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Human rights situations that require the Council's attention

Written statement* submitted by Maat for Peace, Development and Human Rights Association, a non- governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[4 February 2023]

* Issued as received, in the language of submission only.



Cases Of Extrajudicial, Summary Or Arbitrary Executions By The Iranian Authorities, Especially In The Context Of The Recent Protests

Executive Summary:

The right to life is the supreme right from which no derogation is permitted. It is the basis of all human rights, no human right can be preserved without respecting the right to life. Extrajudicial, summary or arbitrary executions are a flagrant violation of this basic human right. Despite the supreme value of this basic human right, over the past years, the Iranian authorities have been committing grave human rights violations against individuals' right to life, by carrying out thousands of executions, most of which took place outside the framework of the law and the judiciary, in summary, arbitrary and public procedures, without guaranteeing these persons sentenced to death the right to a fair trial or the right to seek a general pardon and reduce the sentence, and other guarantees stipulated in Economic and Social Council Resolution No. 1984/50, and without taking into account the minimum humanitarian and religious standards that criminalize unlawful killing.

In this context, Maat for Peace, Development and Human Rights Association noted that the Iranian authorities have been violating the right to life of individuals under their jurisdiction over the past years, by expanding the use of the death penalty against children, political opposition, and members of ethnic and religious minorities, following unfair trials, based on a large number of crimes that do not meet the criteria for the most serious crimes, including crimes related to drugs, financial corruption, rape, prostitution and "corruption on earth", and by arbitrarily targeting and killing peaceful protesters, demonstrators and human rights defenders. According to reliable local and international reports, and during 2021 alone, the Iranian authorities were involved in the execution of 275 people, more than 80 of whom were executed on the background of drug-related cases. This number doubled in 2022, as the number of people who were subjected to the execution of the death penalty by the Iranian authorities 2022 was about 565 people, including 11 women and 5 children. While the arbitrary executions and killings, carried out by the security forces in the Islamic Republic of Iran outside the framework of the law and the judiciary against peaceful demonstrators and protesters, intensified in the context of the recent peaceful protests that erupted on September 16, 2022, following the killing of the young woman, Mahsa Amini, by the morality police in the Islamic Republic of Iran, as the number of peaceful protesters and demonstrators killed, since the start of the protests on September 16, 2022, until January 15, 2023, reached about 525 people.

In light of the foregoing, Maat for Peace, Development and Human Rights Association presents in this intervention an overview and detailed observations about cases of extrajudicial, summary or arbitrary executions by the Iranian authorities, especially in the context of the recent protests, which we will discuss in some detail on as follows:

Death sentences following unfair or summary trials:

Over the past years, the Iranian authorities have been issuing and carrying out death sentences against children, political opposition, and members of ethnic and religious minorities, following unfair trials that lack the slightest guarantees of justice or are based on summary procedures and based on a large number of crimes that do not meet the criteria for the most serious crimes, including crimes related to drugs, financial corruption, rape, prostitution, and "corruption on earth". According to reliable local and international reports, during 2021 alone, the Iranian authorities were involved in the execution of 275 people, more than 80 of whom were executed on the background of drug-related cases.(1) this number doubled during 2022 clearly, as the number of people who were subjected to the execution of the death penalty by the Iranian authorities during 2022 reached about 565 people, including 11 women and 5 children. More than 42 percent of the executions carried out during 2022 were related to drug-related cases(2), international and local reports obtained by Maat for Peace, Development and Human Rights Association in this context indicate that most of the

executions that occurred in the Islamic Republic of Iran during the past two years were carried out with summary, and following unfair trials based on forced confessions extracted from the defendants under humiliating torture, which makes most of the executions occurred in the Islamic Republic of Iran during the past two years an arbitrary deprivation of life.

