



**Iran's Compliance with International Convention on the Elimination of All Forms of Racial Discrimination  
Response to the List of Themes Relating to the Death Penalty**

**Submitted by The Advocates for Human Rights**

a non-governmental organization in special consultative status with ECOSOC since 1996

**Iran Human Rights**

**The World Coalition Against the Death Penalty**

and

**ECPM (Together Against the Death Penalty)**

for the

**113th Session of the Committee on the Elimination of Racial Discrimination**

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**The Advocates for Human Rights** (The Advocates) is a volunteer-based non-governmental organization committed to the impartial promotion and protection of international human rights standards and the rule of law. Established in 1983, The Advocates conducts a range of programs to promote human rights in the United States and around the world, including monitoring and fact finding, direct legal representation, education and training, and publications. In 1991, The Advocates adopted a formal commitment to oppose the death penalty worldwide and organized a death penalty project to provide pro bono assistance on post-conviction appeals, as well as education and advocacy to end capital punishment. The Advocates currently holds a seat on the Steering Committee of the World Coalition against the Death Penalty.

**Iran Human Rights** (IHRNGO) is a non-profit NGO with its base in Oslo, Norway. IHRNGO has active and supporting members in Iran, North America and several European countries. IHRNGO is committed to promote human rights in Iran, through reporting, monitoring and advocacy. Reporting about the death penalty in Iran has been the main focus of IHRNGO in the past 10 years. Because of its sources inside Iran, IHRNGO is able to produce accurate reports about the death penalty in Iran. Besides the death penalty, promoting due process and rule of law, and defending the human rights defenders constitute the core activities of IHRNGO. IHRNGO is a member of the Steering Committee of the World Coalition Against the Death Penalty and a member of Impact Iran.

**The World Coalition Against the Death Penalty** is a volunteer-based non-government organization committed to strengthen the international dimension of the fight against the death penalty. Established in 2002, its ultimate objective is to obtain the universal abolition of the death penalty. To achieve its goal, the World Coalition advocates for a definitive end to death sentences and executions in those countries where the death penalty is in force. In some countries, it is seeking to obtain a reduction in the use of capital punishment as a first step towards abolition.

**ECPM** (Together Against the Death Penalty) is a French non-governmental organisation that fights against the death penalty worldwide and in all circumstances by uniting and rallying abolitionist forces across the world. The organisation advocates with international bodies and encourages universal abolition through education, information, local partnerships and public awareness campaigns. ECPM is the organiser of the World Congresses against the death penalty and a founding member of the World Coalition Against the Death Penalty. In 2016, ECPM was granted consultative status with ECOSOC.

## EXECUTIVE SUMMARY

1. Iran Human Rights (IHRNGO) has confirmed that Iranian authorities have executed at least 237 people in the first five months of 2024.<sup>1</sup> Of these 237 executions, at least 10 of them were women, 31 Baluch, and 13 Afghan nationals.<sup>2</sup> IHRNGO reports that executions of women are up 67% compared against the same period of time in 2023.<sup>3</sup> IHRNGO also reports that executions against Afghan nationals are up 117%.<sup>4</sup>
2. As noted in the coauthors' previous report, Iran Human Rights has confirmed that Iranian authorities carried out at least 7,284 executions between 2011 and 2023.<sup>5</sup> 2023 marked the second-highest year for executions over that period, with 834 confirmed executions.<sup>6</sup> IHRNGO has documented that "ethnic minorities in Iran are overrepresented in death penalty statistics."<sup>7</sup>
3. In May 2024, the coauthors submitted a Suggested List of Themes Report to this Committee. The current report summarizes and updates the information in that report; and addresses items omitted from the Committee's 2024 List of Themes regarding the Islamic Republic of Iran's Compliance with the International Convention on the Elimination of All Forms of Racial Discrimination.

### **Iran fails to uphold its obligations under the Convention on the Elimination of All Forms of Racial Discrimination**

#### **I. Iran disproportionately sentences ethnic minorities to death and executes ethnic minorities.**

4. As noted in the previous report, official government data on executions do not always disclose the ethnicity or nationality of the person sentenced to death.<sup>8</sup> As the Committee observed in the 2024 List of Themes, Iranian authorities do not maintain good data-collection practices based on self-identification of ethnicity.<sup>9</sup> The 2022 State Party Report reflects hostility toward such data collection.<sup>10</sup> The State Party Report also asserts that the "Legal Certainty Document"

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<sup>1</sup> Iran Human Rights, *At Least 237 Executions in 5 Months; 64 Executed in May*, (June 10, 2024), Available online at <https://www.iranhr.net/en/articles/6755/>.

<sup>2</sup> Iran Human Rights, *At Least 237 Executions in 5 Months; 64 Executed in May*, (June 10, 2024), Available online at <https://www.iranhr.net/en/articles/6755/>.

<sup>3</sup> Iran Human Rights, *At Least 237 Executions in 5 Months; 64 Executed in May*, (June 10, 2024), Available online at <https://www.iranhr.net/en/articles/6755/>.

<sup>4</sup> Iran Human Rights, *At Least 237 Executions in 5 Months; 64 Executed in May*, (June 10, 2024), Available online at <https://www.iranhr.net/en/articles/6755/>.

<sup>5</sup> Iran Human Rights and ECPM, *Annual Report on the Death Penalty in Iran 2023*, at 16, [https://iranhr.net/media/files/Iran\\_Human\\_Rights-Annual\\_Report\\_2023.pdf](https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf).

