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Human rights situations that require the Council's attention

Supplementary information on the situation of human rights in the Islamic Republic of Iran^{*}

Summary

The present document contains supplementary information provided by the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran. It should be read in conjunction with the report of the Special Rapporteur submitted to the Human Rights Council at its thirty-first session (A/HRC/31/69).

^{*} Reproduced as received.

I. Introduction

1. The following information reflects details conveyed during 128 interviews on the situation of human rights in the Islamic Republic of Iran submitted to the Special Rapporteur between October 2015 and 1 February 2016. While this information comprises credible claims about rights abuses in the country, the Special Rapporteur presents them without prejudice, and looks forward to additional engagement with Iranian officials to further assess the veracity of these allegations.

II. Reprisals against activists

2. On 19 January 2016 unknown agents arrested Mr. Alireza Mansouri in his office in Tehran. Mr. Mansouri is the son of Mr. Mohammad Ali Mansouri who is currently serving a 17 year sentence in Rajai Shahr Prison for his alleged support of the opposition Mojahedin-e Khalq Organization. Security and intelligence agents reportedly also searched Mr. Alireza Mansouri's home and confiscated some of his personal belongings. Mr. Alireza Mansouri did not contact his family for several days after the arrest. His family believes that the authorities are trying to coerce his father and other members of the family to discourage them from contacting media outlets and the human rights mechanisms, including the Special Rapporteur. Mr. Mohammad Ali Mansouri published a letter from Rajai Shahr Prison a day after his son's arrest suggesting that the arrest was connected to the family's efforts to raise awareness of the situation of political prisoners in Iran.

III. Criminal laws and the administration of justice

3. During the first Universal Periodic Review (UPR) of the Islamic Republic of Iran, member states raised concerns about the administration of justice ninety-three times. The majority of the administration of justice recommendations concerned right to life issues as well as torture. The government accepted approximately 40% of these recommendations. Member states later submitted 291 recommendations highlighting 439 issues of concern regarding the promotion and protection of human rights during the second UPR of the Islamic Republic of Iran in 2014. Administration of justice issues were mentioned 58 times during this cycle, comprising 13.2% of the total issues raised. The Islamic Republic of Iran accepted 5% of these recommendations, partially accepted 24%, and noted 71%.

Figure 1 Islamic Republic of Iran 2010 Universal Periodic Review Recommendations regarding Administration of Justice Issues

Issue Categories	# of times issues were raised	# of recommendations accepted	# of recommendations noted	# of recommendations partially accepted
Judicial Independence	6	1	5	0

Access to Lawyer	2	1	1	0
Extrajudicial Executions	4	3	1	0
Due process Standards	10	9	1	0
Detention Facilities	5	3	2	0
Arbitrary Detention	6	2	4	0
Impunity	7	4	3	0
Torture	24	11	13	0
Right to Life	29	3	26	0
Total	93	37	56	0

Figure 2 Islamic Republic of Iran 2014 Universal Periodic Review Recommendations regarding Administration of Justice Issues

Issue Categories	# of times issues were raised	# of recommendations accepted	# of recommendations noted	# of recommendations partially accepted
Judicial Independence	2	1	0	1
Access to Lawyer	4	0	0	4
Extrajudicial Executions	0	0	0	0
Due process Standards	9	1	4	4
Detention Facilities	3	1	1	1
Arbitrary Detention	2	0	2	0
Impunity	2	0	2	0

Issue Categories	# of times issues were raised	# of recommendations accepted	# of recommendations noted	# of recommendations partially accepted
Torture	4	0	1	3
Right to Life	41	0	39	2
Total	67	3	49	15

4. The Government accepted one UPR recommendation regarding judicial independence in March 2016 and partially accepted several recommendations related to guarantees of legal counsel during all phases of judicial proceedings. The Government also accepted one recommendation about fair trial standards for individuals facing capital charges and accepted one recommendation that supported Iran's continued improvement of detention conditions.

5. During Iran's second UPR, Member States made 41 recommendations that encouraged Iran to establish a moratorium on or complete the abolition of the death penalty. The Islamic Republic of Iran received 16 recommendations regarding its continued practice of imposing the death penalty on individuals under the age of 18 at the time of their alleged crime. The government noted 14 of these recommendations, and partially accepted two recommendations that called for a ban on capital punishment for juveniles and the establishment of an alternate form of punishment in-line with the Iranian Penal Code.

A. Islamic Penal Code

I. Stoning

6. Although stoning punishments have not been carried out in recent years, article 225 of the Islamic Penal Code explicitly provides that the punishment for adultery is stoning. In cases where stoning cannot be carried out, the code requires that the adulterers be executed instead.¹

7. In December 2015, Branch 2 of the criminal court in Gilan, northern Iran reportedly sentenced a woman to 100 lashings, 25 years in prison, and death by stoning for allegedly assisting in the murder of her husband, Mr. Arash Babaiepour Tabrizinejad, in the nearby town of Siahkal. Local news reports identified the woman as "A.Kh."²

II. Juvenile Executions

8. The 2016 report of the United Nations (UN) Committee on the Rights of the Child reiterated calls on Iran to halt the use of the death sentence against juveniles. During the review, Committee experts expressed concern about the gender bias in the minimum age of criminal responsibility which currently stands at nine lunar years for girls and 15 lunar

¹ Executions in Iran are almost always by way of hanging.

² <http://tabnakgilan.ir/fa/news/143083/%D8%AD%DA%A9%D9%85-%D8%B3%D9%86%DA%AF%D8%B3%D8%A7%D8%B1-%D8%A8%D8%B1%D8%A7%DB%8C-%DB%8C%DA%A9-%D8%B2%D9%86-%DA%AF%DB%8C%D9%84%D8%A7%D9%86%DB%8C-%D8%AF%D8%B1-%D8%B3%DB%8C%D8%A7%D9%87%DA%A9%D9%84>

years for boys.³ The execution of juvenile offenders for drug-related offenses is strictly prohibited by the 2013 amendments to the Islamic Penal Code.

9. Human rights organizations estimate that Iran has executed at least 73 juvenile offenders over the past 10 years (See Figure 3).⁴ The majority of juvenile executions were carried out for charges of murder (63%), unknown (12.3%), and rape (8.2%) (See Figure 4). The average age of executed juvenile offenders was 17 years of age, followed by 16 years of age (See Figure 5). Juvenile offenders on death row spent an average of 3 to 8 years in prison before execution (See Figure 6).⁵ Human rights organizations report that four juveniles were executed in 2015: Mr. Javad Saberi, Mr. Vazir Amroddin, Mr. Samad Zahabi, and Ms. Fatemeh Salbehi.

