed in Qadus Square, Karaj City. The execution was attended by officials from the judiciary, military and residents of the area.²⁵ In her public statement of 2 February 2011, the High Commissioner condemned the recurrence of public executions. International human rights mechanisms have stated that executions in public add to the already cruel, inhuman and degrading nature of the death penalty and can only have a dehumanizing effect on the victim and a brutalizing effect on those who witness the execution.

C. Executions of juvenile offenders

17. Execution of juvenile offenders remains an ongoing concern, as highlighted in previous reports of the Secretary-General.²⁶ The age for criminal liability still remains at 8 years and 9 months for girls and 14 years and 7 months for boys, which is not only discriminatory but also low by international standards. The Iranian authorities point out, however, that priority is given to the rehabilitation of juvenile offenders and the return of children to normalcy and society. Although fewer juvenile offenders were executed in 2010 than in previous years, death sentences against juvenile offenders continue to be reported.²⁷ In June 2010, the Special Rapporteur on extrajudicial, summary or arbitrary executions noted with concern the cases of at least nine juvenile offenders who were at risk of imminent execution for crimes committed when they were minors. The Convention on the Rights of Child²⁸ and the International Covenant on Civil and Political Rights,²⁹ to both of

²⁴ www.dadiran.ir/Default.aspx?tabid=40&ctl=Edit&mid=389&Code=7750 and www.irna.ir/newsshow.aspx?nid=30170347.

²⁵ www.isna.ir/isna/newsview.aspx?id=news-1701748&lang=p.

²⁶ A/63/459, A/64/357 and A/65/370.

²⁷ The Special Rapporteur noted that there was no other country in the world relating to which he regularly received allegations of this type (A/HRC/4/20).

²⁸ Art. 37 (a).

²⁹ Art. 6, para. 5

which the Islamic Republic of Iran is a State party, prohibit the imposition of the death penalty on those who are under the age of 18 at the time of their crime.

18. The judiciary decreed a non-binding moratorium on juvenile execution in 2005 and has often taken active steps to mediate between the families in such cases, even assisting the convicted person to pay the *diyah* settlement. When cases involving juvenile offenders are prolonged until the accused reaches 18 years, however, the risk of execution becomes higher.

19. In his report submitted to the Human Rights Council in June 2010,³⁰ the Special Rapporteur on extrajudicial, summary and arbitrary executions reported on several past communications with the Iranian authorities (see annex). The High Commissioner also continued to intervene on individual cases through public statements and private representations with the Iranian authorities: for instance, in a letter addressed to the Government of the Islamic Republic of Iran and dated 13 January 2011, the High Commissioner expressed grave concerns about the death sentence handed down to Ehsan Rangraz Tabatabaie and Ebrahim Hamidi, both minors, following conviction on charges of *lavat* (sodomy). Both defendants were convicted for crimes committed when they were minors.

D. Stoning as a method of execution

20. The application of stoning as a method of execution was again a focus of concern during the period under review. Under the existing Islamic Penal Code, adultery when one is married is punishable by stoning. Despite a moratorium on stoning declared by the Head of Judiciary in 2002, the judiciary continues to sentence both men and women to execution by stoning. The instruction serves as guidance for individual judges, but lacks binding legal effect.

21. The Human Rights Committee holds the view that stoning to death for adultery is a punishment that is grossly disproportionate to the nature of the crime.³¹ Likewise, according to the Special Rapporteur on torture, States cannot invoke provisions of domestic law to justify the violation of human rights obligations under international law, including the prohibition of corporal punishment.³² The Islamic Republic of Iran, however, maintains that the punishment of stoning for married persons who commit adultery serves as a deterrent, helping to maintain the strength of the family and society, and that such charges are, by design, very difficult to prove. At a judicial colloquium, held in December 2010 (see also paragraphs 49-51 below), Dr. Mohamad Javad Larijani argued that stoning should not be categorized as a “method of execution”, but rather as a method of punishment that is actually more lenient, because 50 per cent of those condemned survive. Nevertheless, the authorities have indicated that Parliament is currently reviewing the punishment of death by stoning.

22. The case of Sakineh Mohammadi Ashtiani, who was sentenced to death by stoning in 2006, received considerable international attention. Ms. Ashtiani was convicted for her husband’s murder, but was also charged with adultery while being married and sentenced to death by stoning. She has already spent five years in prison and received 99 lashes. Following an international outcry, the authorities confirmed, most recently on 17 January 2011, that the stoning of Ms. Ashtiani had been suspended since her husband’s family “had

³⁰ A/HRC/14/24.

