

**Mandates of the Special Rapporteur on extrajudicial, summary or arbitrary executions; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran**

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Excellency,

We have the honour to address you in our capacity as Special Rapporteur on extrajudicial, summary or arbitrary executions; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, pursuant to Human Rights Council resolutions 35/15, 34/18 and 34/23.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning the **use of force against protestors leading to the killing of at least 21 individuals, and the interruption of internet in Iran.**

According to the information received:

On 29 December 2017, demonstrations over falling living standards, widespread unemployment and rising food prices began in the city of Mashhad. By the following day, the demonstrations, both pro-government and anti-government, had spread to several major cities. The demonstrations are the biggest since 2009.

Official news channels confirmed that at least 21 people, including children and two security officers had been killed in the first five days of the protests in clashes with security forces. Police have confirmed the arrest of at least 1000 individuals across the country.

Starting on 30 December, multiple reports stated that the government had blocked internet on mobile networks, including social media services like Instagram and messaging services like Telegram, to quell protests. In some regions, internet access has been shut down altogether. Iran's major internet service providers are reportedly either directly owned by or closely tied to the Iranian Revolutionary Guard.

In a statement, the Interior Minister said that social networks are "causing violence and fear". The authorities have reportedly instructed the Revolutionary Guard to hit hard against the protestors.

We express serious concern at the alleged excessive use of force against protestors resulting in unlawful killings, at the arrest of demonstrators and at the criminalization of the right to freedom of assembly and freedom of expression in the context of the recent demonstrations. We express further concern at the control and censorship of information in Iran through the blocking of internet and messaging services, which prevent the population from accessing a major means of communication and related services. These measures take place in a context of an already restricted space for freedom of expression and assembly. They are particularly concerning in the apparent disregard for human life and in view of their effect to discourage protests and limit the free exchange of information in the country.

While we do not want to prejudge the accuracy of these allegations, they appear to be in contravention of the rights of every individual to life, liberty and security, to freedom of opinion and expression, and to freedom of peaceful assembly, as established respectively by articles 6, 19 and 21 of the International Covenant on Civil and Political Rights (ICCPR), ratified by Iran on 24 June 1975.

We would like to draw the attention of your Excellency's Government to the Code of Conduct for Law Enforcement Officials and the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials. In particular, principle 12 of the Basic Principles provides that "everyone is allowed to participate in lawful and peaceful assemblies, in accordance with the principles embodied in the Universal Declaration of Human Rights and the ICCPR. Governments and law enforcement agencies and officials shall recognize that force and firearms may be used only in accordance with principles 13 and 14." These provisions restrict the use of firearms to situations of violent assemblies and provide that force and firearms may only be used as a last resort when unavoidable and require exercising the utmost restraint. In addition, pursuant to principle 5(c), law enforcement officials should ensure the provision of timely medical assistance to anyone injured as a result of the use of force or firearms.

Moreover, the Principles on Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions, in particular principle 9, recall the duty to conduct thorough, prompt and impartial investigations of all suspected cases of extra-legal, arbitrary and summary executions. As also confirmed by the Human Rights Committee in its General Comment No. 31, a failure to investigate and bring perpetrators of such violations to justice could in and of itself give rise to a separate breach of the ICCPR.

Regarding the right to freedom of opinion and expression, we would like to remind your Excellency's Government of Human Rights Council Resolution 32/13, paragraph 10, which "condemn[ed] unequivocally measures to intentionally prevent or disrupt access to or dissemination of information online in violation of international human rights law, and call[ed] upon all States to refrain from and cease such measures." It is also pertinent to recall that any restriction on expression or information on grounds

of national security must have the genuine purpose and demonstrable effect of protecting a legitimate national security interest. In particular, a government must demonstrate that (a) the expression or information at issue poses a serious threat to a legitimate national security interest; (b) the restriction imposed is the least restrictive means possible for protecting that interest; and (c) the restriction is compatible with democratic principles.

We would also like to underline the principle enunciated by the Human Rights Council Resolution 12/16, which calls on States to refrain from imposing restrictions that are not consistent with paragraph 3 of article 19, including on (ii) the free flow of information and ideas, including practices such as the banning or closing of publications or other media and the abuse of administrative measures and censorship, and (iii) access to or use of information and communication technologies, including radio, television and the Internet. These violations must not be facilitated or aggravated by abuse of states of emergency.

With regard to freedom of assembly, we would also like to refer to Human Rights Council resolution 24/5 (operative paragraph 2), in which the Council “reminds States of their obligation to respect and fully protect the rights of all individuals to assemble peacefully and associate freely, online as well as offline, including in the context of elections, and including persons espousing minority or dissenting views or beliefs, human rights defenders, trade unionists and others, including migrants, seeking to exercise or to promote these rights, and to take all necessary measures to ensure that any restrictions on the free exercise of the rights to freedom of peaceful assembly and of association are in accordance with their obligations under international human rights law.”

We would finally like to highlight the fundamental principles set forth in articles 1 and 2 of the UN Declaration on Human Rights Defenders, which provide for the right to promote and to strive for the protection and realization of human rights and fundamental freedoms.

The full texts of the human rights instruments and standards recalled above are available on [www.ohchr.org](http://www.ohchr.org) or can be provided upon request.

In view of the urgency of the matter, we would appreciate a response on the initial steps taken by your Excellency’s Government to safeguard the rights of the above-mentioned person(s) in compliance with international instruments.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and any comment you may have on the above-mentioned allegations.

2. Please provide details, and where available, the results of any investigation and judicial or other inquiry undertaken in relation to the allegations of excessive use of force and unlawful killings in the context of the above-mentioned demonstrations. If no inquiries have taken place, or if they have been inconclusive, please explain why.
3. Please provide information on the regulations and operational procedures for law enforcement agents concerning the use of force in the context of law enforcement during assemblies and arrests and whether it is compatible with international standards in particular on the use of force and firearms.
4. Please provide information about the legal basis for the large-scale arrests of protestors, and explain how these arrests are compatible with international human rights law.
5. Please ensure that the names and whereabouts of all the persons arrested and detained in connection with these demonstrations is made public, and that all are allowed to have access to family members and legal counsel. All persons in detention should be protected against any form of ill-treatment.
6. Please provide information on the reasons for the disruption and blocking of internet, including its legal basis, the criteria used for assessing the necessity and proportionality of the measures, and their compatibility with articles 19 and 21 of the ICCPR.

While awaiting a reply, we urge your Excellency's Government to take all necessary measures to ensure that the rights to freedom of expression and assembly are fully respected in Iran. Moreover, we request that your Excellency's Government adopt effective measures to prevent future crackdowns on protesters and restriction on internet services.

We intend to publicly express our concerns in the near future as, in our view, the information upon which our concerns are based appears to be sufficiently reliable to indicate a matter warranting the most serious attention. We also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations. Any public statement on our part will indicate that we have been in contact with your Excellency's Government's to clarify the issue/s in question.

Your Excellency's Government's response will be made available in a report to be presented to the Human Rights Council for its consideration.

Please accept, Excellency, the assurances of our highest consideration.

Agnes Callamard  
Special Rapporteur on extrajudicial, summary or arbitrary executions

David Kaye  
Special Rapporteur on the promotion and protection of the right to freedom of opinion  
and expression

Asma Jahangir  
Special Rapporteur on the situation of human rights in the Islamic Republic of Iran