10. In March 2015, Iran's *Shargh Daily* newspaper reported that the death sentences of 10 juvenile offenders had been rescinded following retrials pursuant to article 91 of the Islamic Penal Code. The capital sentence of another juvenile offender was withdrawn in September 2015 after Branch 2 of the Criminal Court in Tehran Province applied article 91 and commuted his death sentence to five years' imprisonment.⁶

11. During the January 2016 review of Iran by the UN Committee on the Rights of the Child in, the Iranian delegation stated that the death sentences of eight juvenile offenders – Mr. Mohsen Mahmoudi, Mr. Taher Rahimi, Mr. Amir Rahayeean, Ms. Maedeh Roustayee, Ms. Samira and Ms. Somayyeh Mokri, Mr. Arman Farid and Mr. Reza Yazdani – had been commuted after they underwent a retrial based on article 91 of the Islamic Penal Code.⁷

12. As of January 2016, at least six retried juvenile offenders – Mr. Salar Shadizadi and Mr. Hamid Ahmadi from northern Gilan Province, Ms. Fatemeh Salbehi from southern Fars Province, Mr. Sajad Sanjari from western Kermanshah Province, Mr. Siavash Mahmoudi from western Kurdistan Province, and Mr. Amir Amrollahi from southern Fars Province – were reportedly found to have sufficient “mental growth and maturity” at the time of their crime and their death sentences were consequently upheld. At least one juvenile offender has been sentenced to death for the first time since the adoption of the new Islamic Penal Code. Mr. Milad Azimi, from western Kermanshah Province, was sentenced to death in December 2015 on the grounds that there was “no doubt about his mental growth and maturity at the time of the commission of the crime.” He was 17 years old at the time of the offence.⁸

13. On 12 October 2015, Iran's judiciary executed Ms. Fatemeh Salbehi who was reportedly 17 years old when she was sentenced to death for the murder of her husband.⁹ Ms. Salbehi was married to her husband at the age of 16.¹⁰ She was granted a retrial under Article 91 of the Islamic Penal Code. According to the expert opinion of the State Medicine Organization, Ms. Salbehi was noted as being in a depressed state around the time of her husband's murder, which could qualify her for alternative punishment. In May 2014, the provincial court in Farz re-evaluated her case in a court session lasting only three hours which focused on Ms. Salbehi's level of religious conviction. Ms. Salbehi's death sentence

3 CRC/C/IRN/CO/3-4 (Concluding observations on the combined third and fourth periodic reports of the Islamic Republic of Iran, 29 January 2016)

4 <https://www.amnesty.org/en/documents/mde13/3112/2016/en/>

5 See also annex.

6 <https://www.amnesty.org/en/documents/mde13/3112/2016/en/>

7 <https://www.amnesty.org/en/documents/mde13/3112/2016/en/>

8 <https://www.amnesty.org/en/documents/mde13/3112/2016/en/>

9 <http://www.amnestyusa.org/news/press-releases/execution-of-two-juvenile-offenders-in-just-a-few-days-makes-a-mockery-of-iran-s-juvenile-justice-sy>

10 <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16611&LangID=E;>

<http://iranhr.net/en/articles/2341/>

was upheld by this court. Mr. Samad Zahabi was secretly hanged in Kermanshah's Dizel Abad prison in October 2015 for allegedly shooting a fellow shepherd during a fight over grazing rights. He was reportedly 17 years old at the time of the alleged murder. Mr. Zahabi was reportedly never informed of his right to request a retrial from the Supreme Court pursuant to article 91 of the Islamic Penal Code.¹¹

14. The Iranian authorities reportedly executed two other juvenile offenders in 2015, Mr. Javad Saberi and Mr. Vazir Amroddin. Mr. Saberi was reportedly executed in April 2015 for murder. Sources report that he was suffering from serious mental illness at the time of his execution for which he had previously been hospitalized. Sources also indicated that he had received 30 lashes on 16 June 2013 for possession of the narcotic drug, crystal. Mr. Amroddin was an Afghan national who was convicted with his brother. He was reportedly executed in Bandar Abbas prison.¹²

15. At least two juvenile offenders on death row for security or terrorism-related crimes, including *moharebeh* (sometimes translated as "enmity against God" as sometimes as "drawing a weapon to the populace with the intent to instil fear"), have petitioned for retrial but remain at risk of execution. Security forces arrested Mr. Nasrollahzadeh in May 2010 in the Kurdish-majority city of Sanandaj in western Iran. A revolutionary court convicted him of participating in military training with "Salafist" groups and carrying weapons and sentenced him to death in August 2013. Intelligence agents reportedly kept Mr. Nasrollahzadeh in pretrial detention at a facility in Sanandaj for several months and allegedly subjected him to ill-treatment and torture. Mr. Nasrollahzadeh was reportedly under 18 at the time of his arrest and asserted that he had never participated in armed combat. Mr. Nasrollahzadeh's court appointed lawyer reportedly met him for the first time five minutes before his trial.¹³ In their reply to the List of Issues of the UN Committee on the Rights the Child, the Iranian authorities wrote that "his file is being examined for cancellation of death sentence." However, this contradicts the information apparently given to Mr. Nasrollahzadeh by prison officials that his death sentence has been finalized and his execution is imminent.¹⁴

16. Mr. Saman Naseem's execution was stayed on 6 April 2015 and on 22 April 2015 the Supreme Court granted his request for retrial under Article 91 of the Islamic Penal Code. He was transferred back to Orumiyeh Central Prison on 19 September 2015. Branch 1 of Criminal Court 1 of West Azerbaijan Province has since referred him to the Legal Medicine Organization to assess his "mental maturity" at the time of the crime. His retrial was scheduled to take place on 27 January 2016.¹⁵ Mr. Naseem was arrested on 17 July 2011 at the age of 17 for allegedly engaging in an armed conflict that led to the death of a member of Iran's Revolutionary Guard. During his detention by the Intelligence Ministry he was reportedly tortured and forced to sign a confession whilst wearing a blindfold. Interrogators reportedly extracted his finger and toe nails and beat him on his back, legs, and abdomen. In January 2012, he was sentenced to death by the Revolutionary Court of Mahabad on charges of *moharebeh* and *efsad fel-arz* ("corruption on earth"). This conviction was later overturned by the Supreme Court stating that the Revolutionary Court lacked jurisdiction over the case as the accused was less than 18 at the time of the alleged offense. However, when Branch 2 of the Criminal Court of the West Azerbaijan Province held a retrial in April 2013 Mr. Naseem was sentenced to death without reference to the

11 <https://www.amnesty.org/en/documents/mde13/3112/2016/en/>

12 <https://www.amnesty.org/en/documents/mde13/3112/2016/en/>

13 https://www.hrw.org/news/2015/03/13/iran-submission-committee-rights-child#_ftn22

14 <https://www.amnesty.org/en/documents/mde13/3112/2016/en/>

15 <https://www.amnesty.org/en/documents/mde13/3112/2016/en/>

Supreme Court's ruling. In December 2013, the Supreme Court reportedly upheld Mr. Naseem's execution sentence.¹⁶

17. Mr. Mohammad Ali Zehi, an Afghan national held in Shiraz's Adel Abad Prison in Fars Province, is reportedly at risk of execution for involvement in drug trafficking. His family and lawyer allege that he was under 18 years of age at the time of the crime. However, his undocumented status in Iran and his inability to access an original birth certificate from Afghanistan meant that he was unable to prove his status as a minor to the revolutionary court in Fars province which sentenced him to death in 2008. The court reportedly relied on confessions allegedly obtained under torture and ill treatment during the two months that he was held in a police station without access to his family or a lawyer. Following the adoption of the new Criminal Procedure Code in June 2015, which revoked article 32 of the Anti-Narcotics Law, Mr. Zehi requested a retrial of his case which was granted by Branch 26 of the Supreme Court in November 2015. It is not yet clear whether the Supreme Court has referred his case for retrial to a juvenile court.¹⁷

18. At least one other juvenile offender has been executed for drug-related offenses since the passage of article 91 of the Islamic Penal Code. Mr. Janat Mir, an Afghan national, was hanged in Esfahan's Dastgard Prison in April 2014. There is no information available about his exact age at the time of his arrest, but his family say that he was 14 or 15 years old when he was executed. According to his family, Mr. Mir was arrested in October or November 2011 after drugs were seized during a police raid on a friend's home where he was staying. His family in Afghanistan say that they did not know of his whereabouts for several months until Mr. Mir called them from prison to say that he had been sentenced to death. No information is available about the details of his conviction and sentencing.¹⁸

