



Australian Government

Department of Foreign Affairs and Trade



HUMAN RIGHTS IMPLICATIONS OF RECENT VIOLENCE IN IRAN

16 November 2022

INTRODUCTION

The Department of Foreign Affairs and Trade (DFAT) welcomes the opportunity to make a submission to the Senate Standing Committees on Foreign Affairs, Defence and Trade inquiry into the human rights implications of recent violence in Iran.

SITUATION

On 16 September 2022, 22-year-old Kurdish woman Mahsa (Jina) Amini died following injuries suffered in police custody after being detained by Iran's Morality Police for non-compliance of her clothing covering with government standards. Tehran police claim that Ms Amini's death was the result of a heart condition. Other reports suggest Ms Amini was beaten while in custody and died from her injuries.

Following her death, protests began in Ms Amini's hometown of Saqqez, before spreading to most of country's 31 provinces as many Iranians sought to express their outrage at security force brutality and the Iranian Government's policies that oppress women and girls. Peaceful protest activity has taken many forms including street demonstrations, women and girls removing their hijabs or cutting off their hair, blowing of car horns on the roads, sit-down strikes in schools and universities and use of political graffiti. In solidarity with protestors, Iranian shopkeepers, factory workers and employees in the oil and petrochemical sectors have also participated in strikes.

In response to the unrest, Iranian authorities have brutally cracked down on protestors, employing violent measures including use of lethal force, beatings, mass arrests, and even forcibly sending dissenting students off to psychiatric institutions. The Iranian Government has also disrupted cellular services and restricted internet and social media across the country as they have sought to prevent news of events being disseminated domestically and internationally.

The extent of deaths and injuries from the crackdown is unclear as the Iranian Government has not published reliable figures. There are varying estimates from NGOs, which put the death toll above several hundred, with dozens of children amongst the deceased. For instance, as at 12 November 2022, Norway-based human rights monitoring group *Iran Human Rights* reports at least 326 people have died in ongoing protests, including 43 children, with many more injured. According to various sources thousands of people have been arrested.

Also of concern are reports that on 13 November 2022, Tehran's Revolutionary Court issued the first known death sentence for a protestor who had allegedly set fire to a government building. Another five individuals received prison sentences ranging between five to ten years. This follows remarks by the Iranian judiciary that around 1,000 people in Tehran alone have been indicted and will face trial over ongoing protests.

As of the week of 14 November 2022, periodic protests continue in cities and towns across the country. The Iranian Government has taken no steps to address the various concerns of the protestors. Instead, it

has repeatedly asserted that the foreign powers, including the US and Israel, are behind the continued unrest.

AUSTRALIA'S RESPONSE

The Australian Government has been active and consistent in publicly calling out Iran on its egregious behaviour. The Government has also mobilised internationally with partners to hold Iran to account for its violent crackdown on people exercising their democratic right to protest at the Iranian Government's oppression of women and girls. Australia will continue to call on the Iranian regime to respect human rights and the rights of peaceful protestors.

The Prime Minister and Foreign Minister have made public comments, statements and issued social media messages, while at officials' level, seven statements have been made and supported in multilateral fora. DFAT has also spoken to the Iranian Embassy Charge d'affaires on five occasions.

On 26 October 2022, Prime Minister Albanese publicly condemned the crackdown by the Iranian authorities, called on Iran to respect the rights of peaceful protestors, and expressed support for Iranian women and girls, in an interview with SBS World News. The Prime Minister also expressed his abhorrence at the actions of the Iranian Government in clamping down on the rights of women in the Australian Parliament on 9 November 2022.

Foreign Minister Wong has repeatedly advocated in support of the human rights of the Iranian people, especially women and girls, and called on the Iranian Government to end its brutal response to the ongoing protests.

On 27 September 2022, Minister Wong also issued a joint statement with the Minister for Women, Senator the Hon Katy Gallagher, condemning the violent crackdown on protestors, supporting the right of the Iranian people to protests peacefully, and calling on Iranian authorities to exercise restraint in response to ongoing protests.

On 20 October 2022, Minister Wong delivered a video statement to a meeting of women Foreign Ministers, chaired by Canadian Foreign Minister Mélanie Joly, which called on the Iranian Government to cease its brutal oppression of protests and stressed Australia's support for Iranian women and girls in their struggle for equality and empowerment.

