

**Response to the Call for Inputs
for the
Report of the Secretary-General to the Human Rights Council
On the question of the death penalty:
The Death Penalty in Iran: Appendix**

Submitted by The Advocates for Human Rights
a non-governmental organization in special consultative status with ECOSOC since 1996
Iran Human Rights
Cornell Center on the Death Penalty Worldwide
and
The World Coalition Against the Death Penalty

for the 60th Session of the Human Rights Council

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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 since its founding 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 publication. The Advocates is the primary provider of legal services to low-income asylum seekers in the Upper Midwest region of the United States. The Advocates is committed to ensuring human rights protection for women around the world. The Advocates has published more than 25 reports on violence against women as a human rights issue, provided consultation and commentary of draft laws on domestic violence, and trained lawyers, police, prosecutors, judges, and other law enforcement personnel to effectively implement new and existing laws on domestic violence. 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.

The World Coalition Against the Death Penalty is a membership-based global network 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. The World Coalition Against the Death Penalty is committed to making visible gender and intersectional discrimination at work in capital punishment as well as to strengthen the protection of women and gender and sexual minorities facing the death penalty.

Cornell Center on the Death Penalty Worldwide (CCDPW) provides transparent data on death

penalty laws and practices around the world, publishes reports and manuals on issues of practical relevance to lawyers, judges, and policymakers, trains lawyers in best practices, and engages in targeted advocacy and litigation. The Center has gained a reputation for providing comparative legal analysis of the application of the death penalty, as well as for its one-of-a-kind Makwanyane Institute for capital defenders. Our Alice Project, which is the first global project to focus on women facing capital punishment, examines the role of gender in death penalty cases. By representing women before national and international tribunals, organizing judicial trainings, and through data collection and analysis, we are exposing the connection between gender-based discrimination and capital sentencing.

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 17 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.

EXECUTIVE SUMMARY

i) Update on developments in Iran since 7 June 2024

1. Execution rates have continued to escalate. In 2024, authorities executed at least 975 people including 31 women, the highest recorded rate in the last two decades.¹ Authorities executed at least one child offender for a crime he allegedly committed at the age of 16.² In 2024, authorities carried out four executions in public spaces, including a city park.³ In the first three months of 2025 alone, authorities executed at least 230 people, including seven women,⁴ and they staged one hanging from a public bridge.⁵
2. Iran also continues to carry out executions for offences that do not amount to “*the most serious crimes*.” In 2024, 57% of executions were for crimes that did not meet this criterion;⁶ 52% were for drug-related offences.⁷
3. In murder cases, the victim’s next of kin determines the punishment. Once a court sentences a defendant to *qisas* (retribution-in-kind), the victim’s family are burdened with having to choose between execution as retribution, accepting *diya* (blood money), or forgiveness. Authorities also encourage families of victims to carry out executions themselves; Maryam Karimi was executed by her own daughter.⁸
4. The judiciary sets an indicative *diya* rate every March (1.6 billion tomans, approximately 14,000 euros for a full *diya* of a Muslim man in 2025),⁹ which is itself more than what most families can afford. A woman’s life is valued at half of a man’s life. Crucially, as there is no upper cap, families can and do demand much higher amounts. Offenders from socioeconomically disadvantaged communities are more likely to be executed due to their inability to pay the extraordinary sums.¹⁰ The monthly minimum wage is 1,390,961 tomans (approximately 100 euros),¹¹ meaning that a worker would need to save eleven-and-a-half years’ wages to pay just the indicative amount.

¹ Iran Human Rights and ECPM, *Annual Report on the Death Penalty 2024* (2025), available at https://iranhr.net/media/files/Rapport_iran_2024-WEB.pdf.

² *Ibid*, at 85-87.

³ *Ibid*, at 75-76.

⁴ Iran Human Rights, *At Least 59 Hanged in March; 230 Executions Recorded in 2025* (3 March 2025), available at <https://iranhr.net/en/articles/7442/>.

⁵ Iran Human Rights, *First 2025 Public Hanging: Shoeib Rezapour on a Bridge in Esfarayen* (28 February 2025) available at <https://iranhr.net/en/articles/7381/>.

⁶ Drug-related, rape and security-related charges.

⁷ Iran Human Rights and ECPM, *Annual Report on the Death Penalty 2024* (2025), at 50.

⁸ Iran Human Rights, *Maryam Karimi's Execution Carried Out by Daughter* (15 March 2021), available at <https://iranhr.net/en/articles/4668/>.

⁹ Mizan News Agency, *Rate of Diya Announced for 1404* (12 March 2025) available at

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¹⁰ For example, Abbas Karimi was executed in October 2024 after his family failed to raise the 70 billion tomans (1,060,000 euros) demanded by the victim's family.