III. Other concerns about protections for the right to life

19. In January 2016, a human rights group published the names of 110 men on death row in Sanandaj Prison in Kurdistan province. The group claimed that eight of the individuals on the list were juvenile offenders, and at least 31 others were on death row for drug-related offences.¹⁹

20. In 2015, at least eight political prisoners were executed for charges such as *moharebeh* and several others were sentenced to death for politically motivated charges. On 4 March 2015, six Sunni Kurds, including Hamed Ahmadi, Kamal Malaei, Jahangir Dehghani, and Jamshed Dehghani, accused of engaging in terrorist activities were executed on charges of *moharebeh* and *efsad fel-arz*. The executions were carried out despite serious concerns about the fairness of their trials.²⁰

21. In October 2015, an appeals court reportedly confirmed the death sentence of Shahram Ahmadi, a Kurdish prisoner initially imprisoned for the charges of *moharebeh*, "acting against the national security" and "propaganda against the state." Mr. Ahmadi rejects the accusations against him and has declared that he is a peaceful Sunni activist. Human rights groups have documented serious procedural flaws with Mr. Ahmadi's trial held in Branch 28 of the Tehran Revolutionary Court and those of several dozen other

16 <http://www.amnesty.org/en/for-media/press-releases/iran-alleged-juvenile-offender-among-10-hunger-strikers-threatened-immediat>

17 <https://www.amnesty.org/en/documents/mde13/3112/2016/en/>

18 <https://www.amnesty.org/en/documents/mde13/3112/2016/en/>

19 <https://hra-news.org/en/list-100-death-row-prisoners-sanandaj-prison>.

20 <https://www.amnesty.org/en/latest/news/2015/03/iran-six-kurdish-sunnis-about-to-be-hanged/>.

Sunni Muslim prisoners on death row.²¹ Mr. Ahmadi's brother, Bahram Ahmadi, was executed along with five other activists accused of engaging in terrorism in 2012.²²

IV. National security crimes

22. Several provisions of the amended Islamic Penal Code, including article 134, can reduce the sentences of detainees serving time for national security related crimes. In January 2014, Iranian lawyer and legal expert Ms. Mahnaz Parakand noted that “[a]ccording to the old Islamic Penal Code, if a person was convicted of several crimes, he would have to endure all the related sentences, whereas under the new Islamic Penal Code, if a person commits several crimes, he will only be sentenced to punishment for the crime with the heaviest sentence.” She noted that this article is especially relevant for the hundreds of prisoners charged with crimes such as “propaganda against the regime,” “assembly and collusion against national security,” and “insulting the Supreme Leader” following the 2009 election protests. “If implemented, many of them should be released now or their sentences should be reduced,” Ms. Parakand explained.²³ Despite this, human rights organizations have documented dozens of cases since the implementation of the new Islamic Penal Code where the judiciary has either failed to apply beneficial provisions to prisoners charged with national security crimes or done so arbitrarily.

23. Since the implementation of the amended Islamic Penal Code in 2013 many prisoners reportedly convicted of national security crimes solely for the peaceful exercise of fundamental rights, including freedom of expression, assembly and association, have alleged that their sentences or continued detention are unlawful and contravene article 134 and other provisions of the amended legislation. These prisoners include but are not limited to Keywan Karimi,²⁴ Atena Farghadani,²⁵ Atena Daemi,²⁶ Bahareh Hedayat,²⁷ Saeed Madani,²⁸ Mohammad Sedigh Kaboudvand,²⁹ Omid Kokabee,³⁰ Masoud Bassani³¹ and Kasra Nouri.³²

24. Ms. Bahareh Hedayat, was convicted on multiple charges and sentenced to seven and a half years by a revolutionary court in 2010. Pursuant to article 134 of the Islamic Penal Code the authorities should have released Ms. Hedayat in June 2015 because she had served a sentence of five years for her heaviest charge—“acting against the national security.” Despite an order issued for her release, the judiciary added a suspended two year sentence for charges filed against her in 2007 and she has been detained ever since. The suspended sentence was added despite the fact that the five year period prescribed by the statute of limitations had passed.³³ Ms. Hedayat is a former member of the central council and spokesperson for the nationwide student organization *Daftar-e Tahkim-e Vahdat* (Office to Consolidate Unity). Ms. Hedayat was sentenced to a total of 10 years in prison (she received nine and a half years in July 2010 and an additional six months in November

21 <https://www.hrw.org/news/2014/06/12/iran-halt-execution-33-sunnis>.

22 <https://www.iranhumanrights.org/2015/11/shahram-ahmadi-execution/>;

https://www.iranhumanrights.org/2013/06/sunni_rajae_shahr/.

23 <https://www.iranhumanrights.org/2014/01/bahareh-hedayat/>

24 <https://www.iranhumanrights.org/2015/10/keywan-karimi/>

25 <https://www.iranhumanrights.org/2015/06/atena-faraghdani-2/>

26 <https://persian.iranhumanrights.org/1394/03/atena-daemi-2/>

27 <https://www.iranhumanrights.org/2015/09/olyaeifard-judiciary-system/>

28 <https://www.iranhumanrights.org/2015/10/saeed-madani-2/>

29 <https://www.iranhumanrights.org/2016/02/mohammad-sedigh-kaboudvand/>

30 <https://www.iranhumanrights.org/2015/09/omid-kokabee-4/>

31 <https://persian.iranhumanrights.org/1393/12/masoud-bastani/>

32 <https://persian.iranhumanrights.org/1394/05/imprisoned-gonabadi-dervishes/>

33 Information received by the Office of the Special Rapporteur, December 2015.

2011)³⁴ on charges of “insulting the Supreme Leader,” “insulting the President,” and “acting against national security and publishing falsehoods.” Ms. Hedayat, currently serving her sentence in the women’s ward of Evin Prison, reportedly suffers from serious health issues.

25. Many of the country’s prisons, including Evin Prison in Tehran, continue to detain individuals convicted and sentenced by revolutionary courts on national security charges who appear to have been arrested solely for the peaceful exercise of fundamental rights. Ward 8 of Evin Prison, which is reportedly overcrowded and housing approximately 800 prisoners despite a maximum capacity of 500, includes some political prisoners. The lack of space forces many prisoners to sleep on the floor in the hallways. Prisoners in this ward, including political prisoners, are reportedly kept in unsanitary conditions and have poor access to adequate nutrition and medical care. Despite prison regulations requiring officials to separate prisoners based on the nature of their crimes and sentences political prisoners in Ward 8 are kept with violent offenders. Prisoners convicted of national security crimes who appear to be detained in Ward 8 solely for their exercise of fundamental rights include but are not limited to: Mr. Ahmad Asgari, Mr. Amir Amir Gholi, Mr. Amir Golestani, Mr. Amir Nozar Nouripour, Mr. Hossein Nouraninejad, Me. Hamidreza Yazdani, Mr. Rouen Otoufat, Mr. Serajeddin Mirdamadi, Mr. Ali Shariati, Mr. Alireza Hashemi, Mr. Majid Mohammadi Moein, Mr. Mohsen Rahmanipayam, Mr. Mohammad Mofidi Nasab, Mr. Hossein Rafiee Fanood, Mr. Mostafa Azizi, Mr. Mehdi Sajedifar, Mr. Aso Rostami, Mr. Hadi Heidari, Mr. Esmail Abdi, Mr. Majid Azarpey, Mr. Keyvan Mehregan, Mr. Moezzi Bodaghi, Mr. Rasoul Bodaghi, Mr. Pouria Ebrahimi, Mr. Alireza Babaei, Mr. Jafar Azimzadeh, Mr. Mohammadreza Ahmadi, Mr. Vahid Jafari, Mr. Saeed Jokar, Mr. Saeed Malekpour, Mr. Javad Ghanbar, Mr. Behzad Forouzesh, and Mr. Meisam Mohammadi.³⁵

