

Mandates of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran; 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; the Special Rapporteur on the rights to freedom of peaceful assembly and of association; the Special Rapporteur on the situation of human rights defenders; the Special Rapporteur on the independence of judges and lawyers; the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment

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(Please use this reference in your reply)

28 August 2026

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on the situation of human rights in the Islamic Republic of Iran; Special Rapporteur on extrajudicial, summary or arbitrary executions; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Special Rapporteur on the rights to freedom of peaceful assembly and of association; Special Rapporteur on the situation of human rights defenders; Special Rapporteur on the independence of judges and lawyers; Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism and Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, pursuant to Human Rights Council resolutions 58/21, 53/4, 61/14, 59/4, 61/22, 62/12, 58/14 and 61/10.

We offer the following comments on the Law on Intensification of Punishment for Espionage and Cooperation with the Zionist Regime and Hostile States Against National Security and Interests (hereinafter “the Law”), adopted by the Islamic Consultative Assembly of the Islamic Republic of Iran (*the Majles*) on 28 September 2025 and approved by the Guardian Council on 1 October 2025, including its provisions imposing the death penalty.

It is our expert opinion that the Law includes provisions that would significantly and unduly restrict the exercise of human rights and fundamental freedoms and would appear to be incompatible with the Islamic Republic of Iran’s obligations under international human rights law, including the International Covenant on Civil and Political Rights (ICCPR), and the International Covenant on Economic, Social and Cultural Rights (ICESCR), which Iran ratified on 24 June 1975.

In particular, the broad and vague definitions of “operational actions,” “intelligence activity,” “cooperation,” “hostile states,” and “activities considered contrary to national security” raise serious concerns regarding legality, legal certainty and non-retroactivity under international law, including articles 9, 14 and 15 of the ICCPR. The imposition of the death penalty for a wide range of acts, including conduct that may not meet the threshold of “most serious crimes,” raises serious concerns under article 6 of the ICCPR, on the right to life. In light of reported practices concerning capital proceedings in the Islamic Republic of Iran, we also express concern that the application of the Law may be inconsistent with article 14 of the ICCPR on fair trial guarantees.

The provisions criminalizing political, cultural, media and propaganda activities, the dissemination of content, the sending of films, images or information to foreign or hostile media outlets or online platforms, and participation in unlawful gatherings during wartime risk unduly restricting the rights to freedom of opinion and expression, peaceful assembly and association, to take part in the conduct of public affairs, protected under articles 19, 21, 22 and 25 of the ICCPR. Restrictions on access to and use of satellite devices may also affect access to information, education, cultural life and scientific progress, protected under articles 13 and 15 of the ICESCR. Additionally, it may affect the right to promote, protect and defend human rights as recognized by the UN Declaration on Human Rights Defenders. We recognize that States exercise regulatory competence over the use of the radio-frequency spectrum within their territory, and that the authorizations of satellite service are governed by the United Nations International Telecommunications Union Radio Regulations. That competence, however, is distinct from, and does not displace, the obligation to ensure that measures directed at individual end-users are lawful, necessary, proportionate and non-discriminatory. Our concern is not with the licensing system, but with the imposition of severe criminal penalties, including imprisonment and confiscation of assets for the possession or personal use of such devices.

Background

We note that the Law was adopted pursuant to Article 123 of the Islamic Republic of Iran's Constitution¹ in an expedited manner in the aftermath of the 12-day conflict between the Islamic Republic of Iran and Israel in June 2025.

The Law, encompassing nine (9) Articles and seven (7) Notes, was approved by the *Majles* in late June 2025, returned by the Guardian Council in July 2025 due to ambiguities and possible inconsistencies with the Constitution and Islamic law. It was subsequently amended and adopted by the *Majles* on 28 September 2025 and approved by the Guardian Council on 1 October 2025. While we acknowledge the legitimate interest of States in protecting national security, we are concerned that the speed of legislative process, the breadth of the offences created, and the severity of penalties provided under the law may not have allowed for adequate parliamentary, judicial, expert or public scrutiny. The Law appears to be inconsistent with the obligations under the international human rights instruments to which the Islamic Republic of Iran is a party.

It is important to note that the Law on Countering Hostile Actions of the Zionist Regime against Peace and Security, adopted in 2020, already established a specific legal framework prohibiting and penalizing various forms of cooperation with Israel, referred therein as the "Zionist regime." The 2020 law itself raises serious concerns under international human rights law because of the breadth and imprecision of the conduct criminalized and the application of the death penalty to offences that may not meet the threshold of the "most serious crimes." It prohibits a broad range of conduct, including intelligence cooperation or espionage in favor of Israel. Article 6 provides that any

¹ Constitution of the Islamic Republic of Iran, Article 123, (adopted by referendum on 2 and 3 December 1979, entered into force on 3 December 1979, as amended on 28 July 1989). English translation available at the website of the Ministry of Foreign Affairs of the Islamic Republic of Iran: <https://en.mfa.gov.ir/portal/viewpage/3997/constitution>; see also Guardian Council, Constitution of the Islamic Republic of Iran (full text), available at: <https://www.shora-gc.ir/en/news/87/constitution-of-the-islamic-republic-of-iran-full-text>.

intelligence cooperation or espionage in favor of Israel, shall be treated as enmity against God (*moharebeh*) and corruption on earth (*efsad-fil-arz*), thereby exposing those convicted to the most severe penalties under Iranian law, including the death penalty. Articles 7 and 8 further criminalize cooperation, interaction, exchange of information under other forms of support, with penalties including fourth and fifth-degree *ta'zir* imprisonment and permanent dismissal from public service.