¹¹ ISNA, 45% increase in minimum wage for workers in 1404 / Single workers' income reached 13.9 Tomans (16 March 2025) available at <https://www.isna.ir/news/1403122617831/افزایش-۴۵-درصدی-حداقل-دستمزد-کارگران-در-سال-۱۴۰۴> در یاقتی. کارگران-۱۴۰۴DB%B0۴

5. Public executions, including in the presence of children, continue to create an atmosphere of fear and intimidation amongst the general public.¹²
6. Iran weaponizes the death penalty to suppress speech from human rights defenders, specifically targeting those who challenge gendered apartheid. Abolitionist activists face harassment, arrest and prison sentences for peaceful advocacy. Human rights defenders Golrokh Ebrahim-Iraee and Narges Mohammadi have faced convictions for their abolitionist activism. Authorities have also violently cracked down on the “No Death Penalty Tuesdays” abolitionist movement launched by death penalty opponents who are behind bars.¹³
7. Lawyers who represent clients facing political charges, including capital charges, have themselves faced arrests, charges, and even convictions for their professional work.

ii) Equality of arms

8. According to IHRNGO research, when a woman is arrested, she is more likely to be abandoned by her family due to the perceived shame she has brought upon them. Without familial support, women in conflict with the law are not only more mentally and emotionally vulnerable but also more likely to be convicted and executed.¹⁴
9. Afghans are the largest non-Iranian ethnic group on death row and the number of executions of Afghans more than tripled from 2021 to 2022, and nearly doubled from 2022 to 2023, and again, more than tripled in 2024. Authorities typically do not announce executions of Afghans and Afghans under sentence of death do not usually have lawyers (even as a formality) or a network of supporters to raise awareness about their cases.¹⁵
10. Authorities systematically violate due process and fair trial rights. Defendants accused of crimes against internal or external security do not have the right to a lawyer in the critical investigation phase when torture and coerced confessions are most prevalent. Thereafter, defendants must choose from a list of roster lawyers approved by the Head of Judiciary. In practice, restrictions on access to legal counsel before trial are nearly universal. None of the people sentenced to death about whom IHRNGO has acquired information had access to a lawyer in the initial (pre-trial) phase following their arrest.¹⁶
11. The judiciary is not independent due to the lack of separation of powers. Under Article 157 of the Constitution, the Supreme Leader directly appoints and supervises the Head of Judiciary. Judges are hand-selected for their ideological loyalty and are not independent or impartial, particularly in Revolutionary Courts which are responsible for 58% of all executions in the last 15 years.¹⁷

¹² Iran Human Rights and ECPM, *Annual Report on the Death Penalty 2024* (2025), at 75; Iran Human Rights, *First 2025 Public Hanging: Shoeib Rezapour on a Bridge in Esfarayen* (28 February 2025) available at <https://iranhr.net/en/articles/7381/>.

¹³ *Statement by 43 Human Rights Organisations Against Brutal Crackdown in Evin Prison* (19 August 2024), available at <https://iranhr.net/en/statement/67/>.

¹⁴ Iran Human Rights, *Women and the Death Penalty in Iran; a Gendered Perspective* (6 January 2025) available at <https://iranhr.net/en/reports/41/>.

¹⁵ Iran Human Rights and ECPM, *Annual Report on the Death Penalty 2024* (2025), at 96, available at https://iranhr.net/media/files/Rapport_iran_2024-WEB.pdf.

¹⁶ Iran Human Rights and ECPM, *Annual Report on the Death Penalty 2024* (2025), at 40, available at https://iranhr.net/media/files/Rapport_iran_2024-WEB.pdf.

¹⁷ *Ibid*, at 72.

12. The lack of independence is particularly concerning as judges have the power to determine guilt in the absence of confessions or eyewitness testimony based exclusively on the judge's opinion, known as *elm-e-qazi* or "knowledge of the judge." Courts invoke this procedure arbitrarily. For example, a court convicted Kurdish protester Reza Rasayi of murder based on *elm-e-qazi*. Judges can also declare *los* based solely on their belief of the defendant's guilt, giving the victim's next of kin the right to *qassameh*, which calls for a certain number of people in the victim's family to swearing of an oath on the Quran as to a purported "fact." In murder cases, 50 male members of the victim's family are required to make a *qassameh*. The procedure, however, does not require that the family members be direct witnesses to the crime or otherwise have any basis for the subject of their oath.¹⁸

iii) **Irreversibility of the death penalty and the need to prevent miscarriage of justice**

13. The Islamic Penal Code (IPC) does not distinguish between degrees of intentionality in the context of criminal killings. Instead, it so broadly defines legal notions of "intent" that courts treat *unintentional* killings the same as premeditated murder, and each equally carries the threat of the death penalty. The IPC does not grade or sort by degree to divide intentional murder into sub-categories from greatest culpability (first-degree murder) to lesser ones (second-degree) to account for the circumstances surrounding the alleged conduct.

14. Confessions are the most common method of proving guilt in death penalty cases. Authorities widely use torture in the pre-trial phase to extract self-incriminating confessions. State media air torture-tainted confessions, often prior to the commencement of any legal proceedings, violating the defendant's right to be presumed innocent until proven guilty.¹⁹

15. Under Iran's gender apartheid, discriminatory laws and societal factors make women more vulnerable to the death penalty. Yet courts do not recognize gender-related mitigating factors; the mandatory death penalty for murder prevents courts from recognizing extenuating circumstances linked to any history of violence and abuse that women in conflict with the law may have endured.²⁰

16. The legal age of marriage is 13 for girls, and at least eight of the women executed between 2010 and 2024 were child brides. Women do not have an equal right to divorce. The age of criminal responsibility is 8.7 years for girls and 14.6 for boys. marital rape is legal and laws fail to protect women against domestic violence and coercive control.²¹

17. Authorities executed at least 241 women between 2010 and 2024. Of those, 114 were sentenced to *qisas* for murder, 107 were on death row for drug-related offences, 4 were sentenced to death for security-related charges, and the charges against 16 of the women are unknown. Of the 114 executions recorded for murder, the details of 75 of the cases have been established and 39 are unknown. 69% of the 75 women were charged with the

¹⁸ *Ibid*, at 45.