26. Under article 288 of the Islamic Penal Code, members of active and organized armed groups arrested before engaging in armed violence should be sentenced to 10 to 15 years’ imprisonment. Members of inactive or non-organized armed groups should receive two to five years’ imprisonment. Pursuant to this change several dozen individuals convicted of *moharebeh* and sentenced to harsh punishments, including life imprisonment and death, have requested retrials seeking to reduce their sentences. These individuals include but are not limited to: Mr. Zaniar Moradi (death), Mr. Loghman Moradi (death), Mr. Ahmad Daneshpour (death), Mohsen Daneshpour (death), Houshang Rezaei (death), Saeed Masouri (life imprisonment), Mr. Farhang Pourmansour (life imprisonment), Mr. Ali Zahed (life imprisonment), Mr. Afshin Baymani (life imprisonment), Mr. Hamzeh Savari (life imprisonment), Mr. Karim Marouf Aziz (life imprisonment), Mr. Shahram Pourmansour (life imprisonment), Mr. Khaled Hardani (life imprisonment), Mr. Khaled Fereidooni (life imprisonment), Mr. Omar Faghihpour (life imprisonment), Mr. Mohammad Nazari (life imprisonment), Mr. Misagh Yazdannejad (13 years), Mr. Jafar Eghdami (10 years), Mr. Abolghasem Fouladvand (15 years), Mr. Abdolreza Ghanbari (10 years), Mr. Pirouz Mansouri (18 years), Mr. Saleh Kohandel (10 years), Mr. Peyman Arefi (15 years), Mr. Hasan Ashtiani (15 years), Mr. Ramezan Ahmad Kamal (10 years), Ms. Maryam Akbari Monfared (15 years), Ms. Reyhaneh Haj Dabagh (15 years) and Ms. Fatemeh Mosana (15 years). All of these prisoners are reportedly detained in either Rajai Shahr or Evin prisons. The number of prisoners charged with *moharebeh* who have requested retrials in these and other prisons throughout the country is reportedly much higher. At the time of writing the judiciary had reportedly not yet ruled on any of the retrial requests.³⁶

34 <https://tavaana.org/en/content/bahareh-hedayat-womens-rights-defender>

35 Information submitted to the Office of the Special Rapporteur, December 2015

36 Information submitted to the Office of the Special Rapporteur, January 2016

26. Article 551 of the Islamic Penal Code stipulates that any discrepancy in payment of blood money between a man and a woman can be paid by the state Fund for Compensation of Bodily Harms. It appears that the compensation from this fund, initially established solely to indemnify victims of traffic accidents, cannot be used to compensate the families of women victims of other crimes or tortious acts. In cases where women have sustained bodily damage and the blood money is a third of the full *diya*, the Islamic Penal Code stipulates that the blood money for women is equal to that of a man. Any amount beyond a third of the full blood money will be valued at half the blood money of a man.³⁷ In November 2015, Iran's parliament voted in favor of article 10 of the Compulsory Insurance of Civil Liability for Owners of Motor Vehicles bill which obliges insurance companies to pay equal compensation to victims of car accidents regardless of their gender or religion. This provision has yet to be approved by the Guardian Council.³⁸

B. The Criminal Procedure Code

27. The newly adopted Criminal Procedure Code (CPC) envisions the reorganization of institutions presiding over juvenile cases. The code expressly calls for the creation of a "Special Children and Juvenile" court for felony offenses but revolutionary courts will maintain jurisdiction over offenses considered to be the most serious under national law.³⁹ Additionally, the CPC creates law enforcement offices to investigate juvenile cases and special offices to prosecute juveniles.⁴⁰ Special prosecutors are now required to create personal character files to include psychological and medical information as well as information related to the financial and social conditions of the family for juveniles accused of capital offenses or of crimes that carry life imprisonment or amputation sentences.⁴¹

28. The Special Rapporteur notes that in conjunction with the series of corrective and rehabilitative measures for child and juvenile offenders newly introduced to the Islamic Penal Code, the aforementioned changes in the new CPC could lead to an improvement in the protection of juvenile rights if implemented properly.⁴² However, it is important to note that despite these improvements the age of criminal responsibility under Iranian law — nine lunar years for girls and 15 lunar years for boys — remains unchanged.⁴³

29. Despite June 2015 amendments to the Criminal Procedure Code (CPC) providing increased protections for the accused, those arrested and detained continue to experience gross violations of their due process and fair trial rights. This is especially true for individuals accused of violating the country's national security. The examples below are just a sample of cases documented during the reporting period in which the accused's due process and fair trial rights were, and in some cases continue to be, violated. The vast majority of arrests documented by the Special Rapporteur during the reporting period were accompanied by serious due process and fair trial violations, many of which resulted from the failure of security, intelligence, or judicial officials to properly and fairly implement CPC provisions.

30. Mr. Zartosh Ahmadi Ragheb, a rights activist, was arrested on 23 November 2015 by plainclothes security agents in connection with a peaceful protest in front of Dana Tire

37 Article 560 of the Islamic Penal Code.

38 <http://shahrvand-newspaper.ir/news:nomobile/main/49366/>.

39 Article 315 of the Criminal Procedure Code.

40 Article 31 of the Criminal Procedure Code deals with the establishment of a special police force for children and juveniles. Article Bill prepared by the Head of the Judiciary.

41 Article 203 of the Criminal Procedure Code.

42 Arts. 88-94 of the IPC (2013).

43 Article 147 of the IPC (2013).

Company building in Tehran. The security forces did not show any identification or arrest warrant and behaved aggressively during the arrest process. Police initially took Mr. Ragheb to the Vozara police station, and later transferred him to the prosecution office in Evin Prison where he was informed of the charges against him. Although Mr. Ragheb was reportedly informed of his right to a lawyer in the prosecution office, he was not allowed access to one during the investigation phase of his case. The authorities released him on 7 December 2015.⁴⁴

31. In October 2015, a dozen plainclothes agents reportedly raided the family home of businessman Mr. Siamak Namazi, who was visiting Iran. They allegedly ransacked the house, confiscated property, and took Mr. Namazi with them to Evin Prison. To date, government authorities have failed to provide any public information regarding the reason and circumstances of Mr. Namazi's arrest.⁴⁵

32. Mr. Mohammad Karimi, a labor activist, was arrested on 8 October 2015 by security forces reportedly in connection with his rights activities and later charged with "propaganda against the state" and "acting against national security." The forces reportedly arrested Mr. Karimi on the street, accompanied him to his home, searched it, and confiscated some of his personal belongings. They then transferred Mr. Karimi to Section 209 of Evin Prison which is operated under the supervision of the Intelligence Ministry. He was allegedly detained there for 57 days, during 47 of which he was held in solitary confinement. Mr. Karimi was allegedly allowed to contact his family a week after arrest and was subject to ill treatment during the investigation phase. He has since been released on bail and is awaiting further information regarding his court hearing.⁴⁶