Minister Wong has issued tweets multiple times:

- reaffirming Australia's opposition to the death penalty in response to reports that a protester in Iran had been sentenced to death (14 November 2022),
- expressing concerns over Iran's membership of the UN Commission for the Status of Women while it continues its oppression of women (on 3 November 2022),
- calling on Iran to cease its oppression of women (on 21 October 2022),
- condemning the heavy-handed repression of protests and reports of violence against children (on 10 October 2022), and
- calling for a prompt, investigation into Mahsa Amini's death (on 29 September 2022).

The Australian Government has vigorously raised its concerns in multilateral fora:

- Australia delivered a statement in the UN General Assembly 3rd Committee before the vote on the human rights situation in Iran resolution, condemning Iran's response to the protests and advocating for Iranian women and girls, on 16 November 2022.

- Australia, New Zealand, and Canada delivered a statement to the UN Security Council Arria formula meeting on 2 November 2022, expressing “...great concern that a member of the UN Commission on the Status of Women could violate the rights of women and girls with such disdain” and calling on UN Member States to “work together to uphold the mandate, and values, of the Commission.” Though not currently a member of the Commission on the Status of Women, or its parent body, the Australian Government believes it is not acceptable that a country which disregards these rights belongs to the preeminent global body dedicated to promoting gender equality and women’s empowerment.
- Australia delivered a statement at the UN General Assembly Third Committee Interactive Dialogue with the UN Special Rapporteur on the situation of human rights in Iran, Javaid Rehman, on 26 October 2022.
- On 25 October 2022, Australia’s Permanent Representative to the United Nations in New York met with the UN Special Rapporteur on the situation of human rights in Iran to discuss the Rapporteur’s advocacy for a new accountability mechanism to hold human rights abusers in Iran to account.
- In a national statement to the UN Security Council Open Debate on Women, Peace and Security on 20 October 2022.
- Australia supported the Freedom Online Coalition’s Joint Statement on Internet Shutdowns in Iran on 20 October 2022.
- Australia delivered a statement to the UN General Assembly Third Committee Interactive Dialogue with the Special Rapporteur on the situation of human rights defenders on 13 October 2022
- Australia signed onto a joint statement at the 51st Session of the UN Human Rights Council on 30 September 2022.

Australia was also on the core drafting group of the UN General Assembly 3rd Committee resolution on the human rights situation in Iran, mentioned above.

Australia is supporting efforts for a special session of the Human Rights Council, to be held on the week of 21 November 2022. This session will address the deteriorating human rights situation in Iran, especially with regards to the treatment of women and children. The special session will also likely seek agreement to a resolution to establish an independent fact-finding mission with a mandate relating to the protests following the death of Mahsa Amini.

On 15 November, 2 November, 13 October, and 26 September 2022, DFAT made representations to the Charge d’affaires at the Iranian Embassy, raising concerns about the violent crackdowns on protests by Iranian authorities and the circumstances surrounding the tragic death of Ms Amini.

On 7 November 2022, DFAT raised reports, including the media, describing apparent efforts by Iranian authorities to intimidate the Iranian community in Australia directly with the Iranian Charge d’affaires.

Sanctions

The Australian Government keeps its policy responses under active consideration. Australia already implements UNSC mandated sanctions to restrict Iran’s nuclear and ballistic missile capability. We also maintain a longstanding Iran autonomous sanctions regime to prohibit the transfer of conventional arms to Iran. Australia’s autonomous sanctions regimes compliment the UNSC sanctions.

Under both our UNSC and autonomous sanctions regimes, Australia has already imposed targeted financial sanctions on the Islamic Revolutionary Guard Corps (IRGC) including its overseas arm the Qods Force since 2012. Financial and travel sanctions have been applied to a number of IRGC-linked individuals and financial sanctions against entities. Operationally, the Iran sanctions framework encompasses various measures

including restrictions on the supply of certain goods or services, requirements to freeze assets of designated persons and entities, and travel bans on designated persons.

Australia's existing listing of the entire IRGC under autonomous sanctions and the Qods Force under both UN and autonomous sanctions impose the same measures as an entity listing under counter-terrorism sanctions.

Australia keeps its sanctions regime under regular review. The Australian Government does not speculate on potential sanctions, which would provide possible targets with prior notice, allowing them to move any of their assets outside of Australia's jurisdiction and reducing the effectiveness of any listing.