We are concerned that the 2025 Law appears to compound the concerns arising from the existing framework by significantly expanding both the scope of criminalized conduct and the severity of the penalties beyond the already problematic 2020 framework. In addition, it appears to transform a wide range of acts, including peaceful, journalistic and humanitarian activities, or simply accessing information, into offenses potentially punishable by the death penalty, confiscation of assets and imprisonment.

We further note that the legislative process reportedly coincided with large-scale arrests. Following the June 2025 hostilities, the Iranian authorities arrested hundreds of individuals on suspicion of working for Israel, and six espionage-related executions occurred during or soon after the June military escalation (A/80/349), which also continued throughout 2026. While some of the individuals were convicted before the hostilities, the number of espionage-related executions appears to be higher than in previous years.

Non-Compliance With Legal Principles

Legality and legal certainty

We are concerned that several provisions of the Law appear inconsistent with the principle of legality and legal certainty, including the requirements for clarity, precision, foreseeability and non-retroactivity in criminal law. We emphasize that vague and overbroad provisions are prone to both unintended consequences and deliberate abuse, often leading to rights violations. The principle of legality under article 15(1) of the ICCPR requires that criminal laws be sufficiently precise so that it is clear what types of conduct constitute a criminal offence and what would be the legal consequences of committing such an offence. This principle recognizes and seeks to prevent ill-defined and/or overly broad laws which are open to arbitrary application and abuse.

We also note that the Law appears to create tension with general principles contained in Iran's own criminal law framework, including the Islamic Penal Code. Article 144 of the Islamic Penal Code² requires the existence of intent and knowledge for the commission of intentional offences. While the new Law refers to Article 144³, several of its provisions use overbroad and vague concepts. In particular, Articles 1, 2,

² Islamic Penal Code of the Islamic Republic of Iran, (adopted by the Islamic Consultative Assembly in April 2013, ratified on 21 April 2013, and entered into force in May 2013); English translation by Mohsen Mir Mohammad Sadeghi, certified translator to the Judiciary of the Islamic Republic of Iran, 2016, available at: https://www.unodc.org/cld/uploads/res/islamic-penal-code_html/islamic_Penal_Code.pdf.

³ Islamic Penal Code, Article 144. For a premeditated offense to have been committed there shall be established, in addition to the knowledge of the perpetrator of the subject matter of the offense, *mens rea* that is his /her intent to commit the criminal act. In the offenses commission of which according to the law is conditioned upon realization of the result, malice, that is the intent to achieve the result or knowledge of occurrence thereof shall also be established.

4, 5, 6 and 9 contain overbroad and vague terms such as “operational actions,”⁴ “intelligence activity,”⁵ “direct or indirect assistance,”⁶ “strengthening,”⁷ “consolidating,”⁸ “conferring legitimacy,”⁹ “political, cultural, media or propaganda activities,”¹⁰ “false news,”¹¹ content “contrary to national security,”¹² “hostile networks,”¹³ “hostile virtual pages,”¹⁴ acts of “confronting the system,”¹⁵ and “security/military situations.”¹⁶

Such terms appear to confer wide discretion on security, prosecutorial and judicial authorities to determine what conduct falls within the scope of serious national security offences, including offences punishable by long term imprisonment, confiscation of assets and, in some cases the death penalty. We are concerned that individuals may not be able to reasonably foresee, on the basis of the text of the Law, which acts or omissions may constitute an offence and would entail criminal liability, particularly in relation to media work, online expression, technological activities, contact with foreign actors, membership in or work with humanitarian organizations, civil society activities, including fundraising, social activism, or peaceful civic engagement and defence of human rights. Vague and overbroad provisions risk creating a chilling effect on the exercise of protected rights and legitimate activities, including as they relate to the promotion and protection of human rights.

Non-retroactivity

We are further concerned that Article 9 of the Law appears to raise serious issues under the principle of non-retroactivity of criminal laws, insofar as it addresses conduct that began, was prepared, or was completed before the law entered into force, and attaches new legal consequences to the failure of alleged perpetrators, principals or accomplices to present themselves or report such conduct within a specific period of 15 days. This provision appears to be inconsistent with article 15 of the ICCPR, which provides that no one shall be subjected to a heavier penalty than the one applicable at the time.¹⁷ We recall that the principles of legality and non-retroactivity are fundamental safeguards against arbitrary prosecution and punishment, and must be strictly observed, particularly in national security cases carrying severe penalties.