¹⁹ *Ibid*, at 41-42 and 44-47.

²⁰ Iran Human Rights, *Women and the Death Penalty in Iran; a Gendered Perspective* (6 January 2025) available at <https://iranhr.net/en/reports/41/>.

²¹ *Ibid*.

murder of their husband/fiancé/ lover/spouse in a temporary marriage and eleven are confirmed to have suffered from domestic violence at the hands of their partners.²²

18. In 2024, courts sentenced three women activists to death on charges of *baghy* (armed rebellion). Sharifeh Mohammadi, a workers' rights activist, Pakhshan Azizi, a Kurdish civil activist, and Varisheh Moradi, a Kurdish women's rights activist, are on death row.²³
19. Iran continues to execute child offenders. Iran executed at least three child offenders in 2022,²⁴ at least two in 2023, and at least one in 2024. One of the people executed in 2023 was 17 years old at the time of execution.²⁵ Even though Iran is one of the world's leading executioners of children, the gender difference in the criminal age of responsibility also means that by law, girls may be subject to execution while boys of the same age may be spared.

The attached Appendix provides further details about the issues contained in this summary document.

²² *Ibid.*

²³ *Ibid.*

²⁴ Iran Human Rights and ECPM, *Annual Report on the Death Penalty 2022* (2023), at 78, available at https://iranhr.net/media/files/Rapport_iran_2022_PirQr2V.pdf.

²⁵ Iran Human Rights and ECPM, *Annual Report on the Death Penalty 2023* (2024), at 83, available at https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf.

Iran Human Rights and ECPM, *Annual Report on the Death Penalty 2024* (2025), at 85, available at https://iranhr.net/media/files/Iran_Human_Rights-Annual_Report_2023.pdf.

APPENDIX

1. This Appendix provides additional information in response to the Call for Input on the question of the death penalty with respect to death penalty practices in the Islamic Republic of Iran. First, it provides an update on developments since June 2024. Second, it focuses on how the death penalty affects the human rights of people *other than* people under sentence of death or executed, such as family members of murder victims, family members of people accused of capital crimes, children of women sentenced to death, the general public (including children who witness executions), opponents of the death penalty, and lawyers who represent people charged with capital crimes. Third, it addresses equality of arms in the Iranian context, examining the role of *diya* (blood money), restrictions on the right to counsel, lack of judicial independence, procedures that allow for judicial “fact-finding” and reliance on oaths sworn by the victim’s family members as evidence to secure convictions in capital cases, and discriminatory evidentiary standards and reliance on coerced confessions. The fourth and final section of this Appendix highlights pervasive miscarriages of justice in Iran’s use of the death penalty: imposition of the death penalty for crimes that are not the “most serious”; lack of respect for due process and fair trial rights; arbitrary standards for determining criminal intent; reliance on coerced confessions; delegation to the victim’s family absolute discretion to decide whether a person should be executed; gender-based discrimination in and affecting capital proceedings; and execution of juvenile offenders.

I. Update on developments in Iran since 7 June 2024

2. Iranian authorities have dramatically escalated their use of the death penalty.
2024
3. Authorities executed at least 709 people between 7 June and 31 December 2024. IHRNGO recorded 975 executions in 2024, the highest number in the last 17 years.²⁶
4. Executions increased by 17% over 2023. Official sources announced fewer than 10% of executions, a decline from 15% in 2023, 12% in 2022, 16.5% in 2021, and 33% on average from 2018 to 2020.
5. Authorities executed at least 503 people for drug-related offenses, an increase from 471 in 2023, 256 in 2022, 126 in 2021, and 24 per year on average between 2018 and 2020. Official sources announced just 15 (3%) of those executions.
6. Authorities executed at least 419 people for murder, including 2 protesters.
7. Authorities executed at least 31 people, including 9 Kurdish political prisoners and a political dissident abducted from a neighboring country, for security-related offenses.
8. Authorities executed at least 22 people for rape
9. Authorities carried out at least 4 executions in public places.

²⁶ Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2024, https://iranhr.net/media/files/Rapport_iran_2024-WEB.pdf.

10. Authorities executed at least one child offender, and IHRNGO is investigating 3 additional cases of possible executions of child offenders.
11. Authorities executed at least 31 women—the highest number in at least 17 years.
12. Authorities executed at least 5 people with psychosocial or intellectual disabilities.
13. Authorities executed at least 80 Afghan nationals, up from 25 in 2023 and 16 in 2022.