<sup>6</sup> Iran Human Rights and ECPM, *Annual Report on the Death Penalty in Iran 2023*, at 16, [https://iranhr.net/media/files/Iran\\_Human\\_Rights-Annual\\_Report\\_2023.pdf](https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf).

<sup>7</sup> Iran Human Rights and ECPM, *Annual Report on the Death Penalty in Iran 2023*, at 88, [https://iranhr.net/media/files/Iran\\_Human\\_Rights-Annual\\_Report\\_2023.pdf](https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf).

<sup>8</sup> Iran Human Rights and ECPM, *Annual Report on the Death Penalty in Iran 2023*, at 88, [https://iranhr.net/media/files/Iran\\_Human\\_Rights-Annual\\_Report\\_2023.pdf](https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf).

<sup>9</sup> Committee on the Elimination of Racial Discrimination, *List of themes in relation to the combined twentieth to twenty-seventh periodic reports of the Islamic Republic of Iran*, 113th Session (5-23 August 2024), U.N. Doc. CERD/C/IRN/Q/20-27 (14 June 2024), ¶ 2.

<sup>10</sup> Committee on the Elimination of Racial Discrimination, *Combined twentieth to twenty-seventh reports submitted by the Islamic Republic of Iran under article 9 of the Convention, due in 2014*, (22 Mar. 2022), U.N. Doc. CERD/C/IRN/20-27, ¶ 23.

enshrines “the equality of all and their right to a fair trial . . . regardless of their gender, race, color, language, religion, political beliefs, and other characteristics.”<sup>11</sup>

5. In the 2024 List of Themes, the Committee highlights combatting structural discrimination against ethno-religious minority groups, women, children, and other ethnic groups.<sup>12</sup> As stated in the previous report, members of the Baluch ethnic minority group made up 20% of all recorded executions in 2023 alone, while accounting for just 2-6% of the country’s overall population.<sup>13</sup> Executions of members of the Baluch ethnic group also accounted for nearly 30% of all executions for drug-related offenses.<sup>14</sup> Five of the 167 Baluchs executed in 2023 were women.<sup>15</sup> Provinces with large ethnic minority populations—Sistan and Baluchistan, West Azerbaijan, East Azerbaijan, and Kurdistan—account for a disproportionately large number of executions, both on a raw numerical basis and per capita.<sup>16</sup> Moreover, these figures do not account for executions of ethnic minorities taking place outside those provinces.<sup>17</sup> IHRNGO has documented that executions “of Baluch prisoners are in many cases carried out in prisons outside the Baluchistan region.”<sup>18</sup> And as mentioned above, official information about executions does not always include ethnicity, so executions of ethnic minorities are likely underreported.<sup>19</sup>
6. IHRNGO reported that Iranian authorities have executed 16 Afghan nationals in 2024.<sup>20</sup> These executions included a juvenile offender and a woman.<sup>21</sup> Currently, Afghan nationals are the most executed non-Iranian ethnic group and make up the majority of death row cases in Iran.<sup>22</sup> Executions of Afghan nationals have been conducted at an alarmingly upward rate since 2021,

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<sup>11</sup> Committee on the Elimination of Racial Discrimination, *Combined twentieth to twenty-seventh reports submitted by the Islamic Republic of Iran under article 9 of the Convention, due in 2014*, (22 Mar. 2022), U.N. Doc. CERD/C/IRN/20-27, ¶ 41.

<sup>12</sup> Committee on the Elimination of Racial Discrimination, *List of themes in relation to the combined twentieth to twenty-seventh periodic reports of the Islamic Republic of Iran*, 113th Session (5-23 August 2024), U.N. Doc. CERD/C/IRN/Q/20-27 (14 June 2024), ¶¶ 9–10.

<sup>13</sup> Iran Human Rights and ECPM, *Annual Report on the Death Penalty in Iran 2023*, at 89, [https://iranhr.net/media/files/Iran\\_Human\\_Rights-Annual\\_Report\\_2023.pdf](https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf).

<sup>14</sup> Iran Human Rights and ECPM, *Annual Report on the Death Penalty in Iran 2023*, at 89, [https://iranhr.net/media/files/Iran\\_Human\\_Rights-Annual\\_Report\\_2023.pdf](https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf).

<sup>15</sup> Iran Human Rights and ECPM, *Annual Report on the Death Penalty in Iran 2023*, at 85, 89, [https://iranhr.net/media/files/Iran\\_Human\\_Rights-Annual\\_Report\\_2023.pdf](https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf).

<sup>16</sup> Iran Human Rights and ECPM, *Annual Report on the Death Penalty in Iran 2023*, at 88, [https://iranhr.net/media/files/Iran\\_Human\\_Rights-Annual\\_Report\\_2023.pdf](https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf).

<sup>17</sup> Iran Human Rights and ECPM, *Annual Report on the Death Penalty in Iran 2023*, at 88, [https://iranhr.net/media/files/Iran\\_Human\\_Rights-Annual\\_Report\\_2023.pdf](https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf).

<sup>18</sup> Iran Human Rights and ECPM, *Annual Report on the Death Penalty in Iran 2023*, at 88, [https://iranhr.net/media/files/Iran\\_Human\\_Rights-Annual\\_Report\\_2023.pdf](https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf).

<sup>19</sup> Iran Human Rights and ECPM, *Annual Report on the Death Penalty in Iran 2023*, at 88, [https://iranhr.net/media/files/Iran\\_Human\\_Rights-Annual\\_Report\\_2023.pdf](https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf).