³¹ Human Rights Committee, general comment No. 20.

³² A/60/316, para. 28.

forgiven her”, but she was sentenced to 10 years of imprisonment.³³ On 9 February 2011, the Prosecutor General announced that the sentence of Ms. Ashtiani had not been revoked.³⁴ During the trial proceedings, however, the authorities arrested Javid Houtan Kiyan, her defence attorney, and Sajjad Qaderzadeh, her son, and also aired her confessions on television, which raised serious concerns about the fairness of the trial proceedings.

E. Women’s rights

23. In previous reports submitted to the General Assembly, the Secretary-General has reported in detail on concerns relating to the protection of women’s rights in the Islamic Republic of Iran. In particular, he has expressed concern at the oppression of women’s rights activists and female journalists, many of whom have faced intimidation and harassment and, in some cases, detention or travel bans. In her report submitted to the Human Rights Council in June 2010, the Special Rapporteur on violence against women, its causes and consequences reported on several past communications with the Iranian authorities (see annex), particularly in relation to arrested members of a campaign for equality known as the One Million Signatures campaign.³⁵ The Iranian authorities contest that there is a wide spectrum of women’s rights activists in the country, but that some individuals have failed to gain permission for their non-governmental organizations or have engaged in illegal activities and disturbed public order. Other women’s rights-related cases are dealt with elsewhere in the present report, including with respect to stoning and freedom of association, opinion and expression.

F. Rights of minorities

24. Concerns continued with respect to the treatment of the Baha’i community and other minorities in the country, situations that have been highlighted in previous reports of the Secretary-General submitted to the General Assembly. Special procedures mandate holders continued to raise cases involving members of the Baha’i community with the Iranian authorities. The authorities note that, while Baha’i is not recognized as an official religion, its followers enjoy equal social, civil and citizen’s rights; they claim, however, that the Baha’i community has recruited members by irregular means or has acted against national security. On 13 August 2010, a number of special procedures mandate holders³⁶ drew the attention of authorities to the cases of at least six members of the Baha’i community – Ghavamoddin Sabetian, Hedayatollah Rezaie, Houman Hourbod, Noura Nabilzadeh, Sara Mahboubi and Moshtagh Samandari – who were arrested by officials from the Ministry of Intelligence in the months of June and July 2010. Concerns were expressed that, in most cases, the agents searched their homes and confiscated materials related to their religion.

25. In August 2010, seven Baha’i community leaders – Fariba Kamalabadi, Jamaloddin Khanjani, Afif Naeimi, Saied Rezaie, Behrouz Tavakkoli, Vahid Tizfahm and Mahvash Sabet – were sentenced to 20 years of imprisonment; their sentences were subsequently reduced to 10 years. The seven had been detained since 14 May 2008, although only appeared for trial on 12 January 2010. The High Commissioner has raised their case several times in letters addressed to and meetings with the Iranian authorities, expressing her deep

³³ Quote by Iranian press sources of the Chairwoman of the Iranian Parliament Human Rights Committee, in a written communication to the President of Brazil. See www.isna.ir/ISNA/NewsView.aspx?ID=News-1696800&Lang=E.

³⁴ www.isna.ir/isna/newsview.aspx?id=news-1711851&lang=p.

³⁵ A/HRC/14/22/Add.1.

³⁶ The Special Rapporteur on freedom of religion and belief, the Working on Arbitrary Detention and the Independent Expert on minority issues.

concern that these trials did not meet due process and fair trial requirements. She requested the opportunity for independent observers to monitor this and other high-profile grounds, a request rejected by the Iranian authorities. Although the seven were charged with acting against national security, espionage and spreading corruption, the High Commissioner expressed concern that the charges brought against them appeared to constitute a violation of the State's obligations under the International Covenant on Civil and Political Rights, in particular freedom of religion and belief, and freedom of expression and association. Reports also continued to be received about Christians, in particular converts, being subjected to arbitrary arrest and harassment.

26. The Committee on the Elimination of Racial Discrimination, after considering the eighteenth and nineteenth periodic reports of the Islamic Republic of Iran³⁷ in August 2010, expressed concern at the limited enjoyment of political, economic, social and cultural rights by, inter alia, Arabs, Azeri, Baloch, Kurdish communities and some communities of non-citizens, in particular with regard to housing, education, freedom of expression and religion, and health and employment, despite the economic growth in the country. The Committee drew particular attention to reports regarding the application of the "gozinesh" criterion, a selection procedure that requires prospective State officials and employees to demonstrate their allegiance to the Islamic Republic of Iran and the State religion, and expressed concern that it may limit employment opportunities and political participation for members of the Arab, Azeri, Baloch, Jewish, Armenian and Kurdish communities.

