

Special Rapporteur on the situation of human rights in the Islamic Republic of Iran A/HRC/43/61 para 70(g)

Full recommendation:

The Special Rapporteur recommends that the Government, the judiciary and the parliament, as appropriate: Ensure that medical care for detainees is never made conditional upon their making confessions and that officials who deny medical care to prisoners and detainees or who withhold medication as a form of coercion, as punishment or to elicit confessions are punished;

Assessment using Impact Iran human rights indicators¹

Iran's Prison Regulations provide for the management and supervision of all prisons and detention center in the country, including the conditions of detentions such as access to adequate food and water and medical care for detainees, visits and communications with the family. The Regulations specify that all prisoners should have access to medical care, including regular medical check-ups, and that their medical needs should be addressed to the extent possible unless transfer to treatment centers outside the prison is considered necessary.^{2 3}

Amnesty International⁴ and Iran Human Rights Documentation Center⁵ have documented cases where medical care in detention was denied or cases where medication was withheld seemingly as a form of punishment or for reasons based on discrimination, including political opinion, ethnicity, religion, and legal status. These cases include notably women political prisoners facing additional discriminations when seeking medical care. More recently, OHCHR has documented numerous cases where protestors and human rights defenders were denied access to medical treatment while in detention.⁶ Notably, the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran received numerous reports of abusive use of torture to extract confessions, use of solitary confinement, and medical treatments conditional upon confession in detention.⁷

¹ CCPR.10.1.S.1
CCPR.10.3.P.2; CCPR.10.2.P.3
CCPR.10.1.O.1

² See more: Iran Human Rights Documentation Center, <https://iranhrdc.org/rights-disregarded-prisons-in-the-islamic-republic-of-iran/>

³ See more: Amnesty International, <https://www.amnesty.org/download/Documents/MDE1341962016ENGLISH.PDF>

⁴ Amnesty International, <https://www.amnesty.org/download/Documents/MDE1341962016ENGLISH.PDF>

⁵ Iran Human Rights Documentation Center, <https://www.amnesty.org/download/Documents/MDE1341962016ENGLISH.PDF>

⁶ Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, July 2020, <https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2F43%2F61&Language=E&DeviceType=Desktop>

⁷ Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, January 2020, https://www.ohchr.org/Documents/Countries/IR/Report_of_the_Special_Rapporteur_on_the_situation_of_human_rights_in_the_Islamic_Republic_of_IranA4361.pdf

In its 2019 National Report to the Universal Periodic Review, the Government of the Islamic Republic of Iran reported that the Citizenship Rights Watch Board carries periodic inspections within prisons and detention centers. According to the Government the body has “received and handled 3,275 complaints and reports, through the complaint system, in relation with civil rights violations. Between 2015 and 2018, a number of 28,504 inspections were carried out to prosecutors' offices, prisons and detention centers.”⁸ There is no readily available information about the outcome of such inspections. Additionally, there is no readily official and available information as to the number of complaints, their nature and whether they have been adequately investigated and adjudicated in compliance with international standards. There is no readily available information that might suggest that custodial staff has been investigated for cases of denial of medical care as a form of punishment, or cases where medical care was made conditional upon making confessions.

In light of the above-mentioned information, the Islamic Republic of Iran has not ensured that medical care for detainees is never made conditional upon their making confessions and that officials who deny medical care to prisoners and detainees or who withhold medication as a form of coercion, as punishment or to elicit confessions are punished.

Recommendation Status:

This recommendation has **NOT** been implemented.

⁸ National Report, UPR 2019, Islamic Republic of Iran, <https://undocs.org/A/HRC/WG.6/34/IRN/1>