



# General Assembly

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## Seventy-fourth session

### Third Committee

Agenda item 70 (c)

#### **Promotion and protection of human rights: human rights situations and reports of special rapporteurs and representatives**

**Albania, Australia, Austria, Belgium, Canada, Croatia, Denmark, Finland, France, Liechtenstein, Lithuania, Luxembourg, Marshall Islands, Monaco, Netherlands, North Macedonia, Norway, Slovenia, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution**

#### **Situation of human rights in the Islamic Republic of Iran**

*The General Assembly,*

*Guided* by the Charter of the United Nations, as well as the Universal Declaration of Human Rights,<sup>1</sup> the International Covenants on Human Rights<sup>2</sup> and other international human rights instruments,

*Recalling* its previous resolutions on the situation of human rights in the Islamic Republic of Iran, the most recent of which is resolution [73/181](#) of 17 December 2018,

1. *Takes note* of the report of the Secretary-General submitted pursuant to resolution [73/181](#)<sup>3</sup> and the report of the Special Rapporteur of the Human Rights Council on the situation of human rights in the Islamic Republic of Iran,<sup>4</sup> submitted pursuant to Council resolution [40/18](#) of 22 March 2019;<sup>5</sup>

2. *Recalls* the pledges made by the President of the Islamic Republic of Iran with regard to improving the human rights situation in the country;

3. *Notes* the significant decline in the number of executions in 2018, notably due to the reduction in the number of executions for drug-related offences, following amendments to the Anti-Narcotics Law, passed in October 2017;

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<sup>1</sup> Resolution [217 A \(III\)](#).

<sup>2</sup> Resolution [2200 A \(XXI\)](#), annex.

<sup>3</sup> [A/74/273](#).

<sup>4</sup> [A/74/188](#).

<sup>5</sup> See *Official Records of the General Assembly, Seventy-fourth Session, Supplement No. 53 (A/74/53)*, chap. IV, sect. A.



4. *Welcomes* the approval in May 2018 by the Parliament of the Islamic Republic of Iran of the Law for the Protection of the Rights of Persons with Disabilities and subsequent discussions regarding its implementation, and urges the authorities to work together with civil society to ensure that sufficient State funds are allocated for its implementation and monitoring;

5. *Also welcomes* the continuing efforts of the Islamic Republic of Iran to host a large number of Afghans, including approximately 1 million registered refugees, and to provide them with access to basic services, in particular health care and education for children;

6. *Further welcomes* the commitments made by the Iranian authorities with regard to improving the situation of women, and notes the ongoing discussions regarding the comprehensive bill on ensuring the protection of women against violence and the ratification of the amendment to the Nationality Law, which gives Iranian women married to men with foreign nationality the right to request Iranian citizenship for their children under the age of 18 years;

7. *Welcomes* the engagement of the Islamic Republic of Iran with human rights treaty bodies, including through the submission of periodic reports, and notes in particular the engagement of the Government of the Islamic Republic of Iran with the Office of the United Nations High Commissioner for Human Rights, the Committee on the Rights of the Child and the Committee on the Rights of Persons with Disabilities and its participation in the universal periodic review;

8. *Also welcomes* the ongoing contact with and dialogue between the Islamic Republic of Iran and the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, as well as the invitations extended to other special procedures mandate holders;

9. *Further welcomes* the expressed readiness of the Iranian High Council for Human Rights and other Iranian officials to engage in bilateral dialogues on human rights, and calls upon them to increase such dialogues or resume those that have been paused;

10. *Expresses serious concern*, notwithstanding the previously noted reduction in the number of executions, notably for drug-related crimes, at the alarmingly high frequency of the imposition and carrying-out of the death penalty by the Islamic Republic of Iran, in violation of its international obligations, including executions undertaken against persons on the basis of forced confessions or for crimes that do not qualify as the most serious crimes, including crimes that are overly broad or vaguely defined, in violation of the International Covenant on Civil and Political Rights,<sup>2</sup> expresses concern at the continuing disregard for internationally recognized safeguards, including executions undertaken without notification of the prisoner's family members or legal counsel, and calls upon the Government of the Islamic Republic of Iran to abolish, in law and in practice, public executions, which are contrary to the 2008 directive seeking to end this practice issued by the former head of the judiciary;

11. *Also expresses serious concern* at the continued imposition of the death penalty by the Islamic Republic of Iran against minors, and urges the Islamic Republic of Iran to cease the imposition of the death penalty against minors, including persons who at the time of their offence were under the age of 18, in violation of the Convention on the Rights of the Child,<sup>6</sup> and to commute the sentences for child offenders on death row;

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<sup>6</sup> United Nations, *Treaty Series*, vol. 1577, No. 27531.

