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## Human Rights Council

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**Human rights situations that require the Council's attention**

### **Written statement submitted by Organization for Defending Victims of Violence, a non-governmental organization in special consultative status\***

The Secretary-General has received the following written statement, which is circulated in accordance with Economic and Social Council resolution 1996/31.

[1 February 2026]

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\* Issued as received, in the language of submission only.

## **A Legal Analysis of Sustained Aggression and the Distortion of Human Rights Council Mechanisms**

### Introduction

As representatives of Iranian civil society, we remain steadfast in our commitment to serve as the voice lost amidst the conflicting dominant political narratives.

Today, the international community confronts a fragmented portrayal of events in Iran—a portrayal in which "cause" and "effect" are transposed, and the roles of "victim" and "executioner" are inverted. What the Iranian nation has endured in recent months is not an isolated domestic incident, but rather a link in the chain of a "hybrid warfare" that has precipitated gross and systematic violations of fundamental human rights and humanitarian principles.

### Military Aggression and the Violation of Jus ad Bellum

Escalating from years of debilitating Unilateral Coercive Measures (UCMs), June 2025 marked a shift to naked military aggression. In a 12-day aggression orchestrated by Israel and the United States, critical infrastructure across 18 provinces was targeted—not just military sites. This assault on civilian lifelines resulted in mass displacement and the loss of over 1,000 innocent lives.

This operation constitutes a clear act of aggression under UNGA Resolution 3314 and a flagrant violation of Article 2(4) of the UN Charter. The structural legal impunity provided to such violations by international institutions of fundamental principles of international law including the principle of sovereignty served as a green light for the subsequent phase of violence.

### Legitimate Civil Protests in the Face of Economic Terrorism

Following the aggressors' failure to dismantle the nation's fabric through military means, the strategy of the Iranian nation's adversaries recentered "economic war."

The unlawful reimposition of sanctions—precisely at a juncture when Iran required financial resources to reconstruct the ravages of war—was a criminal act aimed at crippling the people's livelihood. Runaway inflation, along with shortages of medicine and essential goods, were the direct consequences of this policy.

We assert that the peaceful gatherings of late December 2025 were a natural and legitimate response of citizens to these economic pressures. The right to protest is a fundamental civil right, and as civil society, protected under Iran's constitution; we defend the people's right to voice their economic grievances. However, what followed was not civil advocacy, but rather its bloody distortion.

### January 8th and 9th; The Transition to Armed Insurgency

The turning point of this tragedy unfolded on the nights of January 8 and 9. UN Rapporteurs must answer: by what legal criterion do they classify the events of these two nights as "peaceful protests"? Precise field documentation from various provinces indicates that terrorist cells, exploiting the volatile atmosphere, shifted their operational phase to warfare against urban infrastructure.

The documented statistics of damages, which prove the terrorist nature of these acts and their blatant hostility toward the daily lives of citizens, are as follows (1):

- **Public Transportation:** Over 150 city buses were vandalized or torched nationwide, including 79 in Tehran and others in Mashhad and Isfahan, inflicting massive financial losses on the public purse.
- **Emergency Services (IHL Violations):** In a flagrant violation of International Humanitarian Law, relief vehicles were directly attacked. This includes the burning of a Red Crescent warehouse and 6 vehicles in Izeh, as well as the destruction of ambulances and fire trucks in Rasht and Mashhad.
- **Grassroots Economy:** Attackers targeted people's livelihoods, incinerating 500 shops in Rasht's historic bazaar. Nationally, over 100 ATMs were destroyed, including 83 in Golestan alone, disrupting access to essential funds.
- **Critical Infrastructure:** "Engineered" acts of sabotage included severing fiber optics in Isfahan and destroying metro stations in Shiraz. Damages in Kerman and Shiraz alone exceeded \$30 million USD.
- **Religious & Public Sites:** Violence extended to 13 mosques, Armenian churches, and post offices serving ordinary citizens.

The burning of 500 shops in Rasht or the destruction of 83 bank ATMs in Golestan do not represent the scorecard of a civil movement. It is instead, indicative of a "scorched earth" operation by trained violent armed forces designed to advance regime change operation and manufacture consent for foreign intervention against Iranian sovereignty.

#### The Role of Foreign Interveners: International State Responsibility

This unbridled violence would not have been possible without foreign material support and intervening in domestic affairs of Iran. Donald Trump, the President of the United States, taking to platform X, not only endorsed these violent acts but also threatened Iran with military intervention should it exercise its right to self-defense. (2) The explicit admissions by Israeli and American officials—including Mike Pompeo and Benjamin Netanyahu—regarding Mossad's role in arming and orchestrating the riots, constitute irrefutable evidence. (3)

Pursuant to Article 3(g) of UN General Assembly Resolution 3314 (Definition of Aggression), the sending by or on behalf of a State of armed bands, groups, irregulars, or mercenaries, which carry out acts of armed force against another State, constitutes an "act of aggression."