33. Mr. Inizar Zakka, a Lebanese information and communications technology expert, reportedly disappeared on 18 September 2015, after attending a conference on entrepreneurship and employment at the Second International Conference & Exhibition on Women in Sustainable Development in Tehran. Mr. Zakka reportedly attended and presented to the conference at the invitation of an Iranian government official and also participated in round-table discussions attended by high-level Iranian ministry officials. To date, government authorities have failed to provide any public information regarding the reason and circumstances of Mr. Zakka's arrest.⁴⁷

34. Mr. Siamak Molla Mohammadi, a student activist, was arrested in his house on 12 September 2015 along with four other students and charged with collusion and gathering against the national security. He was reportedly arrested by members of the Revolutionary Guards' intelligence unit who failed to show him a warrant on the day of his arrest. Mr. Mohammadi's home was allegedly searched and his personal belongings, including books, paintings, and a laptop were confiscated. He was transferred to Ward 2-A of Evin Prison under the supervision of the Revolutionary Guards and kept in solitary confinement for 15 days. He was informed of the charges against him within 24 hours of his arrest at the Shahid Moghadasi prosecution office but was told that he could not retain a lawyer during the investigation stage of his case. However, he was reportedly informed by the Prosecutor's office that investigators were not allowed to force any confessions from him, and that he should respond to their questions as he saw fit. Mr. Mohammadi was reportedly subject to ill treatment on two occasions during his interrogation session.

35. Cyber activist and internet entrepreneur, Arash Zad, was arrested on 1 August 2015 while boarding a plane to Istanbul at Imam Khomeini airport in Tehran. Mr. Zad is the

44 Information submitted to the Office of the Special Rapporteur, December 2015

45 <https://en.iranwire.com/features/6837/>

46 Information submitted to the Office of the Special Rapporteur, December 2015

47 <https://en.iranwire.com/features/6856/>

Persian-language editor of the website *Weblogina*, and director of Zigzag Lab, which provides web based tools and services for Iranian users. The authorities have not confirmed the detention, whereabouts, or charges against Mr. Zad.⁴⁸

36. Mr. Esmail Abdi, a member of the Iranian Teachers' Association, was arrested on 26 June 2015 after he went to the Evin Prison prosecution office to inquire about the government order prohibiting his travel outside of the country. Upon his arrest he was transferred to Ward 2-A of the Evin Prison and kept there for 50 days, 40 of which he spent in solitary confinement. He was reportedly only informed of the charges against him, propaganda against the state, collusion and gathering against the national security, 46 days after his arrest. Mr. Abdi was allegedly allowed to contact his family approximately four days after his arrest and was allowed to meet with them personally two weeks into his detention. He was reportedly deprived of access to his lawyer during the investigation phase of his case. Authorities transferred Mr. Abdi to Ward 8 of Evin Prison after issuing a temporary detention order against him and denying him bail.⁴⁹

37. On 25 May 2015, Branch 15 of Tehran's revolutionary court sentenced Mr. Mohammad Hossein Rafiee Fanoodeh, a 71 year-old retired university professor and a member of the banned National-Religious (*melli mazhabi*) group, to six years in prison; five years for his "membership of an illegal group," and one year for "propaganda against the state." Officials informed Mr. Rafiee Fanoodeh and several other members of the Nationalist-Religious (*melli mazhabi*) group that the prison sentences against them were issued in connection with the 2001 arrest of 21 members of the group and the 2003 Tehran revolutionary court trial that led to a judgment for the same crimes. According to article 107 of the Islamic Penal Code, sentences for crimes that range from two to five years lapse after 10 years if they have not been implemented. However, article 109 of the Code specifically exempts national security crimes and drug related offenses from the statute of limitations provisions. Mr. Rafiee Fanoodeh's appellate hearing was held on January 31 without his attendance. The verdict has not yet been announced. Mr. Rafiee Fanoodeh suffers from various ailments and is in need of medical care.⁵⁰ Other members of the Nationalist-Religious group who have served, or are serving, prison sentences for activities related to their peaceful exercise of fundamental rights, including membership in the group, are Saeed Madani who is currently detained in Rajai Shahr Prison, and Masoud Pedram and Alireza Rajai who have already served their prison sentences and been released. Most of the members of the Nationalist-Religious group who are inside the country but not in prison face restrictions on their freedom of movement and are not allowed to leave Iran.⁵¹

38. Mr. Mehrdad Amin Vaziri, a labor rights activist and a member of the Coordinating Committee for the Establishment of Trade Unions, was arrested by Intelligence Ministry Agents on 29 December 2014 at his workplace in the Kurdish majority city of Sanandaj. The agents reportedly handcuffed and shackled Mr. Vaziri's feet and transferred him to a detention facility blindfolded. Several hours after his arrest a judicial official informed Mr. Vaziri that he had been arrested for political activities and cooperating with illegal groups opposing the state. Mr. Vaziri was held in solitary confinement in a detention facility operated by the Intelligence Ministry for 12 days and did not have access to a lawyer. During his interrogation sessions he was reportedly beaten and verbally humiliated several times while blindfolded. On the fourth day of his interrogation Mr. Vaziri went on a hunger strike. The following day he was granted the opportunity to speak to his family. After 12

48 <https://www.article19.org/resources.php/resource/38104/en/iran:-detained-internet-entrepreneur-must-be-released>

49 Information submitted to the Office of the Special Rapporteur, January 2015

50 Information submitted to the Office of the Special Rapporteur, December 2015

51 Information submitted to the Office of the Special Rapporteur, December 2015

days of detention he was released on bail. Mr. Vaziri's trial, which took place in Branch 1 of the Sanandaj Revolutionary Court, reportedly lasted approximately 15 minutes. He was granted no opportunity to defend himself although his lawyer was allowed to speak for a few minutes. The court sentenced Mr. Vaziri to five years' and 91 days' imprisonment for "propaganda against the state," "acting against the national security," and cooperating with the illegal Kurdish parties. The prosecutor reportedly failed to provide any evidence in court to prove the charges against Mr. Vaziri except confessions provided by others against him. An appeal court later upheld the conviction and sentence. Mr. Vaziri fled Iran in early 2015 after which the Intelligence Ministry contacted his wife and sent a notice to his guarantor.⁵²

39. Mr. Majid Moghadam, a rights activist, was arrested on the evening of 29 November 2014 by members of the Revolutionary Guards' intelligence unit. The agents kept Mr. Moghadam in a safe house for the evening and transferred him to Ward 2-A of Evin Prison the next day. He was allowed to contact his family after three or four days in detention and was allegedly informed of the charges against him approximately 45 days after his arrest. Authorities reportedly kept Mr. Moghadam in solitary confinement in Ward 2-A for 50 days. He was reportedly subjected to long interrogation sessions which sometimes lasted more than eight hours and subject to degrading and humiliating treatment. He was allegedly coerced to give a confession on television, which he resisted, and prevented from meeting his lawyer during the preliminary investigation phase of his prosecution. After three months in Ward 2-A, prison officials transferred Mr. Moghadam to Ward 8 of Evin Prison. Branch 28 of Tehran's Revolutionary Court sentenced him to six years' imprisonment for "assembly and collusion against the national security," "propaganda against the state," "insulting the Supreme Leader," and illegal departure from the country. The evidence used against Mr. Moghadam in court reportedly included his efforts to raise awareness, including on his Facebook page, of the detention and torture of prisoners at the Kahrizak detention facility following the 2009 elections. Mr. Moghadam and his lawyer have appealed the trial court's decision and are currently awaiting the results. Authorities released Mr. Moghadam on bail on 26 July 2015. He has allegedly complained to the prosecutor's office about his ill-treatment and was still waiting for a response at the time of writing.