January through March 2025

14. Authorities executed at least 230 people, including 7 women. Official sources announced fewer than 5% of executions.²⁷
15. Authorities executed at least 106 people for drug-related offenses, 113 for murder (*qisas*), 8 for rape, and 3 for security-related offenses.

II. Consequences of the imposition of the death penalty on the enjoyment of the human rights of other affected persons

Qisas: Family members of the victim who carry out the execution

16. Iranian authorities implement *qisas* in a way that compounds trauma for the family members of murder victims by encouraging or requiring the victim's next-of-kin to personally carry out the execution.²⁸ In one case, when a woman killed her husband after protracted domestic violence and the husband's refusal to grant a divorce, authorities required the daughter to execute her own mother.²⁹

Effect of *diya* on family members of a person sentenced to death

17. Women often encounter difficulties raising funds for *diya*, or blood money, when they kill an abusive family member, or even when a male family member is found guilty of murder.³⁰

Children of women sentenced to death

18. Iran has fewer prisons with women's wards, and therefore women in conflict with the law are more likely to live in prisons that are farther away from their children, and their families often lack the means to pay for transportation to distant locations.³¹ [SR Iran Dec 2024]

²⁷ Iran Human Rights, *At Least 59 Hanged in March in Iran; 230 Executions Recorded in 2025*, 4 April 2025, available at <https://iranhr.net/en/articles/7442/>.

²⁸ Iran Human Rights, *Communication on Qisas, Diya, and the Death Penalty in Iran*, 8 Mar. 2024, at 9, https://iranhr.net/media/files/OHCR-IHRNGO_Communication_on_Qisas.pdf.

²⁹ The Advocates for Human Rights et al., *Iran (Islamic Republic of): Stakeholder Report for the United Nations Universal Periodic Review: The Death Penalty*, 16 July 2024, ¶ 64, <https://www.theadvocatesforhumanrights.org/Res/Iran%20UPR%20DP%20FINAL%203.pdf>.

³⁰ The Advocates for Human Rights, Iran Human Rights, and the World Coalition Against the Death Penalty, *Call for Input—Report of the Special Rapporteur on the human rights situation in the Islamic Republic of Iran: Women and the Death Penalty*, 6 Dec. 2024, ¶ 21, https://www.theadvocatesforhumanrights.org/Res/Submission%20to%20SR%20Iran%20IHR%20TAHR%20WCA%20December%202024_26-11.pdf.

³¹ Iran Human Rights, *Woman and the Death Penalty; a Gendered Perspective*, (6 January 2025), available at https://iranhr.net/media/files/En_Gender_Perspective_of_the_Death_Penalty_in_Iran_EN.pdf.

Use of executions to create an atmosphere of fear and intimidation

19. Iranian authorities use public executions to intimidate the population, sometimes leaving hanged bodies on public display.³² Authorities respond to protests in regions predominantly populated by ethnic minority groups with harsher violence, and propaganda seems to have numbed the population to executions of people from those regions.³³

Children attending public executions

20. Iran continues the practice of public executions, including in the presence of children.³⁴ Public executions have increased in recent years.³⁵

Opponents of the death penalty face harassment and prosecution

21. Anti-death penalty advocates have faced harassment, arrest, and prison sentences for peaceful advocacy.³⁶ For example, 2023 Nobel Peace Prize Laureate Narges Mohammadi, who is a member of the anti-death penalty campaign LEGAM, has been repeatedly arrested and convicted of various charges, including as recently as January 2024 receiving 15 months' imprisonment for propaganda charges, another one year jail term for writing letters to the Norwegian and Swedish parliaments in June, and a six month sentence for protesting against the execution of protester Reza Rasayi in October.³⁷ Political prisoners who have become the face of the "No Death Penalty Tuesdays" abolitionist movement have faced crackdowns and punishments.³⁸

³² The Advocates for Human Rights et al., *Iran (Islamic Republic of): Stakeholder Report for the United Nations Universal Periodic Review: The Death Penalty*, 16 July 2024, ¶ 34, <https://www.theadvocatesforhumanrights.org/Res/Iran%20UPR%20DP%20FINAL%203.pdf>.

³³ The Advocates for Human Rights et al., *Iran's Compliance with the International Convention on the Elimination of All Forms of Racial Discrimination: Suggested List of Themes Relating to the Death Penalty*, 5 May 2024, ¶ 9, <https://www.theadvocatesforhumanrights.org/Res/Iran%20LOI%20CERD%20DP%20Final.pdf>.

³⁴ The Advocates for Human Rights et al., *The Islamic Republic of Iran's Compliance with the International Covenant on Civil and Political Rights*, 12 Sept. 2023, ¶ 39, <https://www.theadvocatesforhumanrights.org/Res/Iran%20CCPR%20DP%20Final.pdf>.

³⁵ The Advocates for Human Rights et al., *The Islamic Republic of Iran's Compliance with the International Covenant on Civil and Political Rights*, 12 Sept. 2023, ¶ 40, <https://www.theadvocatesforhumanrights.org/Res/Iran%20CCPR%20DP%20Final.pdf>.