Proportionality in punishment

We note that the Law may conflict with the principles of proportionality in punishment and may give rise to penalties that are disproportionate to the gravity and

4 The Law, Article 1.

5 Ibid.

6 Ibid, Article 2.

7 Ibid.

8 Ibid.

9 Ibid.

10 Ibid, Article 4.

11 Ibid.

12 Ibid.

13 Ibid.

14 Ibid.

15 Ibid, Article 5.

16 Ibid, Article 6.

17 It would also raise concerns under article 11(2) of the Universal Declaration of Human Rights, which reflects the same prohibition on retroactive criminal punishment.

nature of the underlying conduct, including through the imposition of the death penalty and confiscation of assets.

We note that Article 6 of the Law provides for the increase of *ta'zir* punishments by up to three degrees where offences are committed during “wartime or security/military situations,” as determined and announced by the Supreme National Security Council. This appears to confer broad discretion on an executive/security body to determine the circumstances triggering aggravated punishment, without clear, objective and foreseeable criteria.

Article 19 of the Penal Code¹⁸ classifies *ta'zir*¹⁹ punishments into eight degrees, reflecting a graduated approach to sentencing, while this Law provides for the death penalty and confiscation of assets for a wide range of acts, including some conduct that may be non-violent or only indirectly connected to national security. The imposition of capital punishment for broadly defined espionage-related, media related, technological, financial, or other forms of “cooperation”, that do not involve intentional killing, raise serious concerns relating to the right to life under article 6 of the ICCPR.

Breach of Rights and Freedoms Protected Under International Human Rights Law

Right to life

Several provisions of the law provide for the death penalty for broadly defined offences without requiring that the conduct result directly and intentionally in death, raising serious concerns regarding the respect of the right to life under international law. Articles 1, 2, and 3 of the Law provide for the death penalty for a broad range of conduct that does not necessarily involve intentional killing. We recall that under article 6 of the ICCPR, as interpreted by the Human Rights Committee in general comment No. 36, the

¹⁸ Islamic Penal Code, Article 19, Discretionary punishments are classified into eight degrees: First Degree: Incarceration for more than twenty-five years; Pecuniary penalties of more than one billion Rials (Rls1,000,000,000), Confiscation of the whole assets, Dissolution of legal entity; Second Degree: Incarceration for more than fifteen years up to twenty-five years (reclusion temporal), Pecuniary penalties of more than five hundred and fifty million Rials (Rls550,000,000) up to one billion Rials (Rls1,000,000,000); Third Degree: Incarceration for more than ten years up to fifteen years, Pecuniary penalties of more than three hundred and sixty million Rials (Rls360,000,000) up to five hundred and fifty million Rials (Rls550,000,000); Fourth Degree: Incarceration for more than five years up to ten years, Pecuniary penalties of more than one hundred and eighty million Rials (Rls180,000,000) up to three hundred and sixty million Rials (Rls360,000,000), Permanent dismissal from governmental and public service; Fifth Degree: Incarceration for more than two years up to five years, Pecuniary penalties of more than one eighty million Rials (Rls80,000,000) up to one hundred and eighty million Rials (Rls180,000,000), Civil disabilities for more than five years up to fifteen years, Permanent disqualification of legal entities from engagement in one or more professional or social activities, Permanent prohibition of legal entities from making public calls for capital increase; Sixth Degree: Incarceration for more than six months up to two years, Pecuniary penalties of more than twenty million Rials (Rls20,000,000) up to eighty million Rials (Rls80,000,000), Flogging from thirty-one lashes to seventy-four lashes, and up to ninety-nine lashes in offenses against public morals, Civil disabilities for more than six months up to five years, Publication of the final sentence in media, Disqualification of legal entities from engagement in one or more professional or social activities, for a term of five years at maximum, Prohibition of legal entities from making public calls for capital increase, for a term of five years at maximum, Prohibition of legal entities from issuing certain commercial papers, for a term of five years at maximum; Seventh Degree: Incarceration from 91 days to six months, Pecuniary penalties of more than ten million Rials (Rls10,000,000) up to twenty million Rials (Rls20,000,000), Flogging from eleven lashes to thirty lashes, Civil disability for up to six months; Eighth Degree: Incarceration for up to three months, Pecuniary penalties of up to ten million Rials (Rls1,000,000), Flogging up to ten lashes.

¹⁹ *Ta'zir* refers to discretionary punishments under Islamic criminal law that are not fixed as *hudud*, *qisas* or *diyya* penalties, and whose type and degree are determined by law or judicial authority.

death penalty, where it has not been abolished, should be restricted to the “most serious crimes,” understood as crimes of extreme gravity involving intentional killing.²⁰ This reflects the Committee’s view that the right to life is a supreme right and therefore any deprivation of the right to life by States must be subject to strict scrutiny.