27. Members of the Kurdish community have continued to be executed on various national security-related charges, including *Mohareb*. At least nine Kurdish political prisoners, including Jafar Kazemi, Mohammad Ali Haj Aghaie and Ali Saremi, have been executed since January 2010, and several others remain at risk of execution.

G. Freedom of peaceful assembly and association and freedom of opinion and expression

28. In his report submitted to the Human Rights Council in June 2010,³⁸ the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression drew attention to a large number of communications he had sent to the Iranian authorities concerning serious allegations of restrictions imposed on the rights to freedom of opinion and expression (see annex). Between January 2009 and February 2010, the Special Rapporteur sent 22 joint communications and one individually. Serious concerns were expressed regarding the situation of journalists, bloggers, human rights defenders and persons who express views critical of the Government. The Special Rapporteur noted with concern that the continued detention of individuals might be related to their work as human rights defenders and for exercising their right to freedom of expression.

29. Persistent reports of curbs on the media, which has affected print media, weblogs and websites, were received during the period under review. Journalists, bloggers, human rights defenders and lawyers continue to be arrested or subjected to travel bans, and reports continued to be received of restrictions on media weblogs and websites. For instance, on 22 November 2010, Iranian media sources reported that *Chelcheragh*, a reformist weekly, had been allegedly banned for publishing articles contradictory to public morals.³⁹ In an addendum to his report submitted to the Human Right Council in June 2010,⁴⁰ the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, noted that more than 10 national dailies, including *Kalamah Sabz*, *Etemad-e*

³⁷ CERD/C/IRN/CO/18-19.

³⁸ A/HRC/14/23.

³⁹ <http://isna.ir/isna/newsview.aspx?id=news-1660287>.

⁴⁰ A/HRC/14/23/Add.1.

Melli, *Hayat No* and *Sarmayeh*, had been closed down after publishing articles not in line with official policies. The Iranian authorities argue that the press is free to publish articles other than those that upset Islamic principles or public or private rights. They claim that no writer or journalist has been prosecuted for what he or she has written and that the judiciary has shown leniency when dealing with press offences.

30. According to numerous reports, in September 2010, Hussein Derakhshan, a journalist, was given a long prison sentence for charges including espionage, propaganda against the regime, insulting Islamic sanctities and country leaders, and setting up and managing vulgar and obscene websites. The authorities reported that Mr. Derakhshan was sentenced to 22 and a half years in prison and also prohibited from involvement in the media (print and cyberspace) and activities in political parties. The sentence could be appealed. Several other journalists received similarly heavy sentences. For instance, in September 2010, Emadeddin Baghi, a journalist and founder of the Centre for the Defence of Prisoners' Rights, was reportedly sentenced to six years of imprisonment and five years of deprivation of civil activities. Mr. Baghi was already serving a one-year prison sentence passed against him in July 2010, on charges of "waging propaganda against the Islamic Republic of Iran by propagating lies to disturb the public mind". The Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression reported that he and other special procedures mandate holders⁴¹ had raised the case of Maziar Bahari, a leading Canadian-Iranian editor, playwright, film maker and journalist arrested in June 2009, reportedly held incommunicado without charge at Evin prison, where he had no access to legal representation or his family, apart from two short phone calls to his mother.

31. Restrictions have reportedly had an adverse impact on the publishing industry and writers, and resulted in a number of writers postponing publication of books. For instance, according to numerous reports, Iranian authorities have banned the books of well-known Brazilian author Paulo Coelho, who had been published in the country since 1998.

32. Recent months have been marked by a mounting crackdown on human rights activists and lawyers. Several prominent human rights defenders have been charged with national security offences and convicted to disproportionately heavy sentences and travel bans. Others, including their family members, have faced intimidation and harassment. The judiciary has criticized lawyers for violating their code of conduct and professional ethics by talking to the press. The head of the Iranian judiciary has, on several occasions, deplored lawyers' interviews with the media and stressed that some lawyers were seeking to undermine the State with their interviews. Iranian lawyers contest that such public advocacy on behalf of their clients has become more necessary in the face of arbitrary judicial proceedings.