³⁶ The Advocates for Human Rights, The World Coalition Against the Death Penalty, Iran Human Rights, Impact Iran, and ECPM, *Islamic Republic of Iran's Compliance with International Covenant on Civil and Political Rights Treaty: Suggested List of Issues Prior to Reporting* (June 2020), ¶¶ 42-43, https://www.theadvocatesforhumanrights.org/Res/iran_loipr_ccpr_ihr_tahr_wcadp_final.pdf; The Advocates for Human Rights et al., *Iran (Islamic Republic of): Stakeholder Report for the United Nations Universal Periodic Review: The Death Penalty*, 16 July 2024, ¶ 38, <https://www.theadvocatesforhumanrights.org/Res/Iran%20UPR%20DP%20FINAL%203.pdf>.

³⁷ The Advocates for Human Rights et al., *Iran (Islamic Republic of): Stakeholder Report for the United Nations Universal Periodic Review: The Death Penalty*, 16 July 2024, ¶ 39, <https://www.theadvocatesforhumanrights.org/Res/Iran%20UPR%20DP%20FINAL%203.pdf>.

³⁸ Iran Human Rights, One-Year Anniversary of No Death Penalty Tuesdays; Strategic Campaign for Today and Our Future (28 January 2025).

Lawyers of people charged with capital crimes face prosecution for their work, impeding access to counsel and equality of arms

22. Lawyers who represent clients facing political charges, including capital charges, have themselves faced arrests, charges, and even convictions for their professional work.³⁹ New legislation will effectively give authorities the power to disbar lawyers for political purposes.⁴⁰

III. Equality of arms

People who lack resources to mount an effective defense and pay *diya* (blood money)

23. When people accused of murder are poor and under-resourced, authorities lean on the family members of the victim to elect execution, rather than *diya* (blood money) or forgiveness, in an effort to intimidate the population. Authorities have disbanded organizations that have advocated for families to choose forgiveness as an alternative to execution.⁴¹
24. Women who come into conflict with the law are more likely than men to experience family abandonment, hampering their ability to mount an effective defense.⁴²
25. Afghans are the largest foreign national group on death row in Iran and authorities have stepped up executions of Afghans since the Taliban takeover. Afghans typically do not have lawyers or a network of supporters, and since the Taliban takeover they have not benefitted from support by Afghan civil society.⁴³
26. The death penalty under legal theories of *qisas* (retribution) is much more likely to be imposed on people who are socioeconomically disadvantaged—including ethnic and religious minorities—because such people are less able to pay an extraordinarily high *diya* required to avoid the imposition of the death penalty. Moreover, the government does not establish any upper limits for *diya*.⁴⁴ The State does not subsidize *diya* for people who have been convicted of intentional murder whose victims' next-of-kin elect *diya* but who do not have an ability to pay. Individuals who receive *qisas* sentences and are executed as a result

³⁹ The Advocates for Human Rights et al., *Iran (Islamic Republic of): Stakeholder Report for the United Nations Universal Periodic Review: The Death Penalty*, 16 July 2024, ¶ 40, <https://www.theadvocatesforhumanrights.org/Res/Iran%20UPR%20DP%20FINAL%203.pdf>.

⁴⁰ Ibid.; Iran Human Rights and ECPM, *Annual Report on the Death Penalty in Iran 2024* (2025), at 41, available at https://iranhr.net/media/files/Rapport_iran_2024-WEB.pdf.

⁴¹ Iran Human Rights, Communication on *Qisas, Diya, and the Death Penalty in Iran*, 8 Mar. 2024, at 9, https://iranhr.net/media/files/OHCR-IHRNGO_Communication_on_Qisas.pdf.

⁴² The Advocates for Human Rights, Iran Human Rights, and the World Coalition Against the Death Penalty, *Call for Input—Report of the Special Rapporteur on the human rights situation in the Islamic Republic of Iran: Women and the Death Penalty*, 6 Dec. 2024, ¶ 12, https://www.theadvocatesforhumanrights.org/Res/Submission%20to%20SR%20Iran%20IHR%20TAHR%20WCA DP%20December%202024_26-11.pdf.

⁴³ The Advocates for Human Rights et al., *Iran (Islamic Republic of): Stakeholder Report for the United Nations Universal Periodic Review: The Death Penalty*, 16 July 2024, ¶ 48, <https://www.theadvocatesforhumanrights.org/Res/Iran%20UPR%20DP%20FINAL%203.pdf>.

⁴⁴ Iran Human Rights, Communication on *Qisas, Diya, and the Death Penalty in Iran*, 8 Mar. 2024, at 10, https://iranhr.net/media/files/OHCR-IHRNGO_Communication_on_Qisas.pdf.

are largely from poor, disadvantaged areas often populated by minorities with little economic opportunity.⁴⁵

Defendants charged with capital security-related crimes are limited to “roster” lawyers and face other restrictions on the right to counsel

27. Defendants charged with capital crimes against internal or external security often do not have the right to an attorney for the critical investigation phase, when torture and coerced confessions are prevalent, and thereafter they must select a lawyer from a list approved by the Head of the Judiciary—who is selected by the Supreme Leader and is not impartial or independent.⁴⁶ Moreover, authorities often deprive defendants—particularly people involved with protests—access to their lawyers unless or until they perceive public or international pressure.⁴⁷