<sup>20</sup> Iran Human Rights, *Afghan Khan Mohammad Eshaghzei Secretly Executed in Semnan*, (May 9, 2024), Available online at <https://www.iranhr.net/en/articles/6702/>.

<sup>21</sup> Iran Human Rights, *Afghan Khan Mohammad Eshaghzei Secretly Executed in Semnan*, (May 9, 2024), Available online at <https://www.iranhr.net/en/articles/6702/>.

<sup>22</sup> Iran Human Rights, *Afghan Khan Mohammad Eshaghzei Secretly Executed in Semnan*, (May 9, 2024), Available online at <https://www.iranhr.net/en/articles/6702/>.

with a 56% increase in 2023 from the previous year,<sup>23</sup> and currently on track for a 117% increase this year.<sup>24</sup>

7. The 2024 List of Themes emphasizes measures to combat structural discrimination and development in “less endowed regions.”<sup>25</sup> As explained in the previous report, IHRNGO states that provinces with larger populations of ethnic minorities experience “poor socio-economic conditions,” and as a result local courts in those provinces “act more lawlessly and arbitrarily.”<sup>26</sup> The Committee in 2010 expressed concern “that language barriers may create an obstacle in access to justice for ethnic minorities in” Iran.<sup>27</sup> These factors undoubtedly intersect, particularly in capital cases, to violate the due process and fair trial rights of ethnic minorities, despite the State Party Report’s assertions that “courts and lawyers in all provinces are familiar with the languages of the ethnicities,” and that “the facts on the ground” dispute the Committee’s observation that “the provinces with an ethnic majority are the poorest.”<sup>28</sup>

## **II. Iran targets ethnic minorities for political executions.**

8. The Committee in 2010 expressed “concern at the limited enjoyment of political . . . rights by, inter alios, Arab, Azeri, Balochi, Kurdish communities and some communities of non-citizens, in particular with regard to . . . freedom of expression . . . .”<sup>29</sup> The State Party Report’s response to this recommendation focuses primarily on economic, social, and cultural rights,<sup>30</sup> but elsewhere the report asserts that there have been many large gatherings of people exercising their right to peaceful assembly, during which “the rights of citizens have been observed regardless of ethnic, racial, or regional affiliations.”<sup>31</sup>
9. The 2024 List of Themes encourages Iran to “promptly and impartially investigate all human rights violations and abuses, in particular those targeting members of ethnic and ethno-religious

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<sup>23</sup> Iran Human Rights, *Afghan Khan Mohammad Eshaghzei Secretly Executed in Semnan*, (May 9, 2024), Available online at <https://www.iranhr.net/en/articles/6702/>.

<sup>24</sup> Iran Human Rights, *At Least 237 Executions in 5 Months; 64 Executed in May*, (June 10, 2024), Available online at <https://www.iranhr.net/en/articles/6755/>.

<sup>25</sup> Committee on the Elimination of Racial Discrimination, *List of themes in relation to the combined twentieth to twenty-seventh periodic reports of the Islamic Republic of Iran*, 113th Session (5-23 August 2024), U.N. Doc. CERD/C/IRN/Q/20-27 (14 June 2024), ¶¶ 9, 12.

<sup>26</sup> Iran Human Rights and ECPM, *Annual Report on the Death Penalty in Iran 2023*, at 89, [https://iranhr.net/media/files/Iran\\_Human\\_Rights-Annual\\_Report\\_2023.pdf](https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf).

<sup>27</sup> Committee on the Elimination of Racial Discrimination, *Concluding observations of the Committee on the Elimination of Racial Discrimination: Islamic Republic of Iran*, 77th Session (2-27 August 2010), U.N. Doc. CERD/C/IRN/CO/18-19 (20 Sept. 2010), ¶ 13.

<sup>28</sup> Committee on the Elimination of Racial Discrimination, *Combined twentieth to twenty-seventh reports submitted by the Islamic Republic of Iran under article 9 of the Convention, due in 2014*, (22 Mar. 2022), U.N. Doc. CERD/C/IRN/20-27, ¶ 139-40.

<sup>29</sup> Committee on the Elimination of Racial Discrimination, *Concluding observations of the Committee on the Elimination of Racial Discrimination: Islamic Republic of Iran*, 77th Session (2-27 August 2010), U.N. Doc. CERD/C/IRN/CO/18-19 (20 Sept. 2010), ¶ 15.

<sup>30</sup> Committee on the Elimination of Racial Discrimination, *Combined twentieth to twenty-seventh reports submitted by the Islamic Republic of Iran under article 9 of the Convention, due in 2014*, (22 Mar. 2022), U.N. Doc. CERD/C/IRN/20-27, ¶ 139.