33. Of particular concern recently has been the case of Nasrin Sotoudeh, a prominent human rights lawyer involved in defending many high-profile cases. Her case is emblematic of the much broader crackdown on human rights defenders in the Islamic Republic of Iran and has received significant international attention. Ms. Sotoudeh was arrested on 4 September 2010 and charged with "acting against national security", not wearing a *hejab* (Islamic dress) during a videotaped message, "propaganda against the regime" and for being a member of the Centre for Human Rights Defenders. The case against her is widely believed to be linked to her work as a human rights defender. On 8 January 2011, she was sentenced to 11 years of imprisonment and a 20-year prohibition from practicing law and leaving the country. Ms. Sotoudeh has mostly been held in solitary confinement in Evin prison since her arrest. During her detention, she went on a hunger strike for several weeks to protest against her prolonged detention without trial and the

⁴¹ The Working Group on Arbitrary Detention and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment.

detention conditions of other prisoners. When confirming Ms. Sotoudeh's sentence, the authorities noted that the judgement was not final and was subject to appeal.

34. On 16 January 2011, Ms. Sotoudeh's husband, Reza Khandan, who had publicly campaigned for fair treatment of his wife, was summoned for questioning by the authorities and charged with spreading lies and disturbing public opinion. Mr. Khandan was released after paying \$50,000 bail, but remains at risk of further sanctions by the authorities.

35. In a public statement made on 23 November 2010, the High Commissioner expressed serious concern at the fate of human rights defenders in the Islamic Republic of Iran, particularly Ms. Sotoudeh, and urged the Iranian authorities to review her case urgently and expedite her release. The High Commissioner noted that many of those currently detained were associated with the Centre for Human Rights Defenders, founded by the Nobel laureate Shirin Ebadi. Mohamad Saifzadeh, a lawyer and co-founder of the Centre, was sentenced to nine years of imprisonment and a 10-year ban on practicing law for "propaganda against the system" and "forming an association whose aim is to harm national security". Other members of the Centre are being prosecuted on similar charges or have been detained for shorter periods and prevented from travelling abroad. Several other human rights defenders and lawyers associated with human rights organizations or representing clients in sensitive cases were also prosecuted, arrested or put under a travel ban in recent months. The High Commissioner urged the Iranian authorities to review also the cases of other organizations whose members had been arrested or convicted in recent months, including the Committee for the Defence of Political Prisoners in Iran and the Committee of Human Rights Reporters, as well as individual lawyers representing clients in sensitive cases, together with student activists and leaders. The authorities reported that Mr. Seifzadeh had appealed against the sentence, and was subsequently released on bail.

36. The Deputy High Commissioner for Human Rights, in the absence of the High Commissioner, wrote to the Government on 22 December 2010 to highlight concerns about the case of Ms. Sotoudeh and also cases of other prosecuted or convicted human rights activists. She expressed her concern that Mohammad Oliyaeifard, a lawyer and board member of the Committee for the Defence of Political Prisoners in Iran, was serving a one-year prison sentence for allegedly speaking out against the execution of his clients during an interview with media. She also pointed out that Javid Houtan Kiyan, who had defended Sakineh Mohammadi Ashtiani, was arrested on 10 October 2010 and was still under investigation for links to anti-revolutionary groups abroad. The Deputy High Commissioner encouraged the Government to guarantee freedom of expression and assembly fully and to open up greater space for human rights lawyers and activists who play a pivotal and constructive role in protecting human rights in all societies.

37. Reports have been received about continued curbs on members of opposition groups. A number of opposition parties have had their licenses suspended, and some leaders have reportedly been barred from travelling outside the country. Security officials have allegedly periodically prevented visitors from visiting opposition leaders and their premises have come under sporadic attacks by unknown assailants. The press was reportedly directed not to publish items about opposition leaders, whose requests to hold rallies were frequently turned down. These measures will adversely affect the environment for conducting the parliamentary elections in 2011.