Article 1 of the law makes “operational action” and any “intelligence or espionage activity” for hostile States, regimes, groups and affiliated agents punishable by death, while defining “operational action” to include acts that may merely be “capable” of causing destruction, fear, or disruption of communication networks, information systems or infrastructures, and defining “intelligence activity” as any collection of information that could endanger national security. Article 2 further provides for the death penalty for “security, military, economic, financial, or technological action, or any direct or indirect assistance, that is deemed to strengthen, consolidate or confer legitimacy upon the Zionist regime”. Article 3 also prescribes the death penalty for “cooperation or assistance” in relation to weapons, drones, cyber activity, disruption of communication systems or sabotage, including in circumstances where the act is not completed and the person is nevertheless considered part of “enemy forces.”

In the context of the Law, the reference in Article 4 to *efsad-fil-arz*, or “corruption on earth,” is particularly concerning because it allows broadly defined political, media, online or information sharing conduct to be reclassified as a capital offence. Article 5 provides for the death penalty where acts involving satellite-based internet communication devices are deemed to be for the purpose of “confronting the system” or espionage and the person is considered an “enemy force.” The same provision further prescribes fourth-degree *ta’zir* imprisonment where the conduct involving satellite-based internet communication devices does not amount to *efsad-fil-arz*, “corruption on earth,” *moharebeh*, “enmity against God,” or another offence carrying a more severe punishment. Although the abovementioned provisions in Articles 4 and 5 provide for imprisonment where the conduct does not fall under *efsad-fil-arz* or *moharebeh*, and does not entail severe punishment, the formulation nevertheless appears to leave open the possibility that such conduct may be punishable by death if the authorities determine that it amounts to “corruption on earth” or, “enmity against God”.

The right to life is non-derogable under article 4(2) of the ICCPR and remains fully applicable during armed conflict and other public emergencies. Neither war nor national security considerations permit departure from the safeguards governing the death penalty under article 6 of the ICCPR.

Offences that do not result directly and intentionally in death, including vague and broadly defined national security, political, economic, technological, cyber, intelligence or preparatory offences, cannot form the basis for a death sentence under international law. Given the irreversible nature of the death penalty, capital offences must be defined clearly and narrowly and cannot be applied through vague or expansive interpretations or determinations left to the unfettered discretion of the authorities. We are therefore concerned that Articles 1, 2 and 3 of the Law are incompatible with

²⁰ Human Rights Committee, general comment No. 36 (2018) on article 6 of the International Covenant on Civil and Political Rights, on the right to life, CCPR/C/GC/36, 3 September 2019.

article 6 of the ICCPR, including the “most serious crimes” threshold and the requirements of legality and non-arbitrariness.

These provisions are also inconsistent with the safeguards guaranteeing protection of the rights of those facing the death penalty, approved by ECOSOC resolution 1984/50, which require, inter alia, that capital punishment be limited to the most serious crimes; that guilt be established on clear and convincing evidence leaving no room for an alternative explanation of the facts; and that a death sentence be imposed only by a competent court following proceedings affording all applicable fair-trial guarantees, including access to legal assistance and the rights to appeal and seek pardon or commutation. Failure to comply fully with fair trial guarantees under Article 14 of the ICCPR, in proceedings resulting in a death sentence, renders the sentence arbitrary and constitutes an arbitrary deprivation of life under article 6, as emphasized by the Human Rights Committee in general comments No. 32²¹ and No. 36.²²

Prohibition of torture and other cruel, inhuman or degrading treatment or punishment

The Law may also result in the imposition of corporal punishment in the form of flogging. Article 19 of the Islamic Penal Code provides for flogging as a *ta'zir* punishment, including from thirty-one to seventy-four lashes for sixth-degree offences, from eleven to thirty lashes for seventh-degree offences, and up to ten lashes for eighth-degree offences. The Law provides for *ta'zir* punishments by reference to this classification and, in certain circumstances, allows such punishments to be increased by up to three degrees.

Article 7 of the ICCPR provides that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. The Human Rights Committee has clarified that this prohibition extends to corporal punishment, including punishment ordered for a criminal offence²³. It has further held that a sentence of whipping constitutes cruel, inhuman or degrading treatment or punishment contrary to article 7, irrespective of the nature of the crime for which it is imposed²⁴. The imposition of flogging as a punishment for offences under the Law would therefore be incompatible with article 7 of the ICCPR.

Right to liberty and security

We also note that Article 8(3) provides that, in all proceedings under the Law, where “sufficient evidence” exists, a remand in custody order may be issued until the conclusion of proceedings and the issuance of a final judgment, at the discretion of the prosecutor or the court. The existence of “sufficient evidence” is not, in itself, sufficient to justify pretrial detention, which must be based on an individualized assessment that

²¹ Human Rights Committee, general comment No. 32 (2007) on article 14 of the International Covenant on Civil and Political Rights, on the right to equality before courts and tribunals and to a fair trial, CCPR/C/GC/32, 23 August 2007.