12. *Calls upon* the Islamic Republic of Iran to ensure, in law and in practice, that no one is subjected to torture or other cruel, inhuman or degrading treatment or punishment, which may include sexual violence, and punishments that are grossly disproportionate to the nature of the offence, in conformity with amendments to the Penal Code, the constitutional guarantees of the Islamic Republic of Iran and international obligations and standards, including but not limited to the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules);<sup>7</sup>

13. *Urges* the Islamic Republic of Iran to cease the widespread and systematic use of arbitrary arrests and detention, including the use of this practice to target dual and foreign nationals, to release those who have been arbitrarily detained and to uphold, in law and in practice, procedural guarantees to ensure fair trial standards, including timely access to legal representation of one's choice from the time of arrest through all stages of trial and all appeals, the right not to be subjected to torture, cruel and inhuman or degrading treatment or punishment and consideration of bail and other reasonable terms for release from custody pending trial, and calls upon the Islamic Republic of Iran to ensure that it meets its obligations under article 36 of the Vienna Convention on Consular Relations<sup>8</sup> in relation to communication with and access to nationals of sending States who are in prison, custody or detention;

14. *Calls upon* the Islamic Republic of Iran to release persons detained for the exercise of their human rights and fundamental freedoms, including those who have been detained solely for taking part in peaceful protests, to consider rescinding unduly harsh sentences, including those involving the death penalty and long-term internal exile, and to end reprisals against individuals, including for cooperating or attempting to cooperate with the United Nations human rights mechanisms;

15. *Also calls upon* the Islamic Republic of Iran to address the poor conditions of prisons, to end the practice of deliberately denying prisoners access to adequate medical treatment, which creates a consequent risk of death, and to put an end to the continued and sustained house arrest of leading opposition figures from the 2009 presidential elections despite serious concerns about their health, as well as the pressure exerted upon their relatives and dependants, including through arrest, and calls upon the Islamic Republic of Iran to establish credible and independent prison oversight authorities to investigate complaints of abuse;

16. *Further calls upon* the Islamic Republic of Iran, including the judicial and security branches, to create and maintain, in law and in practice, a safe and enabling environment in which an independent, diverse and pluralistic civil society can operate free from hindrance and insecurity, and urges the Islamic Republic of Iran to end widespread and serious restrictions, in law and in practice, on the right to freedom of expression and opinion, including in digital contexts, and the right to freedom of association and peaceful assembly, and to end its harassment, intimidation and persecution of political opponents, human rights defenders, women's and minority rights defenders, labour and trade union activists, students' rights defenders, environmentalists, academics, film-makers, journalists, bloggers, social media users and social media page administrators, media workers, religious leaders, artists, lawyers, including human rights lawyers, and their families and persons belonging to recognized and unrecognized religious minorities and their families, wherever it may occur;

17. *Strongly urges* the Islamic Republic of Iran to eliminate, in law and in practice, all forms of discrimination and other human rights violations against women

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<sup>7</sup> Resolution 70/175, annex.

<sup>8</sup> United Nations, *Treaty Series*, vol. 596, No. 8638.

and girls, to take measures to ensure protection for women and girls against violence and their equal protection and access to justice, to address the concerning incidence of child, early and forced marriage, as recommended by the Committee on the Rights of the Child, to promote, support and enable women's participation in political and other decision-making processes, and, while recognizing the high enrolment of women in all levels of education in the Islamic Republic of Iran, to lift restrictions on women's equal access to all aspects of education and women's equal participation in the labour market and in all aspects of economic, cultural, social and political life, including participation in and attendance at sporting events;

18. *Calls upon* the Islamic Republic of Iran to release women human rights defenders imprisoned for exercising their rights, including the right to freedom of association and peaceful assembly and the right to freedom of expression and opinion, and to take appropriate, robust and practical steps to protect women human rights defenders and guarantee their full enjoyment of all their human rights;

19. *Also calls upon* the Islamic Republic of Iran to eliminate, in law and in practice, all forms of discrimination and other human rights violations against persons belonging to ethnic, linguistic or other minorities, including but not limited to Arabs, Azeris, Balochis, Kurds and Turkmen, and their defenders;