38. Opposition activists arrested in the wake of post-election unrest continue to receive heavy sentences. According to the Iranian press, in January 2011, the Appeal Court in Tehran upheld a sentence of 10 years of imprisonment and another 10-year ban from political activities and membership in parties for Emad Bahavar, head of the youth branch of the reformist Freedom Movement party. Mr. Bahavar, who was arrested in December 2009, was charged with being a member of Freedom Movement, collusion and assembly, and propaganda against the regime. The internationally acclaimed film maker Jafar Panahi, whose case attracted considerable international attention, was also sentenced to six years of imprisonment, coupled with a 20-year ban on film making, film writing, travelling abroad

and giving interviews to domestic and international media. Mr. Panahi was arrested in March 2010 and charged with collusion and propaganda against the system.⁴²

H. Lack of right to due process

39. The right to a fair trial is a key element of human rights protection and serves as a procedural means to safeguard the rule of law. The International Covenant on Civil and Political Rights, of which the Islamic Republic of Iran is a party, stipulates under article 14 a series of due process and fair trial guarantees, including the right of all persons to a fair and public hearing by a competent, independent and impartial tribunal established by law. Many fair trial safeguards are provided for in the Constitution and the country's legal framework. Concerns were raised throughout the year by the High Commissioner and special procedures mandate holders about the procedural guarantees being observed in relation to trials of Government opponents. The formation of a special court inside Evin prison for political and security cases has increased concerns about due process rights for detainees. For instance, during preliminary investigations, judges only receive information from intelligence officers; suspects' lawyers are not entitled to meet with their clients, and judges have to work in an environment that is under the oversight of the Ministry of Intelligence.

40. Special procedures mandate holders issued several communications to the Iranian authorities in a variety of cases that suggested widespread lack of the right to due process and the failure to respect the rights of detainees. Particular concerns were expressed at routine practice of incommunicado detention, use of torture and ill-treatment in detention, use of solitary confinement and detention of individuals without charge. Concerns were also expressed in public about the fact that people sentenced to death often do not have access to legal representation and their families and lawyers are not even informed of the execution. Although article 35 of the Constitution requires all courts to hold hearings and sessions in the presence of defence counsel and considers judgements issued without the presence of a defence attorney null and void, in practice many defendants are denied this core right. Article 128 of the code of criminal procedures narrows down this constitutional guarantee by giving judges the discretionary authority to exclude counsel from hearings on sentencing in sensitive cases, or to allow counsel to be present but not to speak until the end of proceedings. Reports received further suggest the use of confession extracted through coercive methods being admitted in court proceedings and the setting of disproportionately high bail payments for the release of detainees.

III. Cooperation with international human rights mechanisms and the Office of the United Nations High Commissioner for Human Rights

A. Universal periodic review

41. The Islamic Republic of Iran was considered under the universal periodic review process on 15 February 2010, and the final review outcome (A/HRC/14/12) was adopted by the Human Rights Council on 10 June 2010.⁴³ A total of 188 recommendations were made, of which the State fully accepted 123, partly accepted 3, rejected 46 and took note of the

⁴² See www.isna.ir/isna/newsview.aspx?id=news-1691741&lang=p and www.isna.ir/isna/newsview.aspx?id=news-1677747&lang=p.

⁴³ Human Rights Council decision 14/111.

remaining 16. Seven of the rejected recommendations related to the visit of specific special procedures,⁴⁴ although the State did accept recommendations about general cooperation with the special procedures.⁴⁵ Other recommendations that enjoyed the State's support included promoting economic, social and cultural rights and establishing national human rights institutions in conformity with the Paris Principles. The Islamic Republic of Iran also agreed to consider the abolition of executions of juvenile offenders and guaranteeing free and unrestricted access to the Internet.

B. Cooperation with the United Nations human rights treaty system

42. In addition to the ratification of five major United Nations human rights treaties,⁴⁶ on 21 September 2010, the Islamic Republic of Iran signed the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.

43. On 4 and 5 August 2010, the Committee on the Elimination of Racial Discrimination considered the eighteenth and nineteenth periodic reports of the Islamic Republic of Iran,⁴⁷ which were due in 2006. The Committee noted various positive developments in the State, including the approval of the Law on Citizenry Rights in 2005, the amendment of the Fourth Development Plan, which allows budget allocations and a percentage of oil and gas revenues for the development of less developed provinces, particularly inhabited by disadvantaged ethnic groups, and the country's active engagement with the international community on human rights issues, such as its initiative on promoting dialogue among civilizations. The Committee expressed concerns, however, at reports of racial discrimination in everyday life and statements of racial discrimination and incitement to hatred by Government officials. It noted that women of minority origin may be at risk of facing double discrimination. The Committee noted that the International Convention on the Elimination of All Forms of Racial Discrimination had never been invoked by domestic courts, and expressed its concern at reports of discriminatory treatment of foreign nationals in the Iranian justice system. The Committee encouraged the State to consider ratifying those international human rights treaties that it had not yet ratified. In 2009, the Islamic Republic of Iran submitted for examination its third periodic report on the implementation of the International Covenant on Civil and Political Rights to the Human Rights Committee and its second periodic report concerning the implementation of the International Covenant on Economic, Social and Cultural Rights. They were the first reports submitted by the State to the committees in more than a decade, and are expected to be considered in October 2011 and 2012, respectively.