Therefore, the actions of these governments represent not only interference in internal affairs but also complicity in crimes against humanity.

#### Critique of the Fact-Finding Mission (FFM): Anatomy of a Professional Failure

The FFM reports, marred by a disturbing pattern of lack of expertise and attempts to engineer reality, have obscured rather than clarified the truth. Fundamental flaws in evidence validation cast serious doubt on the mission's credibility.

A glaring instance of technical incompetence is the misidentification of an Escort MPA-TS shotgun as a "semi-automatic assault rifle." (4) This series error—confusing a short-range riot control weapon with a lethal combat weapon—betrays a lack of military literacy and reflects a broader dangerous pattern of discreditable reporting.

Furthermore, the report's credibility collapses under quasi-scientific forensic claims, such as determining specific bullet calibers (e.g., 7.62x54mm) solely from digital images of wounds. (5) This contradicts established ballistic science, which dictates that variables like "Tissue Elasticity" make such determinations impossible without physical projectile recovery and microscopic analysis.

Finally, the Mission's disregard for the Istanbul Protocol is alarming (6). By validating claims based on remote video interviews rather than the mandated Clinical Examinations, the report produces findings that lack "Probative Value" and violate the principles of due process.

#### Legal Innovation and Politicization

In addition to technical flaws, the legal approach of these reports is also tainted by political bias. The attempt to coin new concepts such as "Gender Apartheid"—which does not exist in any binding treaty (*Lex Lata*)—constitutes an act *Ultra Vires* (beyond the powers) of the Fact-Finding Mission. The mandate of this body is to apply existing law to facts, not to legislate anew for political objectives.

Furthermore, the Committee's approach regarding criminal justice represents a blatant instance of a double standard.

While the Islamic Republic of Iran is not a State party to the Rome Statute, the Committee's rapporteurs consistently invoke the definitions enshrined therein (such as crimes against humanity) to indict Iran. Yet, they deliberately disregard Article 17 of the very same Statute and the fundamental principle of Complementarity.

Under this principle, international mechanisms possess jurisdiction to intervene only when the national judicial system is "unable" or "unwilling" to prosecute. The FFMI report accuses the Iranian judicial system of "unwillingness," whereas the facts on the ground—specifically the issuance of a *Qisas* (retribution) verdict against a law enforcement commander in the Bandar-e Anzali case (Mehran Samak)—prove the contrary.

The imposition of the most severe penalty upon an official serve as irrefutable evidence of the judiciary's "will" and "competence" to administer justice, thereby rendering any foreign intervention devoid of legal standing.

#### Conclusion

Our NGO, as a voice arising from the very fabric of Iranian civil society and a defender of the nation's fundamental human rights, warns that this chain of hostilities—spanning from the wounds of the war of June 2025 to the pressure of economic sanctions, the armed insurgency of January, and now the politicized emergency sessions in Geneva—constitutes components of a unified scenario targeting Iran's fundamental right to self-determination and sovereignty.

This constitutes a composite violation of international law, the ultimate objective of which is not the protection of human rights, but the dismantling of national independence and the deprivation of security from the people who are the rightful custodians of this land.

We call upon the members of the Human Rights Council not to sacrifice the integrity of this institution for the sake of proxy wars against sovereign nations by actors that are conducting an ongoing genocide. True justice is realized only when the cries of our 2,427 compatriots who fell victim to blind terrorism, and the tears of the grieving families of this land, are heard and acknowledged; not when international platforms are monopolized by those who, backed by foreign media arsenals and armed with firearms, transformed our homes and streets into a battlefield.

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1. <https://url-shortener.me/A6GK>

2. <https://www.bbc.com/news/live/cj691w2e840t?post=asset%3Afca079b2-cb38-4d97-a14a-ff4927d33b59#post>
3. <https://www.jpost.com/middle-east/iran-news/article-881733> / <https://www.jpost.com/middle-east/iran-news/article-882149> <https://www.jpost.com/israel-news/benjamin-netanyahu/article-882262>
4. Consolidated findings of the Independent International Fact-Finding Mission on the Islamic Republic of Iran, A/HRC/58/CRP.1 (18 March 2025), para. 201.
5. Ibid, para. 710.
6. OHCHR, Istanbul Protocol: Manual on the Effective Investigation and Documentation of Torture, Professional Training Series No. 8/Rev.2 (2022), paras. 171-314 (Physical Evidence).