

## **Excellencies, Distinguished Delegates, Ladies, and Gentlemen,**

Two years ago, on 15<sup>th</sup> November 2019, following a sudden decision by the Islamic Republic of Iran to triple the price of fuel, protests broke out across Iran. In a short time, the protests spread around many of the Republic's cities. They lasted for five days. The affected cities covered most, if not all, of the 31 provinces in Iran. Iran acknowledged that at least 200,000 people took part in the demonstrations, although the evidence suggest that the numbers could be much higher.

The evidence suggests that most of the protests appear to have been relatively peaceful. Although there was verbal confrontation, stone throwing and damage to property, the protestors were not armed. Very few security actors appear to have been harmed. The protests were met with violence and brutality. In the days that followed, amid a total internet shutdown, the Islamic Republic of Iran's security forces, including the Ordinary Police, the Islamic Revolutionary Guard Corps, the Basij and plainclothes forces which operate, among others, under the command of the Ministry of Intelligence, acted to put an end to the protests. Many protestors were subjected to violence, killed, injured, arrested, tortured and/or mistreated.

Amnesty International have verified that there were at least 323 deaths across 37 cities. Many of those victims had been shot in the head or upper torso indicating that they were targeted with an intention to kill or seriously injure. We have no doubt that this is figure is only a fraction of the actual deaths that occurred as a result of actions of the security forces.

Reports by the UN and other international organizations and numerous witnesses confirm that thousands of people were arrested during and following the protests. Detainees were held by a variety of these security agents, often without access to family or lawyers. Many were subjected to torture and ill treatment designed to intimidate and humiliate and/or force the victims to admit criminal conduct or implicate foreign forces or agents for their involvement in the protests. As confirmed by scores of witnesses, ill treatment and torture included electric shocks, sexual violence and threats, beatings, waterboarding, and being forced into physically stress positions.

Over the last five days, the Aban Tribunal has held oral hearings in which evidence related to these events was heard. We have heard from 33 witnesses themselves or whose family or loved ones were killed, injured or disappeared. We have heard from 7 expert witnesses who have testified on a variety of subjects, ranging from the number of deaths and injuries, the thousands of videos of the events, the firearms and weapons used by the security forces, the relevant Iranian law and the manner in which the domestic judicial process worked to criminalize the protestors and deprive them of any redress. Most of those witnesses are independent and do not know each other. Although there is some variance in the accounts, they raise a serious case against the Islamic Republic of Iran.

Apart from implicating the IRI and/or their security apparatus in a scheme to repress the protests at any cost, they provide a reasonable basis to believe that that the Iranian forces subjected the protestors (or those suspected of being involved in the protests) to unlawful killings, serious physical and mental harm, enforced disappearances, arbitrary detentions torture, and other ill treatment to brutalize the protestors and persuade the protestors from any future attempt to exercise their right to freedom of assembly and of expression.

Unfortunately, almost two years to the day, apparently pursuant to the Supreme Leader's edict, the Islamic Republic of Iran has taken no steps to initiate criminal proceedings, judicial enquiries, or other steps to uncover the truth or bring those responsible to justice. Investigations conducted by the UN Special Rapporteur on the Situation of Human Rights in Iran, the UN Secretary-General, and organizations such as Amnesty International, Human Rights Watch, Justice for Iran, and Iran Human Rights, provide evidence of the efforts of victims and members of their families to uncover the truth of what happened and the manner in which they have been frustrated, with many, if not all, being subjected to reprisals, threats and further abuses. State institutions, including the Revolutionary Courts and Criminal Courts have also disregarded obligations to undertake these investigations required by the country's domestic laws. The Islamic Republic of Iran's prosecutors, judges and justice system as a whole are implicated in this coverup and the overall plan to commit the crimes.

The Panel would like to pay homage to the victims and survivors who have provided their testimony to us over the last five days and to the Tribunal over the last two years. They have done so despite this harassment and despite threats of reprisals against themselves and their families. The Panel have been moved and impressed with their courage and determination to hold the Islamic Republic of Iran to account. Their testimony was clear, largely consistent and persuasive.

Regrettably, the Islamic Republic of Iran has chosen not to attend these hearings or participate in the investigations conducted by Mr. Sabi's team. It is however not too late. Having been established at the initiation of three civil society organizations, Justice for Iran, Iran Human Rights Centre and Together Against Death Penalty in response to the requests of victims and families of the victims, the Aban Tribunal consists of independent and impartial jurists with a mandate to investigate these crimes and violations. We therefore encourage all witnesses to come forward, including state representatives, and we will consider all the evidence and take it into account.

Accordingly, we welcome the Islamic Republic of Iran and any response they may have to the evidence against them and their agents. As we have said, the evidence currently raises a serious case against the Islamic Republic of Iran and that case suggests that they are responsible for a variety of crimes against humanity (including killing, extermination, torture, detention, enforced disappearances and persecution) and numerous human rights violations, including violations of the right to live, the prohibition against torture and ill treatment and the right to freedom of protest and expression. The Iranian Government should respond and answer those charges. Indeed, international law demands that they do so. They have the Panel's commitment

to consider that evidence with the same independence, impartiality and consideration as all other evidence.

For now, we must adjourn to consider any and all evidence that we have received or may receive. We welcome the evidence of those who have offered to testify since we began these hearings five days ago. In light of the scope of new evidence being offered to the Tribunal, we may well have further hearings so that new witnesses can be heard and examined. We, as a Panel, remain committed to determining the truth of these events in in light of the principles of law, human conscience and justice.

As we stated at the outset, any findings ultimately made as a result of this process, will be consistent with universal principles of justice, protection and enforcement of the rule of law, public acknowledgement of the rights of victims and respect for the rights of persons, groups or governments the tribunal may identify as bearing responsibility for the acts in question. Until then, we will now postpone these hearings. Shortly we will publicize how these hearings will be completed, with the judgement to be issued in early 2022. Thank you to those who have supported and publicized these hearings and the Tribunal's search for the truth.