Article18 and CSW would like to express our appreciation for the convening of a special session on Iran by the Human Rights Council. We also extend our condolences to all who are mourning, and our solidarity to those continuing to risk their lives in the search for justice.

At their core, the ongoing protests are a cry for freedom: the freedom of the Iranian people to live in a way that corresponds with their beliefs.

Mahsa Amini was arrested, and ultimately killed, because she was deemed to have failed to properly adhere to the dress code of the majority faith - a dress code that for nearly 44 years has been imposed on Iranians of all faiths and none.

We do not believe that this is right. Furthermore, we believe that by imposing such a dress code on all Iranians, the Islamic Republic is failing to abide by its obligations as a signatory to the International Covenant on Civil and Political Rights, which articulates the right to ‘have or adopt a religion or belief of his choice, and … to manifest [ones] religion or belief in worship, observance, practice and teaching.’

Even in its constitution, the Islamic Republic fails to adhere to these guidelines, by only recognising Islam, as well as Judaism, Christianity and Zoroastrianism. All other religions or beliefs - such as Baha’ism Yarsanism, Mandaeism, Irreligion, and conversion, particularly to Christianity - remain unrecognised. Adherents face discrimination, harassment, and even persecution[[1]](#footnote-2) through arrest, imprisonment, denial of education, torture, confiscation of property, among other things, and even recognised religious and belief minorities do not enjoy equal rights, experiencing widespread discrimination.

We believe that freedom of religion or belief is a ‘bellwether right’: its absence or severe restriction is an early warning or indication of a deterioration in the general situation of human rights, which could eventually occasion civil unrest. Freedom of religion or belief ‘encourages respect for diversity, and its free exercise contributes towards strengthening democracy, development, rule of law, peace and stability. Neglecting, restricting or routinely violating this right can have far-reaching and serious consequences,’[[2]](#footnote-3) as we are currently observing in Iran.

With the death toll set to mount even further amidst the indiscriminate use of live ammunition against unarmed men, women and children, and as the regime institutes a policy of pronouncing death sentences on protestors for allegedly ‘waging was against God’ when they are simply calling for greater rights and freedoms, we are urging the Council to initiate stronger measures to assist Iranian citizens including:

* Urgently mandating and resourcing an independent investigative mechanism to closely monitor the current situation alongside the Special Rapporteur on the situation of human rights in Iran, with a focus on evidence gathering, and ensuring accountability for crimes under international law and other serious human rights violations which have occurred during the course of these protests.
* Ensuring that future dialogues and interactions with Iran will be contingent on ending the use of excessive force and fast-tracked courts which lack due process and issue excessive sentences, releasing all who are currently detained arbitrarily in connection with the protests, returning the bodies of victims to their families in a timely manner, and facilitating the full enjoyment of the rights and freedoms articulated in the ICCPR.
* Fully supporting the work of the Special Rapporteur on Iran, and ensuring the mandate has every resource required to fulfil its duties.
* Encouraging the Special Rapporteur and other UN Special Procedures and Treaty Bodies to include the right to FoRB in their monitoring and reporting, addressing the unique vulnerabilities and violations faced by religious or belief communities and those seeking to assist them.
* The formulation by individual nations of effective measures to bring to account Iranian officials suspected of committing crimes under international law, and Iranian oligarchs and their families living abroad, including through human rights sanctions regimes, asset freezes, travel bans, and invoking extraterritorial jurisdiction wherever and whenever possible.

1. By ‘*Persecution*’ we mean ‘the intentional and severe deprivation of fundamental rights contrary to international law by reason of the identity of the group or collectivity’ (Art. 7.2. g Rome Statute of the International Criminal Court). [↑](#footnote-ref-2)
2. CSW, “Freedom of Religion or Belief Around the World”, 2018 [↑](#footnote-ref-3)