40. Mr. Behnam Mousivand is a former student activist who has been arrested on several occasions, most recently on 6 September 2014. On that date, Revolutionary Guard agents in plainclothes reportedly beat Mr. Mousivand when he insisted on his legal right to be shown an arrest warrant. One agent allegedly struck Mr. Mousivand on the head using his pistol, injuring his skull and causing him to suffer from recurring headaches. The agents reportedly took Mr. Mousivand to his home blindfolded and shackled, conducted a search, and confiscated some of his personal belongings without presenting a search warrant to him or his family. They then reportedly transferred Mr. Mousivand to an unknown location where he was informed of the charges against him which included "propaganda against the state," "insulting the sanctities of Islam," and "gathering and colluding against the national security," before he was taken to Ward 2-A of Evin Prison. Mr. Mousivand was allegedly subjected to torture and ill treatment while detained in Ward 2-A. He was released on bail on 9 September 2014 and convicted of "propaganda against the state" by Branch 15 of Tehran's Revolutionary Court on 22 August 2015. He was sentenced to one and half years' imprisonment. Mr. Mousivand's appellate court hearing was held on 22 December 2015 but has yet to announce its decision.⁵³

52 Information submitted to the Office of the Special Rapporteur, December 2015

53 Information submitted to the Office of the Special Rapporteur, January 2016

41. Mr. Arash Sadeghi was reportedly arrested at his place of work in Tehran on 6 September 2014 by six agents of the Revolutionary Guard's intelligence unit. His wife and two other friends were also arrested. The agents accused him of "insulting the Supreme Leader" and publishing false information by giving interviews to foreign media outlets, and of founding and leading an opposition group. The agents allegedly failed to show Mr. Sadeghi an arrest warrant before they searched his workplace, handcuffed him, took him to his home, and confiscated some of his personal belongings including his laptop. They reportedly blindfolded him and took him to Ward 2-A of Evin Prison where he was told he could not hire a lawyer of his choosing. He was allegedly told that the government could either choose a lawyer for him or that he could go to court without one. He apparently chose the latter option. During his imprisonment in Ward 2-A Mr. Sadeghi was reportedly subjected to psychological and physical torture and ill treatment including allegedly hearing his wife's cries several times as she was being subjected to interrogations in a cell close by. Officials released Mr. Sadeghi on bail on 15 March 2015. On 5 May 2015, Mr. Sadeghi attended his trial without a lawyer and denied the charges against him. He was, nonetheless, convicted and sentenced to 15 years' imprisonment.

42. Ms. Golrokh Ebrahim Iraei, a rights activist and Arash Sadegh's wife, was arrested in Tehran on 6 September 2014 along with her husband and two of their friends. Revolutionary Guard agents reportedly arrested Ms. Iraei and the two friends who had gone to Mr. Sadeghi's workplace to join him when they heard he had been arrested there. The arrest allegedly occurred after one of the friends asked the agents to provide identification and a warrant for Mr. Sadeghi's arrest prompting insults and a physical confrontation by the agents who arrested all three. The agents reportedly detained them in an unknown location before transferring them to Ward 2-A of Evin Prison the following day. Ms. Iraei was allegedly kept in the ward for 20 days, accused of "insulting the sanctities" and endangering the national security, and prevented from meeting with a lawyer during the investigation phase of her case. She and her husband were reportedly subjected to constant harassment and pressure after release and her lawyer was unable to access her case file to present an adequate defense in court. Ms. Iraei was tried in Tehran's revolutionary court in absentia on 6 May 2015 and sentenced to six years' imprisonment for "insulting the sanctities," and one year for "propaganda against the state."⁵⁴

43. Mr. Omid Ali Shenaa, a child rights activist, was arrested on 4 September 2014 by six plainclothes agents apparently belonging to the intelligence unit of the Revolutionary Guards. The agents reportedly failed to show Mr. Ali Shenaa an arrest warrant but searched his home and confiscated personal belongings, including his laptop. He was reportedly kept in solitary confinement in Ward 2-A of Evin Prison for four months (controlled by the Revolutionary Guards), subjected to ill-treatment, prevented from meeting with his lawyer during the investigation phase, and met legal counsel for only 20 minutes prior to his first court session. In May 2015, a revolutionary court in Tehran convicted Mr. Ali Shenaa of "colluding against national security" and "insulting the Supreme Leader" and sentenced him to 10 years in prison. He was released on bail on 18 January 2016 and is awaiting the appellate court's ruling on his case. Authorities arrested Mr. Ali Shenaa's mother, Simin Eyvazzadeh, on 21 November 2015 when she and several others participated in a peaceful gathering in front of Evin Prison to protest her son's detention. The judiciary has reportedly charged Ms. Eyvazzadeh with disturbing public order.⁵⁵

44. Mr. Alireza Golipour was arrested by Intelligence Ministry officers in October 2012. He was kept in solitary confinement for eight months and was reportedly tortured and forced to confess to national crimes related to his alleged support for the Mojahedin-e

⁵⁴ Information submitted to the Office of the Special Rapporteur, January 2016

⁵⁵ Information submitted to the Office of the Special Rapporteur, December 2015

Khalq opposition group. Authorities reportedly prevented Mr. Golipour from contacting his lawyer during the preliminary investigation phase of his case and denied him regular access to his family members for two years. To date, Tehran's revolutionary court has failed to convict or sentence Mr. Golipour and he has been in temporary detention since his arrest in 2012. Mr. Golipour is reportedly suffering from dire health conditions, including heart disease, back pain, and lung problems, which have been exacerbated by the conditions of his imprisonment. Prison authorities in Ward 7 of Evin Prison have reportedly denied him adequate access to proper treatment. He reportedly underwent surgery in January 2016 and was transferred back to Evin Prison after spending one day in hospital.⁵⁶

45. Mr. Kamal Foroughi was reportedly arrested on 5 May 2011 by plainclothes men who did not show an arrest warrant or explain to him the reasons for his arrest. They took Mr. Foroughi to Evin Prison where he was held in solitary confinement without access to a lawyer or his family. He was reportedly deprived of access to legal counsel before his court hearing which took place in early 2013 in Branch 15 of Tehran's Revolutionary Court. The authorities also reportedly refused to allow Mr. Foroughi access to British consular assistance. Prison officials allegedly prevented Mr. Foroughi from contacting his relatives living abroad until August 2014 and he was denied contact with anyone outside the prison between October 2013 and early May 2014. In April 2013, prison officials informed Mr. Foroughi that he was convicted of espionage and "possession of alcoholic beverages," for which he is serving sentences of seven years' and one year's imprisonment respectively. Mr. Foroughi adamantly denies the charges. In November 2015 he was taken to hospital and received a number of medical tests. To date the outcome of these tests has reportedly not been shared with Mr. Foroughi or his family members. Since his imprisonment he has complained about health problems, including memory loss and back pain. He was transferred to a hospital outside prison several times between December 2014 and October 2015 but reportedly did not receive the necessary medical care.⁵⁷

C. The Anti-Narcotics Law

46. On 14 December 2015 the United Nations Office on Drugs and Crime (UNODC) and the government of the Islamic Republic of Iran signed a new Country Partnership Programme to take effect from 2015 to 2019. The programme is divided into four subfields: border management and illicit trafficking; crime, corruption, and criminal justice; drug demand reduction and HIV care; and alternative livelihoods and development.⁵⁸ Several human rights organizations have reacted negatively to the collaboration between Iran and UNODC due to the ongoing use of the death penalty for drug offences in contravention of international law.⁵⁹

47. On 16 December 2015, Human Rights Watch published a report based on interviews with eight inmates at Ghezel Hasar prison in Karaj awaiting sentencing or sentenced to death.⁶⁰ Inmates described the conditions of their arrest and detention. One inmate, using the pseudonym Matin, reported that he was beaten and forced to confess. All of the inmates interviewed discussed administration of justice issues including lack of access to legal

⁵⁶ Information submitted to the Office of the Special Rapporteur, December 2015; January 2016

⁵⁷ Information submitted to the Office of the Special Rapporteur, September and December 2015.

