

*In His Name, the Exalted*

**The Comment of the High Council for Human Rights of the Islamic Republic of Iran on Statements Released by Acting UN High Commissioner for Human Rights and Special Procedures Mandate Holders**

Analogous to people and State officials, the High Council for Human Rights of the Islamic Republic of Iran is appalled by the death of Mahsa Amini and takes this opportunity to once again expresses its' deepest sympathies to the bereaved family.

Given the statements released by the Acting UN High Commissioner for Human Rights and certain Special Procedures Mandate Holders pertaining the incident, the High Council for Human Rights hereby deems it necessary to mention points enumerated hereinunder:

1. Once informed of the death of the person in question, special investigation teams were formed to clarify all aspects of the incident and discover the truth. The teams include: an investigation formed by the Minister of Interior as per the Order of the President; a probe team assembled by Tehran Prosecutor General; another inquiry team put together by the Tehran Province Justice Administration within the Office of Civil Rights Protection of the Judiciary; an investigation team comprising of experts formed by the Legal Medicine Organization; and a probe team formed by the Islamic Consultative Assembly.

2. The investigation teams began their mission instantaneously with a view to launching quick, impartial, effective and independent inquiries into the incident including by conducting field research and scientific experiments, reviewing medical records, interviewing relevant and informed persons and reviewing CCTV recordings, the final report of which will be submitted to the judicial authority once investigations come to an end.

3. Be advised that the State's high-ranking officials have also issued necessary orders, as referred to hereinabove, to relevant authorities in order to handle the incident in an accurate and swift manner:

- Expressing sympathy to the family of the deceased during a phone call, the President said: *“As soon as I was made aware of the incident, I ordered my colleagues to investigate the matter specially and put it on the agenda; and, I assure you that I will demand answers from responsible bodies so that the issue's dimensions are clarified.”* The family of the deceased, while expressing gratitude to the President for the phone call and issuing an

immediate order to deal with the incident, requested His Excellency to follow up the issue until its' aspects are illustrated. Furthermore, the President has ordered the Minister of Interior to launch an urgent and accurate investigation in to the cause and details of the incident and report the results. The Minister of Interior has subsequently tasked his Deputy for Security and Law Enforcement Affairs with investigating the incident.

- *“Being on its agenda, the Judiciary will follow up on Amini’s death carefully and meticulously.”* stressed the Chief of the Judiciary. His Excellency, in a phone call to the Head of the Legal Medicine Organization, has reiterated the necessity to investigate the death in a careful and meticulous manner. The Chief of the Judiciary has also ordered the judicial authorities to conduct thorough and in-depth inquiries into the incident from the very place where she was invited to the police car, and to check public and private CCTV recordings. His Excellency has reassured the family of the deceased that the incident will be followed up on meticulously and swiftly after obtaining test results produced by laboratories, stressing that the results of the investigations will be announced without any considerations.
- The Speaker of the Islamic Consultative Assembly said: *“The recent bitter incident for a woman in one of the police departments of Tehran hurt public opinion and desolated me. While emphasizing that it is a must to abide by the law and exhibit a lawful behavior when it comes to social and cultural issues, I assign the Internal Affairs Commission and councils to investigate all aspects of the incident with urgency and precision and present a report on the results to the Parliament. In the event of a shortcoming or a fault, the necessary requirements to prevent the repetition of such cases should be taken into account.”*
- The Vice-President of the Judiciary for International Affairs and the Secretary-General of the High Council for Human Rights offered his condolences to the bereaved family and immediately called upon relevant institutions to act expeditiously and undertake the necessary, in-depth and extensive investigations into the cause of the death, adding that the results of the probes should be transparent and available to the public. Dr. Kazem Gharibabadi pointed out that several judicial and non-judicial units have issued orders for inquiries, noting that investigation and specialized teams

have already been formed. He also called upon the relevant judicial officials to deal with the perpetrators of and those responsible for the incident *tout de suite* and without any delays if negligence and fault are found. While emphasizing the need for the State institutions and organizations to respect the basic and fundamental rights of all citizens in accordance with the principles of the Constitution, Dr. Gharibabadi stressed that the High Council for Human Rights will investigate and follow up on the any possible violations of the human rights of the deceased Iranian citizen.

- In a phone call with the bereaved family, the Vice Presidency for Women and Family Affairs expressed her condolences and reiterated that follow-ups are underway until all aspects of the incident come into the light.
- Kordestan Governor have also called the family of the deceased to express his condolences, stressing that the incident is being thoroughly investigated. He added that any possible negligence or fault, as per the Order of the President, will be dealt with.
- Be advised that immediately after being informed of the initial condition of the person in question, the Commander of the Greater Tehran Police Force issued a special order to render special treatment to her, and to venerate and attend to her family without any delay and considerations.