C. Cooperation with United Nations special procedures

44. The Islamic Republic of Iran issued a standing invitation to all thematic special procedure mandate holders in June 2002. In 2003 and 2005, six mandate holders visited the country, but there have been no visits by any special procedures since 2005.

⁴⁴ Recommendations 5 to 11 call for the facilitation of visits by special procedures mandate holders, including the Special Rapporteur on torture and other cruel, inhuman and degrading treatment or punishment, the Special Rapporteur on the independence of judges and lawyers and the Working Group on arbitrary detention.

⁴⁵ Recommendations 24 to 28.

⁴⁶ The Convention on the Rights of the Child, the International Convention on the Elimination of All Forms of Racial Discrimination, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the International Convention on the Rights of Persons with Disabilities.

⁴⁷ CERD/C/IRN/CO/18-19.

45. The Government of the Islamic Republic of Iran has agreed in principle to a number of visits by special procedures, including the Working Group on Enforced or Involuntary Disappearances,⁴⁸ the Special Rapporteur on extrajudicial, summary or arbitrary executions⁴⁹ and the Special Rapporteur on freedom of religion or belief.⁵⁰ To date, however, the visits have not been scheduled.

46. The Special Rapporteur on torture first requested an invitation in 2005, and yearly reminders have been sent ever since, most recently in December 2010. Requests for visits were also made by the Special Rapporteur on freedom of opinion and expression, in February 2010, the Special Rapporteur on the independence of judges and lawyers, in 2006 (reiterated in her communication reports of both 2009 and 2010), and the Independent Expert on minority issues, in 2008 (who sent a reminder in October 2010). A reminder was sent by the Special Rapporteur on extrajudicial, summary or arbitrary executions in 2008. All the requests remain outstanding.

47. Special procedures mandate holders sent a total of 38 communications to the Islamic Republic of Iran in 2010, of which 36 were urgent appeals; two were allegation letters. The Iranian authorities responded to six communications in 2010, although several replies have been received since.

D. Cooperation with the Office of the United Nations High Commissioner for Human Rights

48. On 24 February 2010, the Islamic Republic of Iran officially invited the High Commissioner to visit the country, which the High Commissioner accepted for 2011, but requested that a working-level mission be allowed to visit the country to prepare for her visit. On 24 January 2011, the Secretary-General of the High Council for Human Rights, Dr. Larijani, wrote to the High Commissioner to invite such an advance mission.

49. On 1 and 2 December 2010, OHCHR and the judiciary of the Islamic Republic of Iran conducted a judicial colloquium in Tehran. The event developed out of ongoing contacts between OHCHR and the judiciary since 2007. The High Council for Human Rights of the Islamic Republic of Iran co-chaired the event, and officials from the Ministry of Foreign Affairs of the Islamic Republic of Iran were also present.

50. The colloquium was attended by three international experts – Dr Kamal Hossain of Bangladesh, Professor Walter Kaelin of Switzerland and Judge Aisha Shujune Muhammad of Maldives – together with OHCHR staff. OHCHR encouraged the participation of 35 judges and prosecutors on the Iranian side, including judges of the Supreme Court, the Court of Appeals and the Revolutionary Courts, as well as officials from the prison system and correctional institutions. Regrettably, however, a large number of Iranian judges could not participate and benefit from the experience of the international experts. The authorities explained that a number of invitees could not participate owing to a holiday declared on account of smog pollution, but added that the judges who attended the event had organized in-house seminars to share their experiences with their colleagues.

51. The topics of discussion at the colloquium were human rights issues related to the administration of justice, in particular safeguards for persons upon arrest and in pretrial detention, fair trial and due process rights during the trial phase, and conditions of

⁴⁸ A visit was agreed to for July 2004, but was postponed. Follow-up reminders for setting dates were sent in 2008, 2009 and August 2010.

⁴⁹ Initial request sent in November 2004; follow-up requests were sent in February 2005, October 2005, November 2006, December 2008 and September 2010.

⁵⁰ Visits were agreed to in principle in November 2003. Several follow-up requests and reminders were sent, the latest in November 2010.

imprisonment post-conviction, including the prevention of torture. Meeting participants also reviewed relevant experiences and resources with regard to training and professional development of the judiciary.