<http://www.amnestyusa.org/get-involved/take-action-now/iran-provide-medical-treatment-to-kamal-foroughi-ua-23315>

⁵⁸ <https://www.unodc.org/islamicrepublicofiran/en/unodc-and-islamic-republic-of-iran-signed-a-new-country-partnership-programme-in-iran-2015-2019.html>

⁵⁹ <http://iranhr.net/en/articles/2389/>

⁶⁰ <https://www.hrw.org/news/2015/12/16/iran-bid-end-drug-offense-executions>

counsel; forced confession; no communication of charges to the accused, lawyers, or family members; and other activities constitutive of torture or other cruel, inhuman or degrading treatment.⁶¹

48. A large number of foreign nationals are reportedly on death row for drug-related crimes. Afghan nationals are reportedly the most affected, with at least 1,200 on death row as of August 2015.⁶² Of the 17 foreign nationals reportedly executed in 2015, 16 were Afghans. Foreign nationals are particularly vulnerable as they often do not speak the language in which the legal proceedings take place, are unfamiliar with the laws under which they are charged, have inadequate access to legal assistance and support, and are often forced to sign confessions. For instance, Mr. Kelven Ozube Agbai, a Nigerian national has been detained in Evin Prison since March 2013, when he was reportedly arrested at Imam Khomeini Airport in Tehran after airport officials reportedly found drugs in his suitcase. On 29 August 2013, the Tehran Revolutionary Court sentenced Mr. Agbai to death for possession of drugs. The sentence was confirmed by the Prosecutor General's office in December 2013. While in custody, Mr. Agbai was reportedly pressured to sign documents that had not been translated from the original Persian. He also reportedly did not have access to an interpreter or legal assistance during the investigation phase and the trial.

49. Mr. Mahmoud Barati, an elementary school teacher, was executed on drug related crimes in September 2015 at Ghezel Hasar prison. Mr. Barati was allegedly arrested in 2006 after attempting to assist his brother who had been arrested on charges of drug possession.⁶³ Shortly afterwards, Barati was arrested for drug related crimes based on the alleged testimony of another individual on death row for drug related offences. Mr. Barati claims to have been a victim of coercive measures while in detention to induce a confession. He additionally claimed in court that his accuser had falsely accused him of possessing illegal substances. The witness allegedly attempted to withdraw his testimony against Mr. Barati on several occasions but was executed before any further conclusion could be reached on Mr. Barati's case.⁶⁴ The execution of Mr. Barati is just one example of instances in which drug related charges may be based on inconsistencies in the administration of justice or falsified or forced evidence in violation of fair trial rights.

50. On 22 May 2015 death row inmates at Ghezel Hasar prison staged a peaceful protest. Inmates gathered in the prison yard carrying the holy Quran and banners asking the Supreme Leader to commute their sentences from death to life in prison. The following day 22 prisoners were put in solitary confinement and executed soon thereafter. In the two weeks following the demonstration, 56 inmates were executed on drug-related charges in Ghezel Hasar prison.⁶⁵

IV. Civil and Political Rights

A. Freedom of expression, opinion and access to information

51. Constitutional protections for expression and opinion provide for freedom of the press "except when there is infringement of the basic tenets of Islam or public rights."⁶⁶ In addition to restrictions established by the Islamic Penal Code, the 1986 Press Law further

61 <https://www.hrw.org/news/2015/12/16/iran-bid-end-drug-offense-executions>

62 A/70/304

63 <http://iranhr.net/en/articles/2306/>

64 <http://iranhr.net/en/articles/2309/>

65 <http://iranhr.net/media/files/DeadlyInjustice.pdf>

66 Constitution of the Islamic Republic of Iran, art. 24.

elaborates on the liberties and restrictions permissible for media outlets in the country. The law allows the media to publish opinions and “constructive criticisms” without interference from government and non-government bodies⁶⁷ which are only permitted within a context of promoting Islamic culture and the ethics of society. The law prohibits the publication of information related to atheism, topics of national security, and information considered to be insulting to the regime or to Islam and religious officials, and forbids the discussion of issues presented by deviant groups.⁶⁸ Journalists, cyber activists, and artists have increasingly been accused of such crimes, and have received sentences ranging from one to five year prohibitions on journalistic and political activity to the death penalty.

52. The Islamic Republic of Iran’s Cyber Crimes Law is the legal framework that governs internet use and access to information. The law criminalizes access to telecommunication networks and information that may compromise government security or pose a threat to public morality. The provisions themselves are relatively general leaving defining principles open to judicial interpretation.⁶⁹ What constitutes violations of security, government classified information, and obscene content are not defined within the law. Article 14 of the Cyber Crimes Law is uniquely problematic in that the mental state for criminal culpability is not established, there is no definitive concept of proportionality, and the provision allows the suppression of expression in order to uphold undefined societal morality.⁷⁰ Violations of Article 14 can result in sentences of 91 days to two years’ imprisonment along with monetary fines and may lead to the death penalty when combined with charges of *mofsed-e fel-arz*.

53. On 5 September 2015, Supreme Leader, Ali Khamenei, renewed the mandate of the Supreme Council for Cybersecurity, calling for the strengthening of its powers and the expansion of its responsibilities. The Council, which is chaired by President Rouhani, is comprised of a board that reports directly to the Supreme Leader, who appoints a majority of its members. The Supreme Council of Cyberspace directs the filtering of the Internet in Iran and determines which websites should be blocked⁷¹

54. Authorities reportedly continue to monitor Iranian citizens’ usage of popular phone applications. On 13 January 2016, Iran’s Communications and Information Technology Minister, Mr. Mahmoud Vaez, made a statement that Telegram “has agreed to block any channel reported by Iran’s Communications Ministry.” He went on to say that the application had already blocked pages “reported by our Ministry whose content was in violation of the Islamic Republic of Iran’s laws.”⁷² Mr. Durov dismissed Telegram’s involvement in the blocking of any pages at the direction of Iranian authorities.⁷³ On 5 January 2016, the Working Group to Determine Instances of Criminal Content, an Iranian regulatory body that deals with censorship of the Internet, failed to gain sufficient support to ban the application.⁷⁴

55. Iran continues to detain one of the largest populations of journalists, bloggers and social media activists in the world. From 1 January 2015 to 20 January 2016, at least 17 journalists and social media/cyber activists were detained in the Islamic Republic of Iran: Ms. Afarin Chitsaz; Mr. Saman Safarzayi; Mr. Arash Zad; Ms. Atena Farghadani; Mr.

67 Articles 3-5 Iran Press Law of 1986

68 Chapter 4 Iran Press Law of 1986

69 Cyber Crimes Law (2010).

70 <https://www.article19.org/data/files/medialibrary/2921/12-01-30-FINAL-iran-WEB%5B4%5D.pdf>

71 <http://www.iranhumanrights.org/2015/09/khamenei-internet-policy-iran/>

72 <https://www.iranhumanrights.org/2016/01/iran-claims-telegram-blocks-users-on-their-demand/>

73 Ibid.

74 <https://www.iranhumanrights.org/2016/01/telegram-not-filtered/>

Ehsan Mazandarani; Mr. Hossein Ronaghi Maleki; Mr. Issa Saharkhiz; Mr. Keyvan Mehregan; Mr. Mohsen Sadeghinia; Mr. Mostafa Azizi; Ms. Reyhaneh Tabatabaie, Mr. Saaed Razavi Faghih; Mr. Saeed Pourheydar; Ms. Solmaz Ikdar; Mr. Farzad Pourmoradi and Mr. Hadi Heidari.