²² Human Rights Committee, general comment No. 36 (2018) on article 6 of the International Covenant on Civil and Political Rights, on the right to life, CCPR/C/GC/36, 3 September 2019.

²³ Human Rights Committee, general comment No. 20 (1992) on article 7 of the International Covenant on Civil and Political Rights, para. 5.

²⁴ Human Rights Committee, *Osbourne v. Jamaica*, Communication No. 759/1997, CCPR/C/68/D/759/1997, Views adopted on 15 March 2000, para. 9.1.

detention is reasonable, necessary and proportionate in all the circumstances, taking into account less restrictive alternatives. Article 9 of the ICCPR protects against arbitrary arrest and detention, and article 9(3) provides that it shall not be the general rule that persons awaiting trial be detained in custody. The Human Rights Committee, in general comment No. 35, has emphasized that liberty of person is a fundamental right and that detention must not be arbitrary, must be lawful, necessary and proportionate, and must be subject to judicial control.²⁵ Pre-trial detention based on broad security allegations, without individualized assessment and effective judicial review, risks violating article 9 of the ICCPR.

Right to a fair trial

Several provisions of the law appear to be inconsistent with article 14 and 15 of the ICCPR which protects the right to a fair trial and the principle of legality, respectively. We note that Article 4 of the law defines criminal conduct through broad and open-ended concepts relating to political, cultural, media, online and public assembly-related activities including whether such conduct is “contrary to national security,” “causes fear and terror,” or involves “hostile” networks or virtual pages. The absence of sufficiently clear and foreseeable criteria may confer excessively broad discretion on the courts in determining the scope of criminal liability. The Note to Article 4 further requires the Ministry of Intelligence to identify and publicly announce “hostile networks,” “human-media” outlets and “hostile virtual pages,” thereby allowing an executive security body to play a significant role in defining the practical scope of criminal liability. We are concerned that the open-ended language of Article 4 may facilitate arbitrary prosecution and inconsistent application of the Law, and may result in convictions based on expression, association, or perceived political affiliation rather than on clearly defined criminal conduct.

We further note that Article 7 requires offences under the Law to be examined, at all stages of proceedings, as a matter of priority and out of turn, in special branches of the Revolutionary Court designated by the Head of the Judiciary. The concentration of cases in special branches, combined with accelerated processing and national security classifications raises serious concerns as to whether defendants will be tried by a competent, independent and impartial tribunal, as required by article 14(1) of the ICCPR. While the ICCPR does not prohibit the trial of civilians in special courts, the provisions of article 14 apply to all courts and tribunals whether ordinary or specialized, civilian or military (general comment No. 32, para. 22).

Article 8 further provides for shortened procedural deadlines (reducing all statutory time limits exceeding ten days, including those relating to service of notice and objections, to ten days for offences under the Law), permits the court to complete investigations where it identifies investigative deficiencies, and allows, where sufficient evidence is deemed to exist, the issuance of remand in custody orders until the conclusion of proceedings and issuance of a final judgment. Leaving investigation in the hands of the judiciary for accelerating the procedural time instead of referral to investigation bodies (as the national criminal law stands), blurs the separation between investigative, prosecutorial, and adjudicative functions and undermines judicial independence and impartiality, particularly where the same judge who conducts or

²⁵ Human Rights Committee, general comment No. 35 (2014) on article 9 of the International Covenant on Civil and Political Rights, on liberty and security of person, CCPR/C/GC/35, 16 December 2014.

directs the investigation subsequently adjudicates the case. In criminal proceedings, the court must not assume a role that compromises equality of arms and the presumption of innocence.

Article 14(1) of the ICCPR requires a hearing before an independent and impartial tribunal, and article 14(2) guarantees the presumption of innocence. The Human Rights Committee's general comment No. 32 emphasizes that equality before court and tribunals and the guarantee of an independent and impartial tribunal are central components of the right to a fair trial.²⁶ The UN Basic Principles on the Independence of the Judiciary similarly require judges to decide cases impartially on the basis of facts and law, free from improper interference or pressures.²⁷ Article 14(5) further provides that everyone convicted of a crime shall have the right to have their conviction and sentence reviewed by a higher tribunal according to law. The right to appeal is not a discretionary privilege, but a core component of fair trial guarantees, especially in cases involving severe penalties, including long-term imprisonment, confiscation of assets and capital punishment. Any legislative measure that removes or unduly restricts ordinary appellate review, or channels cases into exceptional courts with accelerated timelines and limited procedural safeguards, risks increasing the likelihood of judicial error, coerced confessions, arbitrary detention, and irreversible miscarriages of justice.

Right to privacy

Furthermore, Article 5 of the law may have a chilling effect on the use of communication tools for all and bears most heavily on those for whom confidential or cross-border communication is a condition of their work or of contact with family, among them journalists, lawyers, human rights defenders, victims and their families, and humanitarian actors. By criminalizing possession and use of satellite-based internet devices, the provision risks unduly interfering with the right to privacy and correspondence under article 17 of the ICCPR.