<sup>31</sup> Committee on the Elimination of Racial Discrimination, *Combined twentieth to twenty-seventh reports submitted by the Islamic Republic of Iran under article 9 of the Convention, due in 2014*, (22 Mar. 2022), U.N. Doc. CERD/C/IRN/20-27, ¶ 93.

minority groups, committed in the context of the protests....”<sup>32</sup> Iran sentences people to death based on political affiliation, and a majority of people sentenced to death in this category are ethnic Kurds and members of other ethnic minority groups.<sup>33</sup> Between 2010 and 2023, Iran executed at least 154 people for being affiliated with banned political and armed groups.<sup>34</sup> Nearly half were Kurdish, 29% were Baluch, and 16% were Arab, primarily Sunni Muslims.<sup>35</sup>

10. Information regarding political executions in response to the current political turmoil following the death of President Raisi was notably absent from the 2024 List of Themes. IHRNGO’s statistics reveal that authorities step up executions in response to or in anticipation of political turmoil.<sup>36</sup> For example, as noted in the previous report, in 2023 there were two surges in executions—one on the eve of International Workers’ Day on 1 May and National Teacher’s Day on 2 May, a period “when nationwide protests usually take place.”<sup>37</sup> The second spike “started after the start of the war in Gaza on 7 October.”<sup>38</sup> Authorities often sentence political dissidents, protesters, and people with connections to foreign opposition groups to death for the vaguely defined crimes of *efsad-fil-arz* (corruption on earth), *baghy* (armed rebellion), or *moharebeh* (enmity against God).<sup>39</sup> Among the at least 39 people executed on these charges in 2023 were 8 Kurdish people, 7 Baluch people, and 3 Arabs.<sup>40</sup> In 2024, at least 14 executions have been for *moharebeh*.<sup>41</sup>
11. As addressed in the previous report, IHRNGO has documented that courts sometimes subject protesters to group show-trials lacking fair trial protections.<sup>42</sup> Authorities also rely on forced confessions extracted through torture and other ill-treatment in prosecuting protesters, and they sometimes broadcast these torture-tainted confessions on state media at the time of the execution,<sup>43</sup> despite the State party’s assertion that there are protections for “the dignity and

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<sup>32</sup> Committee on the Elimination of Racial Discrimination, *List of themes in relation to the combined twentieth to twenty-seventh periodic reports of the Islamic Republic of Iran*, 113th Session (5-23 August 2024), U.N. Doc. CERD/C/IRN/Q/20-27 (14 June 2024), ¶ 14.

<sup>33</sup> Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 88, [https://iranhr.net/media/files/Iran\\_Human\\_Rights-Annual\\_Report\\_2023.pdf](https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf).

<sup>34</sup> Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 88, [https://iranhr.net/media/files/Iran\\_Human\\_Rights-Annual\\_Report\\_2023.pdf](https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf).

<sup>35</sup> Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 88, [https://iranhr.net/media/files/Iran\\_Human\\_Rights-Annual\\_Report\\_2023.pdf](https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf).

<sup>36</sup> Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 17, [https://iranhr.net/media/files/Iran\\_Human\\_Rights-Annual\\_Report\\_2023.pdf](https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf).

<sup>37</sup> Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 17, [https://iranhr.net/media/files/Iran\\_Human\\_Rights-Annual\\_Report\\_2023.pdf](https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf).

<sup>38</sup> Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 17, [https://iranhr.net/media/files/Iran\\_Human\\_Rights-Annual\\_Report\\_2023.pdf](https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf).

<sup>39</sup> Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 29-30, [https://iranhr.net/media/files/Iran\\_Human\\_Rights-Annual\\_Report\\_2023.pdf](https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf).

<sup>40</sup> Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 46, [https://iranhr.net/media/files/Iran\\_Human\\_Rights-Annual\\_Report\\_2023.pdf](https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf).

<sup>41</sup> Iran Human Rights, *At Least 237 Executions in 5 Months; 64 Executed in May*, (June 10, 2024), Available online at <https://www.iranhr.net/en/articles/6755/>.

<sup>42</sup> Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 39, [https://iranhr.net/media/files/Iran\\_Human\\_Rights-Annual\\_Report\\_2023.pdf](https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf).

<sup>43</sup> Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 39, 47, [https://iranhr.net/media/files/Iran\\_Human\\_Rights-Annual\\_Report\\_2023.pdf](https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf).

privacy of citizens in the media.”<sup>44</sup> In 2024, four Kurdish-Sunni political prisoners were executed in a 7-defendant show trial.<sup>45</sup> Two of the defendants, both Afghan nationals, were executed in 2023, and one remains imprisoned, at risk of execution.<sup>46</sup>

12. IHRNGO posits that Iranian authorities may “use more violence to create fear due to higher opposition amongst the population” in predominantly Kurdish and Baluch regions, labeling protesters “separatists” and deploying violence under the pretext of fighting terrorism.<sup>47</sup> For example, in the wake of the killing of Jina (Mahsa) Amini, those regions had “the longest-lasting protests, and almost half of all protesters killed on the streets were from Baluchistan, Kurdistan and other Kurdish towns in other provinces.”<sup>48</sup>
13. The 2024 List of Themes makes several calls to eliminate instances of hate speech and discrimination against ethnic and ethno-religious minority groups.<sup>49</sup> The Committee observed in 2010 that the media deploy stereotyped and demeaning portrayals of ethnic minorities and their communities and expressed concern that government officials make “statements of racial discrimination and incitement to hatred.”<sup>50</sup> The State Party Report asserts that certain laws bar the media from sowing discord between ethnic groups.<sup>51</sup> As of late, however, government propaganda seems to have had the effect of numbing the population to the execution of people from predominantly Kurdish and Baluch regions.<sup>52</sup>
14. The previous report indicated that IHRNGO has documented cases of several protesters and political prisoners who are members of ethnic minority groups currently at risk of execution, including 7 Arab men, 6 Kurdish men, 1 Baluch man, and 1 Bakhtiari man.<sup>53</sup> Since the release of the earlier report, IHRNGO has reported that two of the Kurdish men have been executed.<sup>54</sup>

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<sup>44</sup> Committee on the Elimination of Racial Discrimination, *Combined twentieth to twenty-seventh reports submitted by the Islamic Republic of Iran under article 9 of the Convention, due in 2014*, (22 Mar. 2022), U.N. Doc. CERD/C/IRN/20-27, ¶ 133.