Lack of judicial independence and judicial fact-finding

28. In practice, Iran has no separation of powers or independent judiciary; judges are hand-picked based on their ideological loyalty.⁴⁸ Revolutionary Courts, which have jurisdiction over drug-related crimes and security-related charges,⁴⁹ are particularly notorious for abuse of power and denial of fair trial rights, and they are responsible for the majority of death sentences that lead to executions.⁵⁰ Revolutionary Courts routinely deny defendants access to counsel.⁵¹ In cases of drug-related offenses, they typically hold very short, secretive trials.⁵²
29. The absence of judicial independence is particularly problematic because procedures allow a judge to make a determination of guilt based exclusively on his own opinion, known as *elm-e qazi* or “knowledge of the judge,” a procedure that judges apply arbitrarily. Judges

⁴⁵ Iran Human Rights, Communication on Qisas, Diya, and the Death Penalty in Iran, 8 Mar. 2024, at 10, https://iranhr.net/media/files/OHCR-IHRNGO_Communication_on_Qisas.pdf.

⁴⁶ The Advocates for Human Rights et al., *The Islamic Republic of Iran’s Compliance with the International Covenant on Civil and Political Rights*, 12 Sept. 2023, ¶ 62, <https://www.theadvocatesforhumanrights.org/Res/Iran%20CCPR%20DP%20Final.pdf>; The Advocates for Human Rights et al., *Iran (Islamic Republic of): Stakeholder Report for the United Nations Universal Periodic Review: The Death Penalty*, 16 July 2024, ¶ 22, <https://www.theadvocatesforhumanrights.org/Res/Iran%20UPR%20DP%20FINAL%203.pdf>.

⁴⁷ The Advocates for Human Rights et al., *Iran (Islamic Republic of): Stakeholder Report for the United Nations Universal Periodic Review: The Death Penalty*, 16 July 2024, ¶ 24, <https://www.theadvocatesforhumanrights.org/Res/Iran%20UPR%20DP%20FINAL%203.pdf>.

⁴⁸ Iran Human Rights and ECPM, Annual Report on the Death Penalty in Iran 2024 (2025), at 19-23, available at https://iranhr.net/media/files/Rapport_iran_2024-WEB.pdf.

⁴⁹ The Advocates for Human Rights et al., *Iran (Islamic Republic of): Stakeholder Report for the United Nations Universal Periodic Review: The Death Penalty*, 16 July 2024, ¶ 14, <https://www.theadvocatesforhumanrights.org/Res/Iran%20UPR%20DP%20FINAL%203.pdf>.

⁵⁰ The Advocates for Human Rights et al., *Iran (Islamic Republic of): Stakeholder Report for the United Nations Universal Periodic Review: The Death Penalty*, 16 July 2024, ¶ 26, <https://www.theadvocatesforhumanrights.org/Res/Iran%20UPR%20DP%20FINAL%203.pdf>.

⁵¹ The Advocates for Human Rights et al., *The Islamic Republic of Iran’s Compliance with the International Covenant on Civil and Political Rights*, 12 Sept. 2023, ¶ 63, <https://www.theadvocatesforhumanrights.org/Res/Iran%20CCPR%20DP%20Final.pdf>.

⁵² The Advocates for Human Rights et al., *Iran (Islamic Republic of): Stakeholder Report for the United Nations Universal Periodic Review: The Death Penalty*, 16 July 2024, ¶ 27, <https://www.theadvocatesforhumanrights.org/Res/Iran%20UPR%20DP%20FINAL%203.pdf>.

can also declare *los* based solely on their belief that the defendant is guilty, and in so doing they give the victim's next of kin the right to *qassameh*. *Qassameh* is based on swearing an oath on the Quran by a certain number of people in the victim's family. In murder cases, the court may find guilt based on the oath of 50 male members of the victim's family—regardless of whether they witnessed the crime. Executions based on *elm-e-qazi* and *qassameh* have taken place as recently as 2024.⁵³

Evidentiary standards, coerced confessions, sham trials

30. The Islamic Penal Code (IPC) establishes a standard of proof based on the alleged offense and the gender of the people providing testimony, with a woman's testimony counting for half of a man's.⁵⁴ Particularly in politicized cases such as trials of political protesters, courts stage group trials that lack fair trial protections, such as relying on forced confessions aired by state media.⁵⁵ IHRNGO reports that “in *qisas* cases, a woman's testimony is considered worthless and they are not entitled to be witnesses.”⁵⁶

IV. Irreversibility of the death penalty and the need to prevent miscarriage of justice

Iranian authorities sentence people to death for vaguely defined crimes that are not the “most serious”

31. The number of death-eligible crimes in Iran is among the highest in the world. *Hudud* crimes, or offences against the State and religion, include vaguely defined crimes of *moharebeh* (enmity against God), *efsad-fid-arz* (corruption on earth), *baghy* (armed rebellion) *sabol-nabi* (insulting the prophet), and *ertedad* (apostasy), and repeated offences such as alcohol consumption and *mosahegheh* (consensual lesbian sex) on the fourth occasion.⁵⁷

Courts are not impartial, resulting in miscarriages of justice

32. Iranian law technically offers basic due process rights, but “the lack of due process is probably the biggest obstacle to significant improvements in the human rights situation,

⁵³ The Advocates for Human Rights et al., *The Islamic Republic of Iran's Compliance with the International Covenant on Civil and Political Rights*, 12 Sept. 2023, ¶ 65, <https://www.theadvocatesforhumanrights.org/Res/Iran%20CCPR%20DP%20Final.pdf>.