52. The discussions among the participants addressed a wide range of issues, with considerable attention paid to various elements of fair trial procedure in the light of the main element of general comment No. 32 of the Human Rights Committee on article 14 of the International Covenant on Civil and Political Rights. The discussion also touched on pretrial investigation, arrest procedure, issuance of warrants, judicial review and supervision of investigation, time limits for temporary detention, notification and communication with families, access to lawyers, the role of prosecutors vis-à-vis judges, the right not to be coerced into making self-incriminatory statements and confessions, the supervision of places of detention and separation of pretrial detainees from convicted prisoners, prison conditions, the protection needs of women prisoners, and children with women in detention, as well as judicial training and in-service professional development. The experts noted the safeguards provided in the State's Constitution as well as the executive directives since passed as law, but also the considerable ambiguity and lack of clarity in their implementation. There was no official outcome or communiqué from the meeting.

IV. Conclusion and recommendations

53. The present report highlights many areas of continuing concern for human rights in the Islamic Republic of Iran. The Secretary-General has been deeply troubled by reports of increasing cases of executions, amputations, arbitrary arrest and detention, unfair trials and the possible torture and ill-treatment of human rights activists, lawyers, journalists and opposition activists.

54. The Secretary-General encourages the Government of the Islamic Republic of Iran to address the concerns highlighted in the report and the specific calls to action found in previous resolutions adopted by the General Assembly and in the universal periodic review process. The Secretary-General notes the important and constructive role that human rights lawyers and activists play in protecting human rights, and encourages the Government to guarantee freedom of expression and assembly fully and to open up greater space for human rights lawyers and activists.

55. With regard to other concerns identified in the report, the Secretary-General notes that the authorities have taken some positive steps, for instance, to prevent stoning as a method of execution or to limit the application of the death penalty to juvenile offenders. The Secretary-General expresses concern, however, that these measures have not been systematically enforced and cases of this nature continue to arise. He encourages the Government to revise national laws, particularly the Penal Code and juvenile justice laws, to ensure compliance with international human rights standards and to prevent these applications of the death penalty and other punishments, which are prohibited under international law.

56. The Secretary-General welcomes the recent signing of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, and calls upon the Government to also ratify other international human rights treaties, in particular the Convention on the Elimination of All Forms of Discrimination against Women and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and to withdraw the reservations it made upon the signature and ratification of various human rights treaties, as recommended by the respective treaty bodies.

57. The Secretary-General welcomes the State's recent efforts to update its periodic reporting to human rights treaty bodies. He encourages it to act upon the

concluding observations made in August 2010 by the Committee for the Elimination of Racial Discrimination with respect to discriminatory practices against women, ethnic and religious minorities and other minority groups.

58. Although the Government issued a standing invitation to special procedures mandate holders of the Human Rights Council in 2002, the Secretary-General regrets the fact that no visit has taken place since 2005, and encourages the Government to facilitate their requested visits to the country as a matter of priority in order that they might conduct more comprehensive assessments. The Secretary-General is also concerned about the low rate of reply to the large number of communications sent by the special procedures alleging very serious human rights violations, and calls upon the Government to strengthen its collaboration with the Council in this particular area. The Secretary-General underscores the valuable contribution that special procedures mandates can make to monitoring and reporting on the human rights situation in the country, as well as in facilitating technical assistance in relevant areas.

Annex

This annex includes cases raised in communications with the Iranian authorities by Special Procedures mandate-holders but only reported publicly to the Human Rights Council during the period under review.

A. Torture and cruel, inhuman or degrading treatment or punishment

1. On 12 January 2009, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment jointly with the Working Group on Arbitrary Detention and the Special Rapporteur on the independence of Judges and Lawyers, expressed concerns over the detention of Mr Arash Alaei and Mr Kamiar Alaei in section 209 of Evin Prison, where detainees are reportedly routinely subjected to prolonged interrogation while blindfolded, to solitary confinement, sleep deprivation, threats, beatings and stress positions. Concerns were also expressed over the lack of fair trial procedure, where during the criminal process that led to the trial of Mr Alaei and Mr Kamiar before Tehran's Revolutionary Court on 31 December 2008, neither the defendant's lawyer was informed of all charges against them, nor had they been allowed to review all the evidence in the case. The Iranian authorities stated that Mr Alaei and Mr Kamiar were arrested on charges of acting against national security and collaborating with belligerent states and were sentenced to 6 years and 3 years in prison respectively. The ruling was upheld by the appellate court.