20. *Expresses serious concern* about ongoing severe limitations and increasing restrictions on the right to freedom of thought, conscience, religion or belief, restrictions on the establishment of places of worship, undue restrictions on burials carried out in accordance with religious tenets, attacks against places of worship and burial and other human rights violations, including but not limited to harassment, intimidation, persecution, arbitrary arrests and detention, and incitement to hatred that leads to violence against persons belonging to recognized and unrecognized religious minorities, including Christians, Gonabadi Dervishes, Jews, Sufi Muslims, Sunni Muslims, Yarsanis, Zoroastrians and members of the Baha'i faith and their defenders in the Islamic Republic of Iran, and calls upon the Government of the Islamic Republic of Iran to cease monitoring individuals on account of their religious identity, to release all religious practitioners imprisoned for their membership in or activities on behalf of a recognized or unrecognized minority religious group and to ensure that everyone has the right to freedom of thought, conscience and religion, including the freedom to have or to adopt a religion or belief of their choice, in accordance with its obligations under the International Covenant on Civil and Political Rights;

21. *Calls upon* the Islamic Republic of Iran to eliminate, in law and in practice, all forms of discrimination on the basis of thought, conscience, religion or belief, including economic restrictions, such as the closure or confiscation of businesses and properties, the cancellation of licences and the denial of employment in certain public and private sectors, including government or military positions and elected office, the denial of and restrictions on access to education, and other human rights violations against persons belonging to recognized and unrecognized religious minorities, and to end impunity for those who commit crimes against persons belonging to recognized and unrecognized religious minorities;

22. *Also calls upon* the Islamic Republic of Iran to launch a comprehensive accountability process in response to all cases of serious human rights violations, including allegations of excessive use of force against peaceful protesters and cases of suspicious deaths in custody, as well as violations involving the Iranian judiciary and security agencies, and calls upon the Government of the Islamic Republic of Iran to end impunity for such violations;

23. *Further calls upon* the Islamic Republic of Iran to implement its obligations under those human rights treaties to which it is already a party, to withdraw any reservations that are imprecise or could be considered incompatible

with the object and purpose of the treaty, to act upon the concluding observations concerning the Islamic Republic of Iran adopted by the bodies of the international human rights treaties to which it is a party and to consider ratifying or acceding to the international human rights treaties to which it is not already a party;

24. *Calls upon* the Islamic Republic of Iran to deepen its engagement with international human rights mechanisms by:

(a) Cooperating fully with the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, including by accepting the repeated requests made by the Special Rapporteur to visit the country in order to carry out the mandate;

(b) Increasing cooperation with other special mechanisms, including by facilitating long-standing requests for access to the country from thematic special procedures mandate holders, whose access to its territory has been restricted or denied, despite the standing invitation issued by the Islamic Republic of Iran, without imposing undue conditions upon those visits;

(c) Continuing to enhance its cooperation with the treaty bodies, including by submitting overdue reports under the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination<sup>9</sup> and the International Covenant on Economic, Social and Cultural Rights;<sup>2</sup>

(d) Implementing all accepted universal periodic review recommendations from its first cycle, in 2010, its second cycle, in 2014, and its third cycle, in 2019, with the full and genuine participation of independent civil society and other stakeholders in the implementation process;

(e) Building upon the engagement of the Islamic Republic of Iran with the universal periodic review process by continuing to explore cooperation on human rights and justice reform with the United Nations, including the Office of the United Nations High Commissioner for Human Rights;

(f) Following through on its commitment to establish an independent national human rights institution, made in the context of both its first and its second universal periodic reviews by the Human Rights Council, with due regard for the recommendation of the Committee on Economic, Social and Cultural Rights;

25. *Also calls upon* the Islamic Republic of Iran to continue to translate the pledges made by the President of the Islamic Republic of Iran with respect to human rights concerns into concrete action that results in demonstrable improvements as soon as possible and to ensure that its national laws are consistent with its obligations under international human rights law and that they are implemented in accordance with its international obligations;

26. *Further calls upon* the Islamic Republic of Iran to address the substantive concerns highlighted in the reports of the Secretary-General and the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, as well as the specific calls to action found in previous resolutions of the General Assembly, and to respect fully its human rights obligations in law and in practice;

27. *Strongly encourages* the relevant thematic special procedures mandate holders to pay particular attention to, with a view to investigating and reporting on, the human rights situation in the Islamic Republic of Iran;

28. *Requests* the Secretary-General to report to the General Assembly at its seventy-fifth session on the progress made in the implementation of the present

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<sup>9</sup> Ibid., vol. 660, No. 9464.

resolution, including options and recommendations to improve its implementation, and to submit an interim report to the Human Rights Council at its forty-third session;

29. *Decides* to continue its examination of the situation of human rights in the Islamic Republic of Iran at its seventy-fifth session under the item entitled “Promotion and protection of human rights”.

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