Right to freedom of opinion and expression

We note that Article 4 of the Law appears to impose severe criminal penalties on a broad range of political, cultural, media, and propaganda activities, including the preparation or dissemination of “false news,” content deemed to cause “public fear and terror” or to be “contrary to national security,” and the sending of films, images or information to foreign or “hostile” media outlets, online platforms or so-called “human-media” entities. The vague and expansive wording of these terms risks enabling arbitrary or discriminatory enforcement against conduct that constitutes the ordinary and legitimate exercise of protected rights. Reporting that contradicts official accounts may be characterized as “false news”; documentation of events transmitted to media outlets or human rights organizations abroad may fall within the sending of films, images, or information to “foreign” or “hostile” outlets; and commentary, research or

²⁶ Human Rights Committee, general comment No. 32 (2007) on article 14 of the International Covenant on Civil and Political Rights, on the right to equality before courts and tribunals and to a fair trial, CCPR/C/GC/32, 23 August 2007.

²⁷ Basic Principles on the Independence of the Judiciary, Adopted by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders held at Milan from 26 August to 6 September 1985 and endorsed by General Assembly resolutions 40/32 of 29 November 1985 and 40/146 of 13 December 1985 <https://www.ohchr.org/en/instruments-mechanisms/instruments/basic-principles-independence-judiciary>.

online discussion critical of the authorities may be treated as “contrary to national security” or as causing “public fear and terror.” Journalists and media workers, human rights defenders, civil society actors, academics and ordinary users of digital platforms may therefore incur criminal liability for activity that is protected under article 19 of the ICCPR.

Similarly, Article 5 criminalizes the use, possession, purchase, sale or import of unlicensed satellite-based electronic internet communication devices, including Starlink, even for personal use. As noted above, our concern in this regard does not relate to the existence of a national authorization requirement for satellite service provision, which falls within the regulatory competence of States, but to the recourse to criminal law, and to penalties of this severity against individual end-users. It has not been demonstrated why administrative, licensing or other less intrusive regulatory measures would be insufficient to achieve the aim pursued.

We are particularly concerned that Articles 4 and 5 may criminalize the legitimate exercise of freedom of opinion and expression, including the right to seek, receive and impart information of all kinds regardless of frontiers under article 19 of the ICCPR. As clarified by the Human Rights Committee in general comment No. 34, States may not impose sweeping restrictions on internet-based communication tools in a manner that suppresses access to information, public debate, independent reporting or communication with the outside world.²⁸ Criminalizing access to satellite-based internet devices, particularly in the context of censorship, internet shutdowns or information control, risks disproportionately affecting individuals’ access to independent information. The threat of imprisonment, confiscation, and possible capital charges may deter lawful communication and further restrict and chill civic space and the exercise of the right to promote, protect and defend human rights

Article 19 of the ICCPR provides that everyone shall have the right to hold opinions without interference, and the right to freedom of expression, which includes the right to seek, receive and impart information and ideas of all kinds. The right to freedom of expression may be subject to certain restrictions, but these must be provided by law, serve a legitimate aim explicitly provided for in international human rights law, namely, to protect the rights or reputations of others, national security, public order (*ordre public*), public health or public morals, and be necessary and proportionate to achieve the specific legitimate aim. States may only impose the least restrictive measures required to achieve any of the above protective aims and any restrictions must not be overbroad.

Right to freedom of peaceful assembly and association

We are also concerned that Article 4 of the law provides that “unlawful marches and gatherings during wartime” shall be punishable by fourth-degree *ta’zir* imprisonment. The provision does not appear to define with sufficient precision what constitutes an “unlawful” gathering, nor does it provide safeguards to ensure that peaceful assemblies are not criminalized merely because they occurred during the periods characterized by the authorities as wartime or national security situations.

²⁸ Human Rights Committee, general comment No. 34 (2011) on article 19 of the International Covenant on Civil and Political Rights, on freedoms of opinion and expression, CCPR/C/GC/34, 12 September 2011.

We recall that article 21 of the ICCPR protects the right to peaceful assembly. Restrictions on this right must be provided by law and must be necessary and proportionate to a legitimate aim. The Human Rights Committee has clarified in general comment No. 37 that peaceful assemblies may not be restricted solely because they express criticism of the Government, challenge official narratives, or occur in politically sensitive contexts.²⁹ We are concerned that Article 4 may be used to deter or punish peaceful protest, collective mourning, public criticism, victims' advocacy, civic mobilization and the exercise of the right to promote, protect and defend human rights under broad national security justifications.

Additionally, we are concerned that the vague and overbroad language used in several of the provisions outlined above may allow for the criminal prosecution and punishment of individuals based purely on their membership in or activities for certain associations, such as humanitarian organizations or political opposition parties. We wish to highlight that such an application of the law would run counter to the right of freedom of association, as protected by article 22 of the ICCPR.