2. On 4 February 2009, the Special Rapporteur on torture and other cruel, inhuman and degrading treatment or punishment drew the attention of authorities to the case of Mr Arzhang Davoudi, who was arrested on 9 November 2003 without a warrant and taken to section 2A of Evin Prison, where he was held in a solitary cell. Mr Davoudi was allegedly beaten, insulted, tortured and interrogated from midnight to morning. After a trial which took place behind close doors and lasted less than an hour and without the presence of a lawyer, Mr. Davoudi was sentenced to 15 years imprisonment. On 14 January 2009, Mr Davoudi who resisted security officers from chaining him during his transfer to 15th Revolutionary Court was punched by the guards and also handcuffed with one arm over his shoulder. He was kept in a single cell with two other prisoners, who were accused of murder.

B. Death penalty

3. On 22 December 2009, the Special Rapporteur on extrajudicial, summary or arbitrary executions drew the attention of the Government to the cases of several men including juveniles sentenced to death on charges of sodomy. According to the information, Nemat Safavi was arrested on charges of *lavat* in June 2006, when he was 16. In 2008, the Criminal Court of Ardabil found him guilty and sentenced him to death. In November 2009, the Supreme Court quashed the sentence and sent the case back to a different section of the Criminal Court of Ardabil. On 31 May 2007, Ghaseem Bashkool, a university student and another man were arrested on charges of *lavat* and sentenced them to death. In July 2008, the Criminal Court of Tabriz found Mahdi Pooran aged 16, Ebrahim Hamidi, Hamid Taghi, and Mehdi Rezai guilty of *lavat* and sentenced them to death. Furthermore, the Criminal Court of Shiraz found Mohsen Ghabraji guilty of *lavat* and sentenced him to death. The judgment was upheld on appeal by the Supreme Court. In February 2008, Hamze Chavoshi and Loghman Hemzepour were arrested on charges of *lavat*.

C. Executions of juvenile offenders

4. On 22 December 2009, the Special Rapporteur on extrajudicial, summary or arbitrary executions drew the attention of the Government regarding the sentencing of juveniles Nemat Safavi and Mahdi Pooran to death on charges of homosexuality. Both defendants charged with *lavat* were sentenced to death for acts committed when they were under 18 years. The Special Rapporteur expressed concern over the sentence and stated any judgments imposing the death sentence and executions of juvenile offenders would be incompatible with the international obligations of the Islamic Republic of Iran under various international human rights instruments including International Covenant on Civil and Political Rights and Convention on Child Rights.

5. On 31 March 2009, the Special Rapporteur on extrajudicial, summary or arbitrary executions expressed concern regarding Mr. Abu Moslem Sohrabi, a man sentenced to death as *qesas* (retribution) for a killing committed in 2001, when he was aged 17. According to information, the death sentence was being affirmed by the Court during the review ordered by the Supreme Court in July 2008.

D. Women's rights

6. On 28 December 2009, the Special Rapporteur on violence against women, its causes and consequences jointly with the Working Group on Arbitrary Detention and the Special Rapporteur on the situation of human rights defenders sent an allegation letter regarding the arrest and detention of several members of the One Million Signature Campaign, particularly Ms Somayeh Rashidi, who was notably supporting the campaign. According to information, on 14 December 2009, security officials went to Ms Rashidi's house and seized her belongings after searching her house. Five days later, Ms Rashidi was summoned to the Revolutionary Court, where she was allegedly interrogated, charged, detained and transferred to Evin Prison. It was alleged that several other members of the campaign were also previously arrested and detained in April 2009, and more than eleven members were allegedly summoned to the Revolutionary Courts for questioning. Concerns were expressed that the arrest and detention of Ms Rashidi could be directly related to her work in defense of human rights.

E. Freedom of peaceful assembly and association and freedom of opinion and expression

7. On 19 January 2010, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, together with the Working Group on Arbitrary Detention and the Special Rapporteur on the independence of judges and lawyers sent a joint communication regarding Mr. Payam Jahangiry, a student of political science at Shiraz University and a supporter of the opposition movement, who was arrested on 5 December 2009 at his home in Shiraz. The arresting officers who at first identified themselves as workers from an electricity provider and forced their way in as Mr. Jahangiry opened the door, searched his home and confiscated various personal belongings, including four computers and various documents and photographs. Concerns were expressed that the arrest and detention of Mr. Jahangiry had been carried out solely in connection with his reportedly peaceful and legitimate exercise of his rights to freedom of opinion and expression, assembly and association.