<sup>45</sup> Iran Human Rights, *At Least 237 Executions in 5 Months; 64 Executed in May*, (June 10, 2024), Available online at <https://www.iranhr.net/en/articles/6755/>.

<sup>46</sup> Iran Human Rights, *At Least 237 Executions in 5 Months; 64 Executed in May*, (June 10, 2024), Available online at <https://www.iranhr.net/en/articles/6755/>.

<sup>47</sup> Iran Human Rights and ECPM, *Annual Report on the Death Penalty in Iran 2023*, at 88–89, [https://iranhr.net/media/files/Iran\\_Human\\_Rights-Annual\\_Report\\_2023.pdf](https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf).

<sup>48</sup> Iran Human Rights and ECPM, *Annual Report on the Death Penalty in Iran 2023*, at 88, [https://iranhr.net/media/files/Iran\\_Human\\_Rights-Annual\\_Report\\_2023.pdf](https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf).

<sup>49</sup> Committee on the Elimination of Racial Discrimination, *List of themes in relation to the combined twentieth to twenty-seventh periodic reports of the Islamic Republic of Iran*, 113th Session (5-23 August 2024), U.N. Doc. CERD/C/IRN/Q/20-27 (14 June 2024), ¶¶ 5–7.

<sup>50</sup> Committee on the Elimination of Racial Discrimination, *Concluding observations of the Committee on the Elimination of Racial Discrimination: Islamic Republic of Iran*, 77th Session (2-27 August 2010), U.N. Doc. CERD/C/IRN/CO/18-19 (20 Sept. 2010), ¶ 10.

<sup>51</sup> Committee on the Elimination of Racial Discrimination, *Combined twentieth to twenty-seventh reports submitted by the Islamic Republic of Iran under article 9 of the Convention, due in 2014*, (22 Mar. 2022), U.N. Doc. CERD/C/IRN/20-27, ¶¶ 78, 80, 84.

<sup>52</sup> Iran Human Rights and ECPM, *Annual Report on the Death Penalty in Iran 2023*, at 89, [https://iranhr.net/media/files/Iran\\_Human\\_Rights-Annual\\_Report\\_2023.pdf](https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf).

<sup>53</sup> Iran Human Rights and ECPM, *Annual Report on the Death Penalty in Iran 2023*, at 116–19, [https://iranhr.net/media/files/Iran\\_Human\\_Rights-Annual\\_Report\\_2023.pdf](https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf).

<sup>54</sup> Iran Human Rights, *Kurdish-Sunni Political Prisoner Khosro Besharat Executed; 103+ Executed in 28 days*, (May 15, 2024), Available online at <https://www.iranhr.net/en/articles/6709/>.

### III. Foreign nationals disproportionately face the death penalty in Iran.

15. The 2024 List of Themes omits reference to the Iranian justice system’s treatment of foreign nationals,<sup>55</sup> including the status of foreign nationals sentenced to death in the Iranian justice system.<sup>56</sup> In its 2010 Concluding Observations, the Committee expressed “its concern at reports of discriminatory treatment of foreign nationals in the Iranian justice system.”<sup>57</sup> The Committee recommended that Iran “intensify its efforts to ensure due process and transparency for all persons in the justice system, including foreign nationals.”<sup>58</sup> The State Party Report asserts that “[i]n the fight against terrorism, [factors such as nationality or ethnicity] have no effect on the judiciary and the administration of justice, and no different punishments are issued and applied accordingly.”<sup>59</sup> The report further asserts that foreign nationals have the right to have an interpreter under article 200 of the Code of Criminal Procedure, and that “no case of abuse of rights in the courts due to lack of familiarity with the language of the tribunal has been reported.”<sup>60</sup>
16. As stated in the previous report, and addressed here in paragraph 6, Iranian authorities are increasingly carrying out executions of Afghan nationals.<sup>61</sup> In 2021, the first executions of Afghan nationals took place in September, soon after the Taliban takeover in August of that year, with a total of five executions in 2021.<sup>62</sup> In 2022, Iranian authorities executed 16 Afghan nationals, including one woman and one juvenile offender.<sup>63</sup> In 2023 the figure rose to 25.<sup>64</sup> Through May 2024, Iranian authorities are on pace to continue their upward trend, executing 13 Afghan nationals in only five months.<sup>65</sup> In 2023, two of those Afghan nationals were sentenced to death under the vaguely defined political crimes of *efsad-fil-arz*, *baghy*, or

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<sup>55</sup> Committee on the Elimination of Racial Discrimination, *List of themes in relation to the combined twentieth to twenty-seventh periodic reports of the Islamic Republic of Iran*, 113th Session (5-23 August 2024), U.N. Doc. CERD/C/IRN/Q/20-27 (14 June 2024), ¶ 1–17.

<sup>56</sup> Committee on the Elimination of Racial Discrimination, *List of themes in relation to the combined twentieth to twenty-seventh periodic reports of the Islamic Republic of Iran*, 113th Session (5-23 August 2024), U.N. Doc. CERD/C/IRN/Q/20-27 (14 June 2024), ¶ 15–16.

