



**UNITED NATIONS INDEPENDENT INTERNATIONAL FACT-FINDING MISSION
ON THE ISLAMIC REPUBLIC OF IRAN**

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27 May 2024

Excellency,

I write on behalf of the Independent International Fact-Finding Mission on the Islamic Republic of Iran (the “FFMI” or the “FFM on Iran”), established pursuant to Human Rights Council Resolution S-35/1 on the “Deteriorating situation of human rights in the Islamic Republic of Iran, especially with respect to women and children”, adopted on 24 November 2022.

As you are aware, this Resolution mandated the FFM on Iran to “thoroughly and independently investigate alleged human rights violations in the Islamic Republic of Iran related to the protests that began on 16 September 2022, especially with respect to women and children”, to “establish the facts and circumstances surrounding the alleged violations”, and to “collect, consolidate and analyse evidence of such violations”. It further mandated the FFMI to “engage with all relevant stakeholders, including the Government of the Islamic Republic of Iran [...]”.

On 8 March 2024, the FFM on Iran issued its findings following a year-long investigation into the allegations of human rights violations in the context of the protests that began on 16 September 2022 (see [A/HRC/55/67](#) and [A/HRC/55/CRP.1](#)). It found that serious human rights violations and violations of international law had been committed by the Iranian authorities in the context of the protests and the “Woman, Life, Freedom” movement, some of which amount to crimes under international law, in particular crimes against humanity.

The death of President Raisi on 19 May 2024, must not deny victims of serious human rights violations and crimes under international law found by the FFM on Iran their right to truth, justice, and reparations. Action to hold those responsible for these violations and crimes to account must proceed. As the *Majilis* today convenes its 12th session, elected members of this body have the important responsibility to address long-standing and structural human rights violations that were at the heart of the protests that began on 16 September 2022.

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His Excellency, Mr. Alaeddin Boroujerdi
Temporary Speaker of the Islamic Parliament of Iran

The FFMI found that many of the serious human rights violations and violations of international law that were committed in the context of the protests, were based on and/or facilitated by laws and policies that are not in compliance with the Islamic Republic of Iran's obligations under international human rights law, including treaty law. These include, but are not limited to, laws and policies in the following areas: i) gender equality and non-discrimination; ii) the rights to freedom of expression and of peaceful assembly; iii) the rights to liberty and security of the person and to freedom from torture and ill-treatment and iv) the right to fair trial and due process.

In this regard, we recall that the Mission had made recommendations to the Government of the Islamic Republic of Iran to ensure legal, policy and institutional reforms, in particular to:

- (a) Repeal vaguely worded criminal offences in the Islamic Penal Code and other laws that are used to criminalize and punish the exercise of human rights including the rights to freedom of expression and of peaceful assembly and association, including the offences of *moharebeh* and *efsad-e fel-arz*;
- (b) Repeal all laws and policies relating to the mandatory *hijab*, and ensure women and girls' rights to freedom of expression and autonomy;
- (c) Repeal all laws that discriminate including on grounds of gender, sex, religion and ethnicity, including in the Constitution and Islamic Penal Code.
- (d) Repeal all laws allowing for the use of lethal force in circumstances that do not meet the threshold of “an imminent threat of death or serious injury” and ensure that domestic laws regulate the use of force in strict compliance with the principles of legality, necessity, proportionality, precaution and accountability;
- (e) Raise the minimum age for criminal responsibility, and ensure the equal treatment of boys and girls within the justice system in accordance with international human rights standards;
- (f) Uphold the absolute prohibition of torture and other ill-treatment by defining torture as a crime in national legislation in line with international law and standards and introduce the necessary safeguards;
- (g) Repeal all legislation, in particular provisions of the Islamic Penal Code which sanction punishments amounting to torture, including flogging and amputation;
- (h) Disband the “*Gasht-e-Ershad*,” also known as the “morality police” and end all repressive policy and institutional measures taken and envisaged to repress women and girls exercising their fundamental human rights;
- (i) Unequivocally condemn sexual and gender-based violence (SGBV) and bring the definition of rape in Iranian law in line with international law and standards; repeal provisions from the Iranian Penal Code, such as articles 224, 199, 160 that deter victims from reporting SGBV, that contain discriminatory evidentiary thresholds or that lead to impunity for SGBV;