⁵⁴ The Advocates for Human Rights et al., *The Islamic Republic of Iran's Compliance with the International Covenant on Civil and Political Rights*, 12 Sept. 2023, ¶ 66, <https://www.theadvocatesforhumanrights.org/Res/Iran%20CCPR%20DP%20Final.pdf>.

⁵⁵ The Advocates for Human Rights et al., *Iran's Compliance with the International Convention on the Elimination of All Forms of Racial Discrimination: Suggested List of Themes Relating to the Death Penalty*, 5 May 2024, ¶ 8, <https://www.theadvocatesforhumanrights.org/Res/Iran%20LOI%20CERD%20DP%20Final.pdf>.

⁵⁶ The Advocates for Human Rights et al., *Iran (Islamic Republic of): Stakeholder Report for the United Nations Universal Periodic Review: The Death Penalty*, 16 July 2024, ¶ 66, <https://www.theadvocatesforhumanrights.org/Res/Iran%20UPR%20DP%20FINAL%203.pdf>.

⁵⁷ The Advocates for Human Rights et al., *Iran (Islamic Republic of): Stakeholder Report for the United Nations Universal Periodic Review: The Death Penalty*, 16 July 2024, ¶¶ 7-9, <https://www.theadvocatesforhumanrights.org/Res/Iran%20UPR%20DP%20FINAL%203.pdf>.

and the situation of the death penalty in particular.” The judiciary routinely fails to respect the right to counsel and the right to be free from judicial abuse of power.⁵⁸

The Islamic Penal Code’s intent standard creates injustice

33. Article 289 of the IPC recognizes three levels of intent for crimes: “intentional,” “quasi-intentional,” and “pure error.” Troublingly, however, the IPC definition of intent is sweepingly broad, and allows a court to sentence someone to death for “murder” even if they do not have the intent to kill. The IPC does not recognize degrees of killing or culpability that would allow courts to consider the circumstances surrounding the offender’s conduct. Once the court finds the requisite intent for *qisas*-level crimes such as “murder,” the court has no discretion in sentencing, and only the victim’s next-of-kin can ensure the offender will not be executed.⁵⁹ This injustice is particularly relevant for the many women sentenced to death for killing their spouses or intimate partners, where there is no opportunity for a court to consider child marriage or other gender-based violence in mitigation.⁶⁰ The evidentiary standards and judicial “fact-finding” described above also discriminate against women seeking to escape gender-based violence in the first place.⁶¹

Authorities use coerced confessions to instill fear and to justify death sentences

34. Confessions are the State’s most common means of proving guilt in capital cases, and authorities use “televised confessions,” extracted through torture and other ill-treatment (including sexual assault), as a propaganda tool to create fear and justify extreme sentences for activists.⁶² Article 38 of the Iranian Constitution explicitly bans “all forms of torture for the purpose of extracting confession or acquiring information.”⁶³

Qisas is inherently arbitrary

35. Iran’s approach to *qisas* enshrines the impermissibly arbitrary deprivation of human life on a systematic scale. After a court finds the requisite intent, a *qisas* sentence hands over to the victim’s family both the discretion to impose and the responsibility to carry out executions, guaranteeing arbitrary and non-uniform application of the death penalty.⁶⁴

⁵⁸ The Advocates for Human Rights et al., *Iran (Islamic Republic of): Stakeholder Report for the United Nations Universal Periodic Review: The Death Penalty*, 16 July 2024, ¶ 23,

<https://www.theadvocatesforhumanrights.org/Res/Iran%20UPR%20DP%20FINAL%203.pdf>.

⁵⁹ Iran Human Rights, *Communication on Qisas, Diya, and the Death Penalty in Iran*, 8 Mar. 2024, at 4-5,

https://iranhr.net/media/files/OHCR-IHRNGO_Communication_on_Qisas.pdf.

⁶⁰ The Advocates for Human Rights, Iran Human Rights, and the World Coalition Against the Death Penalty, *Call for Input—Report of the Special Rapporteur on the human rights situation in the Islamic Republic of Iran: Women and the Death Penalty*, 6 Dec. 2024, ¶ 4,

https://www.theadvocatesforhumanrights.org/Res/Submission%20to%20SR%20Iran%20IHR%20TAHR%20WCA DP%20December%202024_26-11.pdf.

⁶¹ *Id.* ¶¶ 18-19.

⁶² The Advocates for Human Rights et al., *The Islamic Republic of Iran’s Compliance with the International Covenant on Civil and Political Rights*, 12 Sept. 2023, ¶¶ 58-59,

<https://www.theadvocatesforhumanrights.org/Res/Iran%20CCPR%20DP%20Final.pdf>.

⁶³ The Foreign Policy Centre, *Iran Human Rights Review: Due Process*, eds. Tahirih Danesh and Mahmood Amiry-Moghaddam (fpc.org.uk: The Foreign Policy Centre, 2017), at 7, available at <https://fpc.org.uk/wp-content/uploads/2017/02/IHRR-Due-Process.pdf>.