<sup>57</sup> Committee on the Elimination of Racial Discrimination, *Concluding observations of the Committee on the Elimination of Racial Discrimination: Islamic Republic of Iran*, 77th Session (2-27 August 2010), U.N. Doc. CERD/C/IRN/CO/18-19 (20 Sept. 2010), ¶ 13.

<sup>58</sup> Committee on the Elimination of Racial Discrimination, *Concluding observations of the Committee on the Elimination of Racial Discrimination: Islamic Republic of Iran*, 77th Session (2-27 August 2010), U.N. Doc. CERD/C/IRN/CO/18-19 (20 Sept. 2010), ¶ 13.

<sup>59</sup> Committee on the Elimination of Racial Discrimination, *Combined twentieth to twenty-seventh reports submitted by the Islamic Republic of Iran under article 9 of the Convention, due in 2014*, (22 Mar. 2022), U.N. Doc. CERD/C/IRN/20-27, ¶ 28.

<sup>60</sup> Committee on the Elimination of Racial Discrimination, *Combined twentieth to twenty-seventh reports submitted by the Islamic Republic of Iran under article 9 of the Convention, due in 2014*, (22 Mar. 2022), U.N. Doc. CERD/C/IRN/20-27, ¶ 140.

<sup>61</sup> Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 90, [https://iranhr.net/media/files/Iran\\_Human\\_Rights-Annual\\_Report\\_2023.pdf](https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf).

<sup>62</sup> Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 90, [https://iranhr.net/media/files/Iran\\_Human\\_Rights-Annual\\_Report\\_2023.pdf](https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf).

<sup>63</sup> Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 90, [https://iranhr.net/media/files/Iran\\_Human\\_Rights-Annual\\_Report\\_2023.pdf](https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf).

<sup>64</sup> Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 90, [https://iranhr.net/media/files/Iran\\_Human\\_Rights-Annual\\_Report\\_2023.pdf](https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf).

<sup>65</sup> Iran Human Rights, *At Least 237 Executions in 5 Months; 64 Executed in May*, (June 10, 2024), Available online at <https://www.iranhr.net/en/articles/6755/>.



*moharebeh*, discussed in paragraphs 10 and 11 above.<sup>66</sup> As stated in the previous report, IHRNGO has evidence suggesting that Afghan nationals are disproportionately represented on death rows in Iran. However, authorities typically do not announce executions of Afghan nationals and Afghans under sentence of death do not usually have lawyers or a network of supporters who can raise awareness about their cases.<sup>67</sup> Hence, the number of Afghan nationals under sentence of death may be even greater than the figures IHRNGO has been able to verify.<sup>68</sup>

#### **IV. Women belonging to ethnic minority groups may face double discrimination when they are in conflict with the law.**

17. The 2024 List of Themes omits discussion of the Iranian justice system’s treatment of women, specifically women under sentence of death.<sup>69</sup> While the Committee raises the issue of “measures to combat intersecting forms of discrimination faced by women and girls,” in the constructive dialogue the Committee should go further by specifically addressing gender-based discrimination regarding disproportionate death sentences.<sup>70</sup> As addressed in the earlier report, the Committee expressed concern in its 2010 Concluding Observations that “women of minority origin may be at risk of facing double discrimination.”<sup>71</sup> The State Party Report describes various measures to promote women’s empowerment and combat “any possible double discrimination against vulnerable women,”<sup>72</sup> but makes no mention of efforts to combat double discrimination against women in conflict with the law.<sup>73</sup> As mentioned in paragraphs 5 and 15, Iranian authorities executed at least 5 Baluch women in 2023 and executed at least one Afghan national woman in 2022. As mentioned in the prior report, IHRNGO’s overall statistics show that Iranian authorities executed at least 210 women between 2010 and 2023, including

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<sup>66</sup> Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 46, [https://iranhr.net/media/files/Iran\\_Human\\_Rights-Annual\\_Report\\_2023.pdf](https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf).

<sup>67</sup> Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 90, [https://iranhr.net/media/files/Iran\\_Human\\_Rights-Annual\\_Report\\_2023.pdf](https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf).

<sup>68</sup> Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 90, [https://iranhr.net/media/files/Iran\\_Human\\_Rights-Annual\\_Report\\_2023.pdf](https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf).

<sup>69</sup> Committee on the Elimination of Racial Discrimination, *List of themes in relation to the combined twentieth to twenty-seventh periodic reports of the Islamic Republic of Iran*, 113th Session (5-23 August 2024), U.N. Doc. CERD/C/IRN/Q/20-27 (14 June 2024), ¶¶ 1–17.

<sup>70</sup> Committee on the Elimination of Racial Discrimination, *List of themes in relation to the combined twentieth to twenty-seventh periodic reports of the Islamic Republic of Iran*, 113th Session (5-23 August 2024), U.N. Doc. CERD/C/IRN/Q/20-27 (14 June 2024), ¶¶ 10.

<sup>71</sup> Committee on the Elimination of Racial Discrimination, *Concluding observations of the Committee on the Elimination of Racial Discrimination: Islamic Republic of Iran*, 77th Session (2-27 August 2010), U.N. Doc. CERD/C/IRN/CO/18-19 (20 Sept. 2010), ¶ 9.

<sup>72</sup> Committee on the Elimination of Racial Discrimination, *Combined twentieth to twenty-seventh reports submitted by the Islamic Republic of Iran under article 9 of the Convention, due in 2014*, (22 Mar. 2022), U.N. Doc. CERD/C/IRN/20-27, ¶ 58.