4. The statements have alleged that the person in question was assaulted and beaten on the head. Such a premature judgment, as investigations and inquiries are still underway, is unwarranted and provocative. In an interview conducted by the Director General of the Tehran Province Legal Medicine Organization a few days after this incident, the initial statement of the aforesaid Organization pertaining investigations into the cause of the death was explained as such: *“Considering that any comments by the Legal Medicine Organization regarding cases referred thereto require detailed and substantiated evidence, [be advised that] in this particular case and up to this moment, the only medical documentation that can be cited is one case of hospitalization for brain surgery in Tehran back in 2007 when the deceased was aged 8. Taking into account that false and unscientific information has been circulating in social media and the cyberspace about blood coming out of her ears, fracture of the cranial floor and damage to internal organs, we hereby announce that no signs of injury on the head and face, bruises*

*around the eyes and fracture of the cranial base were found in the physical examination and autopsy conducted on the deceased. An autopsy of the torso and abdomen shows no traces of bleeding, crushing or rupture in the internal organs of the body. In the meantime, what needs time is to determine the cause of the death, which should be done after the results of the tests are produced and combined with the results of the examination and autopsy of the body and medical records. Then, the Legal Medicine Organization's final report on the cause of the death will be presented to the judicial authority."* In a statement released on 23 September 2022 pertaining allegations of assault, the Minister of Interior said: *"The preliminary investigations and a report produced by Kasra Hospital prove that there was no assault, battery and brain hemorrhage. In the second phase of inquiries, we have to determine the cause of the death. We are waiting for the opinion of the Legal Medicine Organization in this regard."*

5. Expressing concern about the hijab law is outrageous; for, the establishment of public order in any society hinges upon the implementation of laws enacted by lawmakers, all of whom have been elected through the vote of the people. Enjoying a majority vote of 98.2 per cent, the Islamic Republic of Iran enacts laws according to the type of governance – which has been determined based upon the Constitution – as well as culture and religion of the people. It is very unfortunate that the statement released by the Acting UN High Commissioner for Human Rights calls for the non-implementation or repeal of the law. This is while the establishment of public order and enjoyment of all people from human rights in a democratic society based upon the rule of law, can only be attainable by respecting and abiding by the law.

6. The law enforcement officers can under no circumstances whatsoever violate the rights of citizens when implementing rules and regulations including the hijab law. Any violation of the law entails criminal responsibility; and, those enforcing the laws including judicial, police and detention center staff have no right to act against the will of the ordinary legislator within the limits of duties thereto. Any kind of illegal behavior by the law enforcement officers gives the victim the right to lodge a complaint thereagainst and pursue it. It is obvious that any fault and negligence, on the strength of provisions of Single Article of the Law on Respecting the Legitimate Freedoms and Protection of Citizens' Rights and executive instructions thereof, can be investigated and punishment shall be prescribed for violations and *actus rea* of such nature.

7. The Constitution and ordinary laws both recognize the right to freedom of peaceful assembly; and, as long as those participating therein do not resort to unconventional measures, they are protected by the law. However, in case *armes blanches* or firearms are brandished in order to disrupt public order and strike fear and terror into the hearts of people, they will be held legally responsible. Tasked with ensuring public order in the society, the bailiffs are well cognizant of the aforementioned right and have received necessary trainings. It deserves a mention that international human rights instruments such as the International Covenant on Civil and Political Rights and the Universal Declaration of Human Rights subject the exercise of such rights to observance of order, health, public morality, national security as well as respecting the rights and freedoms of others. Unfortunately, some peaceful gatherings that took place following the incident morphed into riots. During the unrest, many public and private properties were set ablaze or looted; and, some law enforcement agents and ordinary people were killed or injured by firearms and *armes blanches* brandished by the rioters. You must have definitely seen the videos of the violent riots! It is a matter of profound regret that the statements have described the riots as peaceful protests. Such a claim by those drafting the statements and failure thereof to mention violations of the rights of victims during the riots, constitute a flagrant violation of the human rights of the Iranian people and are in fact deemed as provocative measures to incite the rioters stir up unrest, disorder and insecurity.

8. The statement released by the Acting UN High Commissioner for Human Rights has described the deceased as a Kurdish minority. Be advised that the Islamic Republic of Iran is made up of various ethnic groups including but not limited to Kurds, Baloch, Turks, Arabs, Lurs, Persians, none of which are considered minorities; they in fact constitute the majority of the Iranian society. It is bitterly surprising and regrettable that how come there is no statement in support of the victims of terrorism and to condemn the unending killings of the Kurdish people of Iran by the Komalah, PKK and PJAK terrorist groups?!

9. In the end, while calling upon international human rights mechanisms to observe fairness and impartiality and avoid any prejudice and hasty judgments when commenting on the incident and evaluating the situation, the Islamic Republic of Iran once again reiterates the existing resolve to protect the rights of all its' citizens. The Islamic Republic of Iran will seriously pursue the incident in question until the cause of the death is discovered, and stresses that it will not allow the

rights of the deceased and the bereaved family be violated if anyone is found guilty of negligence or fault.