Since the spark of the recent protests that erupted on September 16, 2022, following the death of the young woman, Mahsa Amini, a few days after she was detained by the “morality police” in Tehran for violating the rules of modest dress, the Iranian authorities have continuously arrested and detained peaceful protesters and demonstrators, and issued summary executions against them, following unfair trials that lacked the slightest standards of justice, based on forced confessions obtained through torture and ill-treatment, and based on vaguely worded charges, including “corruption on earth”, “enmity against God”, and “oppression”. In this context, the estimates obtained by Maat for Peace, Development and Human Rights Association indicate that the Iranian authorities, as of the time of writing this report, executed about (4) peaceful demonstrators and protesters on the grounds of their participation in the recent protests, while about (17) other demonstrators and protesters are still awaiting execution of death sentences issued against them by the judicial authorities in the Islamic Republic of Iran, while up to (100) demonstrators and protesters are facing charges of crimes punishable by death. Maat for Peace, Development and Human Rights Association affirms that all death sentences issued and implemented against peaceful demonstrators and protesters in the Islamic Republic of Iran are arbitrary deprivation of life and amount to state-sanctioned killing, as they were based on speedy and summary trials that lacked fair trial guarantees, including denial of access to lawyers of the defendants' choice, the right to present a defense, disregard for the presumption of innocence, and denial of the right to meaningful appeal.⁽³⁾

Arbitrary killing of protesters, demonstrators and human rights defenders:

Over the past years, the Iranian authorities have been committing murders and arbitrary extrajudicial executions against demonstrators, peaceful protesters, and human rights defenders, for nothing other than expressing their opinions through peaceful protest. For example, arbitrary executions and killings carried out by security forces intensified in the Islamic Republic of Iran outside the framework of the law and the judiciary against peaceful demonstrators and protesters, in the context of the recent peaceful protests that erupted on September 16, 2022, following the killing of the young woman, Mahsa Amini, by the morality police in the Islamic Republic of Iran, where the security forces in the Islamic Republic of Iran used excessive and unnecessary force, including live ammunition and gas bombs and rubber bullets against peaceful protesters and demonstrators during the protests that have been going on for several months, which resulted in the killing of hundreds of peaceful demonstrators. According to the latest estimates obtained by Maat for Peace, Development and Human Rights Association in this context, the number of peaceful protesters and demonstrators killed by the security forces in the Islamic Republic of Iran, in the context of the recent protests, since inception on September 16, 2022, until January 15, 2023, reached about 525 people. Maat for Peace, Development and Human Rights Association considers the arbitrary killings committed by the security forces in the Islamic Republic of Iran against protesters and peaceful demonstrators as arbitrary deprivation of life or arbitrary execution, which is prohibited under the provisions of international human rights law.⁽⁴⁾

Recommendations:

In light of the above, Maat for Peace, Development and Human Rights Association presents recommendations to the international community and Iranian authorities as follows:

Recommendations to the international community:

- Putting pressure on the Iranian authorities to immediately halt executions of children, political dissidents, and members of ethnic and religious minorities following unfair trials that lack the slightest guarantees of fairness or in summary proceedings.
- Putting pressure on the Iranian authorities to stop the killings and arbitrary executions committed by the security forces outside the scope of the law or the judiciary against demonstrators, peaceful protesters, and human rights defenders.

Recommendations to the Iranian authorities:

- Joining the Second Optional Protocol to the International Covenant on Civil and Political Rights, which aims to abolish the death penalty.
- Immediately abolishing the death penalty or limiting it to the most serious crimes.
- Stop committing murders and extrajudicial or arbitrary executions against demonstrators, peaceful protesters, and human rights defenders, bringing perpetrators to justice, and allowing victims and their families to obtain effective reparations and remedies, including appropriate compensation.
- Allowing those facing the death penalty to have a fair trial and exercise their right to apply for a pardon or commutation of the death penalty.

1) The situation of human rights in the Islamic Republic of Iran, Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran (A/HRC/49/75), 13 January 2022, link: <https://bit.ly/3KDHzfP>

2) Annual Analytical and Statistical Report on Human Rights in Iran for the year 2022, Human Rights Activists News Agency (HRANA), December 26, 2022, link: <https://bit.ly/3R4nRhh>

3) Iran's use of the death penalty against protesters amounts to "state-sanctioned killing," UN News, January 10, 2023, link: <https://bit.ly/3JguUS3>

4) Report on Protestor Maryam Esmailzadeh's Death, Human Rights Activists News Agency (HRANA), Posted on January 16, 2023, link: <https://bit.ly/3wuxkow>