

Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran A/HRC/37/68 para 91

Full recommendation:

The Special Rapporteur continues to receive reports of reprisals, in particular of individuals sharing information or publicly reporting on the situation of human rights in the country. The Government should take strict measures to ensure protection against reprisals against such individuals and their families. Individuals or State entities that engage in such acts should be identified and held accountable to prevent a recurrence of such violations.

Assessment using Impact Iran human rights indicators¹

The Iranian legal framework contains numerous broad and vaguely defined provisions granting Iranian authorities with significant discretion to criminalize the sharing of information or public reporting on the situation of human rights in the country. These include crimes such as "propaganda against the regime," "spreading lies," "espionage" or "collaborating with a hostile enemy".² Iranian authorities frequently resort to these vaguely defined crimes to sanction against those who report on the situation of human in Iran and abroad and their families.³

In reprisal of political prisoners and prisoners of conscience reporting on their detention conditions, Iranian authorities have pressed additional charges and extended prison sentences.⁴

Additionally, Iran continues to threaten and persecute family members of individuals reporting on human rights in Iran in an effort to suppress the sharing of information and public reporting on the human rights situation in the country. In recent years, there have been numerous reports of family members of civil society activists in country or abroad who have been harassed, arrested and detained by Iranian authorities inside Iran.^{5 6 7} Media activists who work for Persian-language media abroad but, with family in country, have also faced pressure and threats from Iranian authorities.⁸

¹ CCPR.9.5.S.1; CCPR.9.5.P.2; CCPR.9.5.O.1.

² Article 508 of Islamic Penal Code: <https://shenasname.ir/laws/4475-ghanon-mojazat>

³ See report of the UN Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, January 2021, <https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2F46%2F50&Language=E&DeviceType=Desktop>

⁴ Frontline Defenders <<https://www.frontlinedefenders.org/en/statement-report/upr-submission-iran-2019> >

⁵ Human Rights Watch <<https://www.hrw.org/world-report/2019/country-chapters/iran> >;

⁶ Iran Human Rights <<https://iranhr.net/en/articles/4334/> >

⁷ Center for Human Rights in Iran, <https://iranhumanrights.org/2020/07/activists-brother-sentenced-to-eight-years-in-prison-collective-punishment-of-families-continues-in-iran/>.

⁸ <<https://news.un.org/en/story/2020/03/1059251> >

Despite the existence of several mechanisms that ostensibly accept complaints regarding violations of citizens' rights, such as the Article 90 Commission of the parliament (established based on Article 90 of the Constitution, offering a mechanism to citizens to file complaint against any of the three branches of power) and the Oversight Bodies for the exercise of Citizenship Rights in the country's provincial courts, there is no evidence to suggest that complaints to these bodies are independently reviewed and investigated.⁹ Additionally, as the State relies on the Iranian legal framework to repress the rights to freedom of expression, assembly and association, access to justice is particularly limited.

The Government of the Islamic Republic of Iran has not taken strict measures to ensure protection against reprisals against such individuals and their families. Above-mentioned NGO and OHCHR reports suggest that individuals or State entities that engage in such acts have not been identified and held accountable to prevent a recurrence of such violations.

Recommendation Status:

This recommendation has **NOT** been implemented.

⁹ Joint submission to the Human Rights Committee, Abdorrahman Center, Iran Human Rights Documentation Center (IHRDC), Impact Iran and Human Rights Activists in Iran, 2020, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2fCCPR%2fCS%2fIRN%2f42313&Lang=en