Right to promote, protect and defend human rights

We further express concern that Article 4, by criminalizing "political, cultural, media or propaganda activities," the creation of "artificial harm," the preparation or dissemination of "false news," or any content deemed to "cause public fear and terror" or to be "contrary to national security," risks impeding the work of human rights defenders. The explicit prohibition of "sending films, images or information to foreign networks, human rights media outlets or foreign online platforms" when deemed "contrary to national security" or associated with "hostile networks" directly targets one of the most fundamental activities of human rights defenders: documenting and reporting human rights violations to the international community. This activity is inherent to the right to promote, protect, and strive to realize human rights at the international level, as guaranteed under article 1 of the UN Declaration on Human Rights Defenders.

Article 2 of the Declaration establishes the State's "primary responsibility and duty" to protect, promote and fulfil all human rights. This entails a positive obligation to create the social, economic, political and legal conditions necessary for everyone to enjoy those rights. The Law risks not only breaching this obligation but undermining it by fostering a legislative environment conducive to fear, intimidation and persecution.

We are concerned that Articles 4 and 5 of the Law would undermine the rights protected under article 6 of the UN Declaration on Human Rights Defenders by significantly restricting the ability of human rights defenders to access, produce and disseminate information essential to their work. Article 4 criminalizes the dissemination of information deemed "false" or "contrary to national security," creating a chilling effect that may lead defenders to self-censor for fear that their documentation and

²⁹ Human Rights Committee, general comment No. 37 (2020) on article 21 of the International Covenant on Civil and Political Rights, on the right of peaceful assembly, CCPR/C/GC/37, 17 September 2020.

advocacy activities could be characterized as criminal conduct. Article 5 further prohibits the use, possession and importation of “unlicensed satellite internet communication devices,” which serve as critical tools for documenting human rights violations and maintaining communication during internet shutdowns. Particularly concerning is the imposition of severe penalties, including the death penalty where the use of such devices is construed as “confrontation with the system” or “espionage.” Taken together, these provisions risk facilitating information blackouts and unduly restricting the right to seek, obtain, receive, possess, publish and disseminate information concerning human rights and fundamental freedoms.

Furthermore, the Law appears to be incompatible with article 9 of the UN Declaration on Human Rights Defenders, which guarantees the right of everyone, individually and in association with others, to an effective remedy and to be protected in the event of violations of their rights. It also appears to run counter to articles 5(b) and 5(c) of the Declaration, which recognize the right to form, join and participate in non-governmental organizations, associations and groups, as well as the right to communicate with non-governmental and intergovernmental organizations for the purpose of promoting and protecting human rights and fundamental freedoms. By restricting these activities, the Law risks undermining essential safeguards for human rights defenders and weakening their ability to seek protection, pursue accountability and engage with national and international human rights mechanisms.

The duty of States to ensure a safe, conducive and enabling environment for the defense of human rights is a positive and multifaceted obligation established by article 12 of the UN Declaration on Human Rights Defenders. It requires States not only to refrain from interfering with the legitimate activities of human rights defenders, but also to adopt the legal, administrative, and practical measures necessary to ensure that they can operate freely and safely, without threats, restrictions, intimidation, or reprisals.³⁰

The Law appears to be incompatible with this obligation. Rather than establishing a protective legal framework, it appears to create a system of legal uncertainty through the deliberate use of vague and overly broad concepts, such as “operational action” and conduct deemed “contrary to national security which may allow for the arbitrary criminalization of any legitimate activity of civil society, in violation of the principle of legality. Additionally, articles 7 and 8 appear to restrict access to justice by subjecting individuals to accelerated proceedings before special courts that effectively dispense with core due process guarantees, including the rights to a fair hearing and an effective remedy. Moreover, we are concerned that various provisions directly attack the freedoms essential to the work of human rights defenders by criminalizing engagement with international actors (Article 4), prohibiting secure communication tools such as Starlink (Article 5), and treating international cooperation and funding as offences carrying the most severe criminal penalties (Articles 11, 2, and 3).

As a result, we express serious concern that the Law would appear to only not fail to protect human rights defenders but establishes a legal framework that facilitates

³⁰ A/HRC/25/55, 2011, paras. 54-126, A/71/281, 2016; A/73/215, 2018, paras. 27 and 51.

their surveillance, prosecution, and punishment, creating a profound chilling effect on the exercise of fundamental rights and on the functioning of civil society as a whole.

Economic, social and cultural rights

We are also concerned that Article 5 of the law may interfere with the enjoyment of economic, social and cultural rights, particularly where satellite-based internet devices are used to access education, health information, employment, humanitarian assistance, cultural life or scientific knowledge. Restrictions on connectivity may affect, in certain circumstances, the right to access health-related information under article 12, the right to education under article 13, and the right to take part in cultural life and to benefit from scientific progress under article 15 of the ICESCR. Any restriction on digital connectivity that affects these rights must be lawful, necessary, proportionate and non-discriminatory. A blanket criminal prohibition extending to personal use, accompanied by imprisonment and confiscation, appears difficult to reconcile with these requirements.

