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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by Maat for Peace, Development and Human Rights Association, a non- governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[22 August 2021]

* Issued as received, in the language(s) of submission only.



The Promotion and Protection of Human Rights in the Context of Peaceful Protests in the Islamic Republic of Iran

Introduction

Maat for Peace, Development and Human Rights is concerned that the Iranian authorities ignore the growing fears over human rights in the Islamic Republic of Iran, and the repeated calls for improving the situation thereof, especially from the UN Treaty Bodies, Special Procedures, the High Commissioner for Human Rights, and the Human Rights Council. Iran also ignores the repeated calls for transparency; it refused to be scrutinized by independent UN monitors, such as the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, and rather continued to suppress protests and crackdown citizens for peacefully exercising their rights, amid an almost total climate of impunity.

Maat affirms that the appalling accounts provided by eyewitnesses and victims' relatives, the information collected from human rights activists and journalists outside Iran, and the verified videotapes, clearly demonstrate that security forces used firearms against unarmed protesters. This deadly force showed an escalation of the previous abusive practices committed by the Iranian security forces that resulted in the killing and injury of unarmed protesters, as well as the arrests of thousands, including journalists and human rights defenders.

Maat is worried that the continuing impunity for such serious crimes and grave human rights violations encourages the Iranian authorities to continue this pattern of repression against activists and human rights defenders since the perpetrators are not held accountable by the international community. Accordingly, Maat calls on the international community to pressure the Iranian authorities to adopt fundamental reforms in the human rights file and achieve tangible improvements in all human rights-related issues, which the Iranian government constantly violates.

Legal restrictions on the exercise of the right to peaceful assembly in the Islamic Republic of Iran

The right to peaceful assembly is guaranteed under the 1979 Iranian Constitution and its amendments, Article 27 thereof stipulates "Unarmed assemblies and marches may be freely organized, provided that no violation of the foundations 1979 of Islam is involved." However, the system of requesting the statements used by the state restricts this right inconsistent with Article 21 of the International Covenant on Civil and Political Rights. In this light, the right to peaceful assembly in the Islamic Republic of Iran has been subjected to arbitrary practices. The Iranian government reject any peaceful assemblies that criticize government policies, human rights, or economic conditions. In addition, the Islamic Penal Code in the Islamic Republic of Iran contains several articles for imprisoning dissidents, human rights defenders, and political activists in prisons in the Islamic Republic of Iran. For example, Article 610 of the Penal Code considers that the gathering of two or more persons may be motivated by a conspiracy against the Islamic Republic of Iran's national security. It calls for imprisonment for a period ranging from two to about five years.¹ In a related context, Article 500 of the same previous law includes vaguely-worded phrases used to imprison opposition, which indicates that "Whoever participates in any propaganda against the Islamic Republic or support of opposition groups and associations shall be punished with imprisonment for three months, to one year."²

¹ Islamic Penal Code of the Islamic Republic of Iran – Book Five, Iran Human Center, 15 July 2013, <https://bit.ly/3Bs0xBP>.

² Ibid.

Suppression of peaceful protests

Since November 2019, protests against the ruling party have taken place across the Islamic Republic of Iran due to skyrocketing prices and water cuts in the Khuzestan region. The Iranian authorities have met these protests with a brutal crackdown. Security forces used lethal force, including live ammunition, birdshot, metal pellets, tear gas, and water cannons against unarmed protesters and bystanders. As a result, hundreds were killed and thousands arrested from July 19 to 21, 2021. About 37 protests took place in different regions in Iran, beginning with protests against water shortages in the Khuzestan region and spreading to large-scale labor protests. The Iranian government did not try to understand the protesters' demands. It dealt with the demonstrations with excessive force and shot demonstrators in more than one area. In the Izeh city, northwest of Khuzestan, for example, the police opened fire on demonstrators. More than eight people, including a police officer, were killed and others wounded. The arbitrary practices did not stop at dispersing the demonstrations by firing live bullets, but that coincided with a campaign of arrests against human rights defenders who sympathized with the water demonstrations in Khuzestan.