- (j) Allow unimpeded access and monitoring of detention centres by international and independent organizations and observers, including impromptu visits. Also allow regular consular visits for foreign citizens and for Iranian citizens with dual nationality;
- (k) Cease undue restrictions on digital space and repression of online activities. Ensure surveillance is not used to unduly restrict the exercise of fundamental freedoms, especially the rights of women and girls to freedom of expression and autonomy; and
- (l) Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol, the Convention on the Elimination of All Forms of Discrimination against Women, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the International Convention for the Protection of All Persons from Enforced Disappearance and their respective Optional Protocols, including those allowing for individual communications; ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights on the abolition of the death penalty.

At this time, we are particularly concerned about two Bills currently pending consideration by the Majlis, namely the “Regulatory System for Cyberspace Services Bill” and “the Chastity and *Hijab* Bill”.

Regarding the “**Regulatory System for Cyberspace Services Bill**”, the FFM on Iran is concerned that if enacted, the law risks leading to increased or even complete communication blackouts in Iran and poses threats to the right to freedom of expression, by increasing bandwidth limits, the control over access to online information as well as to digital technologies and online platforms. This Bill reportedly envisages the prohibition of the sale of VPNs, and instead provides for the introduction of “legal VPNs”. It also further envisages the blocking of foreign Internet services and websites refusing to comply with Iran’s domestic censorship regulations making such websites inaccessible to people inside Iran, unless hosted locally or approved by the government on the National Information Network. We are concerned that, if enacted, the Bill risks seriously affecting the rights of people inside Iran to freedom of expression, including to information, while also affecting more widely their economic, social and cultural rights including the right to work.

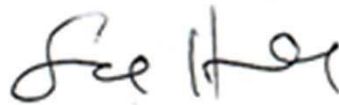
With regard to “**The Chastity and *Hijab* Bill**”, the FFM on Iran is concerned that the rights of women and girls would be further impeded if this Bill were to be approved by the 12th Parliament. In addition to expanding gender segregation in public spaces and institutions, the bill also proposes criminalizing the exercise by women and girls of their rights to freedom of expression and freedom of religion and belief. The Bill makes adherence to the mandatory *hijab* a prerequisite to exercising a range of rights, including to education, work, freedom of movement, public participation and equal access to public services. For example, it would effectively bar lawyers not wearing the *hijab* from entering courthouses and prosecutors’ offices (article 29). Compliance with the mandatory *hijab* offline and online is also proposed as a condition for recruitment, employment, appointment, and promotion to jobs in the public sector and in educational and research centres (article 32).

There is a risk that the livelihoods of actors and journalists will be severely impacted, as individuals perceived as promoting “nudity”, “immodesty”, or being unveiled, or in inappropriate dress, or said to oppose *hijab* and chastity, or whose lifestyle is allegedly contrary to the culture of *hijab* and modesty would be barred from being invited or contracted to perform or speak by the Islamic Republic of Iran Broadcasting (IRIB) organization.

We urge you to withdraw these Bills in view of the recommendations above, to prevent further breaches of Iran’s international human rights law obligations.

Noting the right of women to participate in public affairs and their under-representation in the *Majilis*, we invite you to provide information on the legislative and policy measures, and institutional arrangements taken to promote and ensure equal representation and participation of women in the *Majilis*, as well as at all levels of decision-making processes and institutions. Such measures are critical to guarantee equality in public life for women and underrepresented groups.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sara Hossain', is centered on the page.

Sara Hossain
Chairperson of the
Independent International Fact-Finding Mission on the Islamic Republic of Iran

cc. Prof. Shaheen Sardar Ali, Member of the FFM Iran
Ms. Viviana Krsticevic, Member of the FFM Iran