<sup>73</sup> See Committee on the Elimination of Racial Discrimination, *Combined twentieth to twenty-seventh reports submitted by the Islamic Republic of Iran under article 9 of the Convention, due in 2014*, (22 Mar. 2022), U.N. Doc. CERD/C/IRN/20-27, ¶¶ 58-67.

22 women in 2023.<sup>74</sup> Since January 2024, Iranian authorities have executed 10 women, marking a 67% increase from the same period in 2023.<sup>75</sup>

18. According to a groundbreaking study by the Cornell Center on the Death Penalty Worldwide, “Iranian human rights lawyers estimate that there are dozens of women on death row in Iran.”<sup>76</sup> Iran is one of the world’s two leading executioners of women.<sup>77</sup> Civil society reports suggest that most women on death row in Iran have been sentenced to death for killing their abusive husbands.<sup>78</sup> Indeed, IHRNGO reports that at least 6 of the 22 women known to have been executed in 2023 had been sentenced to death for killing their husbands.<sup>79</sup> The Cornell Center reports that “[i]n many cases, these women were married at a young age, without the right to divorce their assailants.”<sup>80</sup> At least two of the women executed in 2023 had been child brides.<sup>81</sup> On a global scale, many women under sentence of death are victims of gender-based violence.<sup>82</sup> In many countries that retain the death penalty, however, courts fail to take into account a defendant’s experience as a survivor of gender-based violence when making sentencing decisions.<sup>83</sup>
19. As stated in the previous report, drug trafficking is the second most common offense for which women in Iran are sentenced to death, and in many cases these women have come from disadvantaged socio-economic backgrounds, had no previous criminal history, and were found with only small quantities of narcotics.<sup>84</sup> At least three of the women executed in 2023 had been sentenced to death for drug-related offenses.<sup>85</sup> Of the ten women executed through May 2024, six were charged with drug-related offenses.<sup>86</sup>
20. As stated in the previous report, women in Iran are also at risk of being sentenced to death for sexual morality offenses such as adultery.<sup>87</sup> According to the Cornell Center, “[i]n Iran,

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<sup>74</sup> Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 85, [https://iranhr.net/media/files/Iran\\_Human\\_Rights-Annual\\_Report\\_2023.pdf](https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf).

<sup>75</sup> Iran Human Rights, *At Least 237 Executions in 5 Months; 64 Executed in May*, (June 10, 2024), Available online at <https://www.iranhr.net/en/articles/6755/>.

<sup>76</sup> *Judged for More Than Her Crime: A Global Overview of Women Facing the Death Penalty*, Cornell Center on the Death Penalty Worldwide, Sept. 2018, at 10, <https://www.deathpenaltyworldwide.org/wpcontent/uploads/2019/12/Judged-More-Than-Her-Crime.pdf> (last visited Dec. 29, 2022).

<sup>77</sup> *Ibid.*

<sup>78</sup> *Id.* at 11.

<sup>79</sup> Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 85, [https://iranhr.net/media/files/Iran\\_Human\\_Rights-Annual\\_Report\\_2023.pdf](https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf).

<sup>80</sup> *Ibid.*

<sup>81</sup> Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 85, [https://iranhr.net/media/files/Iran\\_Human\\_Rights-Annual\\_Report\\_2023.pdf](https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf).

<sup>82</sup> *Judged for More Than Her Crime: A Global Overview of Women Facing the Death Penalty*, Cornell Center on the Death Penalty Worldwide, Sept. 2018, at 11, <https://www.deathpenaltyworldwide.org/wpcontent/uploads/2019/12/Judged-More-Than-Her-Crime.pdf> (last visited Dec. 29, 2022).

<sup>83</sup> *Ibid.*

<sup>84</sup> *Id.* at 12.

<sup>85</sup> Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 85, [https://iranhr.net/media/files/Iran\\_Human\\_Rights-Annual\\_Report\\_2023.pdf](https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf).

<sup>86</sup> Iran Human Rights, *At Least 237 Executions in 5 Months; 64 Executed in May*, (June 10, 2024), Available online at <https://www.iranhr.net/en/articles/6755/>.

<sup>87</sup> *Judged for More Than Her Crime: A Global Overview of Women Facing the Death Penalty*, Cornell Center on the Death Penalty Worldwide, Sept. 2018, at 13, <https://www.deathpenaltyworldwide.org/wpcontent/uploads/2019/12/Judged-More-Than-Her-Crime.pdf> (last visited Dec. 29, 2022).

married rape victims are at risk of execution for adultery.”<sup>88</sup> In one case, “a woman forced by her abusive husband into prostitution was convicted as an accomplice to murder when one of her male clients killed her husband. She was . . . sentenced to death by stoning for adultery. The male client, in contrast, was sentenced to a jail term of eight years.”<sup>89</sup> Women in Iran also can face the death penalty for terrorism-related offenses.<sup>90</sup> As noted in the previous report, IHRNGO reports that in 2023 Iran executed one woman for alleged espionage for Israel.<sup>91</sup>