It is not the first time that the Iranian government has banned anti-peace gatherings. In February 2021, the IRGC and security forces dispersed demonstrations in Sistan and Baluchestan Province. They used unlawful force against protesters and members of the Sunni minority who were transporting fuel across the border, and the spread of visual content indicating that the Iranian Revolutionary Guards and members of the police forces used live ammunition against a group of peaceful protesters in the Sarwan border area in Sistan and Baluchestan province in the southeastern of the Islamic Republic of Iran. These demonstrators came out to protest the killing of 10 fuel carriers at the border in the Zahedan region, according to activists from the Baloch minority. The use of excessive force by law enforcement officials, in violation of the rules of use of force stipulated in international human rights law, resulted in the killing of a 17-year-old child, and the injury of another, due to the firing of live bullets by the security forces in the Baid castle area.³ The final death toll from these demonstrations, according to human rights reports, reached 23 people.⁴

The demonstrators did not pose a threat to the Iranian security forces in most of the killings of protesters confirmed by Maat. Therefore, the Iranian police's use of bullets is not justified. The Iranian government should investigate the killings, which coincided with the complete shutdown of the internet in the various areas that witnessed the protests.

In November 2019, demonstrations took place in various regions of Iran in protest against the deteriorating economic conditions and the reduction of the space for public freedoms, which turned into demands for the departure of the Iranian government. The government confronted the demonstrations with violent practices, such as the use of live bullets and sniping of protesters. Maat verified that 304 people were unlawfully killed during these protests, coinciding with the indiscriminate killing of demonstrators. The leaders of peaceful gatherings and many human rights defenders were arrested under the pretext of initiating crimes related to national security. They were subjected to arbitrary sentences, and some of them faced travel bans. The families of these human rights defenders were subjected to intimidation by the security services. The government also cut off the internet through the Ministry of Communications by pressuring the internet service providers to block them in the protest areas to hide the grave violations against human rights, especially the unlawful killings.⁵

The use of excessive force by Iranian security forces and law enforcement officials to confront peaceful assemblies is prohibited under international human rights law, including

³ Baluchistan Iran Ongoing protests... One protester was killed and another wounded, Al Ittihad, February 25, 2021, at the following link: <https://bit.ly/3yROvQO>.

⁴ UN condemns killing of up to 23 in Iranian border region, Reuters, March 5, 2021, at the following link: <https://reut.rs/3eK70y6>.

⁵ Iran: Internet Deliberately Cut Off During Killings in November 2019 - New Investigation, Amnesty International, 16 November 2020, at <https://bit.ly/3g7DFh0>. There are three major telecommunications companies in Iran: Mobile Telecommunication Company of Iran (MCI), Iran cell, Right Tell and Right Tell.

conventions and treaties to which the Islamic Republic of Iran is a party. Nor may higher orders be invoked to commit transgressions that result in a violation of the right to life or deprivation of it. Force may only be used to achieve the legitimate purposes of law enforcement, and below that, it is a grave violation that requires accountability.. That applies to the cases in which the security forces dealt with protesters in the Islamic Republic of Iran. Intervention to prevent peaceful assemblies should only be used as a measure of last resort, according to General Comment No. 37 of 2020 on right of peaceful assembly.⁶

Recommendations

Finally, Maat seizes the opportunity of the 48th session of the Human Rights Council and calls for immediate, independent, and impartial investigations into all violations committed, especially since the successive atrocities in the Islamic Republic of Iran are closely related to the impunity that led the authorities to believe that they could commit crimes under international law, and other serious human rights violations, without repercussions either at the local level or from the international community. Therefore, promoting accountability is more important than ever, not only to support victims and their families, who suffer a lack of justice, truth, and equity; but also to provide a vital safeguard against the recurrence of such violations in the future.

⁶ General Comment No. 37 (2020) on the right to peaceful assembly (Article 21), September 17, 2020, at the following link: <https://bit.ly/3kChNOO>.