⁶⁴ Iran Human Rights, *Communication on Qisas, Diya, and the Death Penalty in Iran*, 8 Mar. 2024, at 8-9, https://iranhr.net/media/files/OHCR-IHRNGO_Communication_on_Qisas.pdf.

Gender-based discrimination results in further miscarriages of justice

36. The explicit gender-based segregation, discrimination, and second-class treatment of women and girls is so severe that international and Iranian human rights advocates and organisations have pushed for legal recognition of Iran’s “gender apartheid” as a crime under international law.⁶⁵
37. Iran’s jailed women’s human rights defenders, even from death row, have continued to speak out. In 2024, “prison guards violently attacked these women and their fellow political prisoners for speaking out against executions, and subsequently denied them access to medical care and visitation rights.”⁶⁶ “In this context, the struggle for girls’ and women’s human rights in Iran, led by Iranian women, is inseparable from the global movement to abolish the death penalty.”⁶⁷
38. One Iranian lawyer told the Cornell Center on the Death Penalty Worldwide 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).”⁶⁸ In addition to the issues described above regarding women who are unable to escape execution for murdering an abusive spouse, women are also at risk of being sentenced to death for sexual morality offenses such as adultery when they are raped. Courts impose daunting evidentiary rules, requiring that pregnant women suspected of adultery prove, by four eyewitness accounts, that their pregnancy resulted from rape.⁶⁹
39. *Diya* (blood money) practices in Iran are deeply gender-discriminatory. Women convicted of murder—often after killing abusive partners—struggle to raise *diya* due to financial dependence and lack of external support, especially when the victim’s family is also their own. In contrast, when men kill women, the victim’s family receives only half the standard *diya*, or must pay a full *diya* to the offender’s family if they choose execution. This legal imbalance not only devalues women’s lives but creates perverse incentives favoring male perpetrators of femicide.⁷⁰

⁶⁵ Amnesty International, Global: Gender apartheid must be recognized as a crime under international law (June 17, 2024), <https://www.amnesty.org/en/latest/news/2024/06/gender-apartheid-must-be-recognized-international-law/>.

⁶⁶ Bahar Mirhosseni, Women are Leading the Resistance Against Executions in Iran, *The Nation* (24 October 2024), <https://www.thenation.com/article/world/iranian-women-resistance-executions/>.

⁶⁷ Bahar Mirhosseni, Women are Leading the Resistance Against Executions in Iran, *The Nation* (24 October 2024), <https://www.thenation.com/article/world/iranian-women-resistance-executions/>.

⁶⁸ The Advocates for Human Rights et al., *Iran (Islamic Republic of): Stakeholder Report for the United Nations Universal Periodic Review: The Death Penalty*, 16 July 2024, ¶ 67, <https://www.theadvocatesforhumanrights.org/Res/Iran%20UPR%20DP%20FINAL%203.pdf>.

⁶⁹ The Cornell Center on the Death Penalty Worldwide (The Alice Project), *Judged for More Than Her Crime: A Global Overview of Women Facing the Death Penalty* (Sep. 2018), at 13, available at <https://www.deathpenaltyworldwide.org/wp-content/uploads/2019/12/Judged-More-Than-Her-Crime.pdf>.

⁷⁰ *Iran Human Rights, Woman and the Death Penalty; a Gendered Perspective*, (6 January 2025), available at https://iranhr.net/media/files/En_Gender_Perspective_of_the_Death_Penalty_in_Iran_EN.pdf; The Advocates for Human Rights, Iran Human Rights, and the World Coalition Against the Death Penalty, *Call for Input—Report of the Special Rapporteur on the human rights situation in the Islamic Republic of Iran: Women and the Death Penalty*, 6 Dec. 2024, ¶ 21, https://www.theadvocatesforhumanrights.org/Res/Submission%20to%20SR%20Iran%20IHR%20TAHR%20WCA%20December%202024_26-11.pdf.

Courts arbitrarily determine the age of criminal responsibility, leading to execution of juvenile offenders

40. Iran remains one of the few countries to sentence child offenders to death, and Iran also executes more child offenders than any other country.⁷¹ In response to domestic and international criticism, in 2013 Iranian authorities redefined the IPC “age of criminal responsibility” as the age of maturity under *Sharia* law: girls over 9 lunar years and boys over 15 lunar years are eligible for the death penalty for “crimes against God” and *qisas* crimes.⁷² Under IPC Article 91, a judge may impose an alternate punishment, based on the judge’s assessment of forensic evidence. Judges apply the article inconsistently and arbitrarily, and Article 91 has not resulted in any measurable decrease in the number of juvenile executions.⁷³

⁷¹ The Advocates for Human Rights et al., *Iran (Islamic Republic of): Stakeholder Report for the United Nations Universal Periodic Review: The Death Penalty*, 16 July 2024, ¶ 17,

<https://www.theadvocatesforhumanrights.org/Res/Iran%20UPR%20DP%20FINAL%203.pdf>.

⁷² *Id.* ¶ 18.

⁷³ *Id.* ¶ 19.