21. As noted in the previous report, global trends show that women sentenced to death face intersectional discrimination. According to the Cornell study, most women on death row come from backgrounds of severe socio-economic deprivation and many are illiterate, which can reinforce unequal access to effective legal representation.<sup>92</sup> This intersectional discrimination exacerbates the risk that a woman charged with a capital crime will be subjected to an unfair trial.
22. The Cornell study found that many women in criminal legal systems throughout the world, and the vast majority of women on death row, are from poor and marginalized communities.<sup>93</sup> Most women who are detained are unable to afford a lawyer, and are more likely to be illiterate and unaware of their legal rights.<sup>94</sup> Illiteracy and lack of education among poor women leave them more vulnerable to discrimination, coercion, and exploitation.”<sup>95</sup>
23. Research by the Cornell Center shows that women are more likely to receive a death sentence when the adjudicating authority perceives that they are violating entrenched gender norms, being cast as the “female fatale” or the “witch.” Women are often put on trial not only for acts they performed but also for allegedly being “a bad wife, a bad mother, and a bad woman.”<sup>96</sup> One Iranian lawyer told Cornell researchers that “courts trying women capital defendants judge their whole lives, and not just the offense with which they are charged (particularly in cases where the defendant is accused of killing her spouse).”<sup>97</sup>

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<sup>88</sup> Ibid.

<sup>89</sup> Ibid.

<sup>90</sup> Ibid.

<sup>91</sup> Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2023, at 85, [https://iranhr.net/media/files/Iran\\_Human\\_Rights-Annual\\_Report\\_2023.pdf](https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf).

<sup>92</sup> *Judged for More Than Her Crime: A Global Overview of Women Facing the Death Penalty*, Cornell Center on the Death Penalty Worldwide, Sept. 2018, at 3, <https://www.deathpenaltyworldwide.org/wp-content/uploads/2019/12/Judged-More-Than-Her-Crime.pdf> (last visited Dec. 29, 2022).

<sup>93</sup> Cornell Center on the Death Penalty Worldwide, *Judged for More Than Her Crime: A Global Overview of Women Facing the Death Penalty*, Sept. 2018, at 18, available at <https://www.deathpenaltyworldwide.org/wp-content/uploads/2019/12/Judged-More-Than-Her-Crime.pdf> (last visited Dec. 29, 2022).

<sup>94</sup> Cornell Center on the Death Penalty Worldwide, *Judged for More Than Her Crime: A Global Overview of Women Facing the Death Penalty*, Sept. 2018, at 18, available at <https://www.deathpenaltyworldwide.org/wp-content/uploads/2019/12/Judged-More-Than-Her-Crime.pdf> (last visited Dec. 29, 2022).

<sup>95</sup> Cornell Center on the Death Penalty Worldwide, *Judged for More Than Her Crime: A Global Overview of Women Facing the Death Penalty*, Sept. 2018, at 18, available at <https://www.deathpenaltyworldwide.org/wp-content/uploads/2019/12/Judged-More-Than-Her-Crime.pdf> (last visited Dec. 29, 2022).

<sup>96</sup> Ibid.

<sup>97</sup> *Id.* at 7.

## V. Suggested recommendations for the Government of Iran:

24. The coauthors suggest the following recommendations for the Government of Iran:

- Abolish the death penalty and replace it with penalties that are fair, proportionate, and consistent with international human rights standards.
- In the interim:
  - i. Immediately institute a formal moratorium on executions;
  - ii. Take measures to build support for abolition of the death penalty among lawmakers and the general public;
  - iii. Collect and on at least an annual basis publish data on the number of persons sentenced to death, on death row, and executed, disaggregated by self-reported race/ethnicity, nationality, religion, gender, age, crime of conviction, court of conviction, date of conviction, whether the defendant had legal representation and/or interpretation during legal proceedings, current location or date and location of execution, relationship to any codefendant and/or victim, existence of any dependent children, and status of any appeals or requests for pardon;
  - iv. Prohibit the death penalty as a potential punishment for any offense that does not include an intentional killing by the defendant;
  - v. Commute the sentence of any person sentenced to death for a crime in which the defendant did not commit an intentional killing;
  - vi. Ensure that no person is sentenced to death or executed due to lacking financial capacity to pay *diya* (blood money) to the family of the victim; and
  - vii. Ensure that all sentencing authorities in capital cases take into account a woman defendant's experiences with child marriage and other forms of gender-based violence, particularly at the hands of her spouse, in determining whether to sentence her to death for killing her spouse.
- Adopt an action plan to disseminate and implement the Committee's general recommendation No. 31 (2005) on the prevention of racial discrimination in the administration and functioning of the criminal justice system, particularly pertaining to ethnic minorities in conflict with the law, prioritizing judges, prosecutors, and police in provinces with large ethnic minority populations, such as Sistan and Baluchistan, West Azerbaijan, East Azerbaijan, and Kurdistan.
- Implement a campaign to combat stereotyping and racial discrimination on state media regarding people in conflict with the law, particularly regarding protesters and people charged with political offenses.
- On at least an annual basis, publish information disaggregated by country of origin about protections afforded to foreign nationals in conflict with the law, particularly regarding access to counsel, the right to consular notification, and access to

interpretation, as well as the extent to which foreign nationals charged with capital crimes exercise those rights.

- Collaborate with civil society organizations to develop and implement safeguards in the criminal legal system to guard against double discrimination against vulnerable women in conflict with the law.
- In collaboration with civil society and relevant international human rights institutions, develop and implement systematic training to ensure that judges, prosecutors, defense counsel, police, and other individuals in positions of power within the criminal legal system are knowledgeable about gender-based discrimination, domestic violence, and tactics of coercive control that may lead women to commit death-eligible offenses.
- Expand dialogue with civil society organizations working in the area of human rights protection in order to combat racial discrimination in the context of the criminal legal system.