Taken together, the provisions of the Law, in particular, Articles 6, 7 and 8 appear to create an exceptional criminal procedure for offences under the Law, characterized by aggravated punishments in broadly defined security situations, Special Revolutionary Court branches, shortened procedural deadlines, judicial involvement in completing investigations, and potential detention until final judgement. We are concerned that this framework may seriously undermine the rights and freedoms detailed above. These concerns are particularly acute where the law also provides for severe penalties, including long-term imprisonment, confiscation of assets and death penalty.

Application of the Law

We are gravely concerned by the information indicating that the Law has been applied in a manner that confirms, rather than allays, the concerns set out above. Following the nationwide protests which began in late December 2025 and the war which started on 28 February 2026, there has been a reported acceleration in the implementation of this Law, including arrests, prosecution and sentencing of individuals on broad espionage and security-related charges. The law has been used to impose the death sentences and execution in broadly defined security-related cases, including alleged espionage and cooperation with hostile States (IRN 11/2026). Since the beginning of 2026, at least 10 individuals have been executed based on the provisions of this Law, and multiple individuals face imminent risk of execution. Procedures before Revolutionary Courts are expedited, closed and heavily reliant on security- agencies' reports and coerced confessions. The defendants are reportedly denied timely access to lawyers of their choice, the indictment and complete case files, thus preventing them to challenge prosecution's allegations or prepare effective defense. The use of collective trials further compounds these violations, as several defendants reportedly have been tried together on general security-related allegations, without independent assessment for each person's conduct, intent and responsibility.

We urge the Government to suspend the application of the Law until all provisions have been reviewed and, where applicable, amended to ensure compatibility with international law.

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 information and/or comments you have on the above-mentioned analysis.
2. Please explain how the Law is compatible with the Islamic Republic of Iran's obligations under articles 6, 7, 9, 14, 15, 17, 19, 21 and 22 of the ICCPR, and articles 12, 13 and 15 of the ICESCR, particularly in relation to the principles of legality, non-retroactivity, necessity, proportionality and non-discrimination.
3. Please indicate what safeguards are in place to ensure that offences under the Law, including those punishable by the death penalty, are defined with sufficient clarity and precision to prevent arbitrary or discriminatory interpretation and enforcement.
4. Please explain how the imposition of the death penalty under articles 1, 2 and 3 of the Law is compatible with article 6 of the ICCPR, particularly the requirement that capital punishment be limited to the "most serious crimes", understood as intentional killing.
5. Please provide information on the judicial and procedural safeguards available to persons prosecuted under the Law, including access to legal counsel of one's choice, adequate time and facilities to prepare a defense, public hearings before a competent, independent and impartial tribunal, the presumption of innocence, protection against coerced confessions, and the right to appeal before a higher tribunal.
6. Please explain how provisions allowing accelerated proceedings, shortened procedural deadlines, proceeding before special branches of the Revolutionary Court, and remand in custody until final judgement comply with articles 9 and 14 of the ICCPR.
7. Please clarify the meaning and scope of the terms "operational actions", "intelligence activity", "direct or indirect assistance", "hostile states", "hostile networks", "hostile virtual pages", "false news", "confronting the system" and "security/military situations", and explain how individuals can reasonably foresee what conduct may give rise to criminal liability under the Law.
8. Please indicate what measures have been adopted to ensure that the Law is not used to criminalize the legitimate exercise of the rights to freedom of opinion and expression, peaceful assembly and association, and the right to promote, protect and defend human rights including the work of journalists, human rights defenders, lawyers, academics, protesters, civil society actors and persons communicating with international human rights mechanisms.

9. Please explain how the criminalization of the possession, use, purchase, sale or import of satellite-based internet communication devices, including for personal use, complies with articles 17 and 19 of the ICCPR and with the Islamic Republic of Iran's obligations under the ICESCR in relation to access to health information, education, cultural life and scientific progress.
10. Please provide information on any consultations, parliamentary debates, expert review or public scrutiny undertaken prior to the adoption and approval of the Law, including any human rights impact assessment conducted to evaluate its compatibility with the Islamic Republic of Iran's obligations under international human rights law.
11. Please indicate whether your Excellency's Government intends to review, amend, suspend or repeal provisions of the Law that may be incompatible with its obligations under international human rights law, and if so, provide detail the timeline and process of such review.

This communication, as a comment on pending or recently adopted legislation, regulations or policies, and any response received from your Excellency's Government will be made public via the communications reporting [website](#) after 48 hours. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

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

Mai Sato

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

Morris Tidball-Binz

Special Rapporteur on extrajudicial, summary or arbitrary executions

Leopoldo Maldonado Gutierrez

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

Gina Romero

Special Rapporteur on the rights to freedom of peaceful assembly and of association

Andrea Bolaños Vargas

Special Rapporteur on the situation of human rights defenders

Margaret Satterthwaite

Special Rapporteur on the independence of judges and lawyers

Ben Saul

Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism

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