56. Blogger Mr. Hossein Ronaghi Maleki was returned to Evin prison on 20 January 2016 after having been released on bail in June 2015 due to health complications from a pre-existing kidney condition. Mr. Maleki was returned to jail despite calls from medical professionals that his condition would worsen in detention. He was originally arrested on 11 December 2009. He was sentenced by Branch 26 of the Revolutionary Court to 15 years in prison on charges of acting against national security, insulting the Supreme Leader, and insulting government authorities.⁷⁵

57. Reformist journalist, Mr. Reyhaneh Tabatabaie, was arrested on 30 November 2014 in Tehran and sentenced on 17 November 2015 to one year in prison on the charge of “propaganda against the state” by Judge Salavati of Branch 15 of Tehran’s Revolutionary Court. Ms. Tabatabaie had previously been arrested for her support of the Green Movement and served six months in prison in 2014. Ms. Tabatabaie began serving her one-year sentence on 12 January 2016.⁷⁶

58. Mr. Meysam Mohammadi, former editor of reformist newspaper Kalameh Sabz, was arrested on 8 January 2016 to begin serving a four year prison sentence. Mr. Mohammadi was arrested in February 2011 and freed on bail pending sentencing. In 2012, Tehran’s Revolutionary Court sentenced him to four years in prison on the charge of “collusion and gathering against the national security” but he remained free pending a decision by the appellate court. Mr. Mohammadi was arrested after responding to a summons for questioning in January 2016.⁷⁷

59. Mr. Farzad Pourmoradi, reformist journalist and political activist, was arrested on 3 January 2016.⁷⁸ He is allegedly being charged with spreading lies and disturbing public opinion but there has been no official confirmation regarding the charges against him. Human rights organizations claim that Mr. Pourmoradi’s arrest is connected to a public channel he managed on the messenger service Telegram to report on local news in Kermanshah and Iran’s legislative elections.⁷⁹ Prior to his arrest, Mr. Pourmoradi suffered from a heart condition for which he has reportedly not received adequate medical care while in prison.⁸⁰ He has allegedly not been allowed contact with his lawyer and his trial has not yet convened.⁸¹

60. In December 2015 the daily newspaper *Ettelaat* was notified that legal proceedings had been initiated against it for printing an article and photo of former President, Mr. Mohammad Khatami.⁸² This development followed a February 2015 decree from the Tehran Prosecutor’s Office announcing a media ban on any reporting related to the former president. The Editor of *Ettelaat*, Mahmoud Doaei, who is a reformist cleric, was summoned to the Special Clerical Court twice after the article was published. The Special Rapporteur expresses his concern regarding the prosecution of Doaei and his newspaper by the Special Clerical Court which reportedly operates outside the jurisdiction of the judiciary

75 <http://www.journalismisnotacrime.com/en/wall/hosseinronaghimaleki/>

76 <https://www.iranhumanrights.org/2016/01/reyhaneh-tabatabaie-imprisoned/>

77 <https://cpj.org/2016/01/iran-arrests-journalists-bans-newspaper-ahead-of-e.php>

78 <https://hra-news.org/en/journalist-arrested-kermanshah>

79 <https://journalismisnotacrime.com/en/news/982/>

80 <https://hra-news.org/fa/prisoners/a-3874>

81 Ibid.

82 <http://en.rsf.org/iran-press-freedom-violations-recounted-21-01-2015,47521.html>

and the press court. He notes that Iran's Constitution requires all political and press offenses to be tried openly, in the presence of a jury, and in courts of justice.⁸³

61. In September 2015 a Tehran criminal court reportedly sentenced Mr. Soheil Arabi to seven years' imprisonment and two years of Quranic study for Facebook posts deemed to be "insulting the Prophet." The sentence was issued after the Supreme Court rejected an earlier death sentence against Arabi for the same crime. In December 2015, the Supreme Court also rejected the death sentence against spiritual leader Mohammad Ali Taheri, a well known author of alternative medical theories and founder of the group, Erfan-e-Halgheh, on the charge of "sowing corruption on Earth." The sentence was issued while Mr. Taheri was already serving a five year sentence for the crime of "insulting [religious] sanctities" in relation to his peaceful activities. The Special Rapporteur welcomes the judiciary's withdrawal of death sentences against Arabi and Taheri but renews his call on the authorities to immediately and unconditionally release them and others convicted for peacefully exercising their fundamental right to freedom of expression and opinion.

62. Journalist Mr. Saeed Razavi Faghih was arrested on 5 March 2014 following a speech he gave to a group of reformists in Hamadan regarding the unrest following the presidential election in 2009. He was charged with "propaganda against the state" and sentenced to a year in prison. In February 2015, Mr. Razavi Faghih was transferred to the hospital to undergo heart surgery.⁸⁴ At the end of his prison sentence Mr. Razavi Faghih was kept in prison and accused of new charges. In September 2015, he was charged with "insulting the Supreme Leader" and "propaganda against the state," and sentenced to 3.5 years in prison.⁸⁵ On 28 November 2015, Mr. Razavi Faghih, and fellow journalist and political activist, Mr. Saeed Madani, were attacked by two other prisoners in Rajai Shahr Prison. They reportedly suffered knife wounds to the face. Prison regulations require authorities to separate detainees according to their charges but many political prisoners are detained along with common criminals, including in Section 12 of Ward 4 in Rajai Shahr Prison where Mr. Faghih and Madani are being held.⁸⁶ Mr. Razavi Faghih may be facing additional charges due to a letter he wrote protesting his arrest.⁸⁷

63. The women's monthly *Zanan-e Emrooz* resumed publication on 26 November 2015. The monthly had been suspended on 27 April 2015 pursuant to article 6 of the Press Law for "propagating obscene and religiously forbidden acts and publishing indecent pictures and issues which violate public decency" when issuing an article about cohabiting without a formal Islamic marriage [white marriage].⁸⁸

64. Mr. Hadi Heidari is the artistic director of *Shahrvand* newspaper. He was arrested on 16 November 2015 on undisclosed charges. His lawyer, Saleh Nikbakht, has not been allowed contact with him.⁸⁹

65. On 1 November 2015, journalists Mr. Isa Saharkhiz, Mr. Ehsan Mazandarani, Mr. Afarin Chitsaz and Mr. Saman Safarzaie were reportedly arrested by the Intelligence Unit of the Revolutionary Guards. After their arrest an intelligence expert of the Revolutionary Guards alleged on a news program that the journalists were arrested because they were members of an "infiltration network belonging to the US and UK governments" and had "received money from abroad through money exchangers." The arrests took place months

83 Constitution of the Islamic Republic of Iran, art. 168.

84 <https://www.iranhumanrights.org/2015/03/saeed-razavi-faghih/>

85 <https://www.iranhumanrights.org/2016/01/saeed-razavi-faghih-2/>

86 <http://www.kaleme.com/1394/09/07/klm-230690/>

87 <https://www.iranhumanrights.org/2016/01/saeed-razavi-faghih-2/>

88 SG Report October 2015- <http://shaheedoniran.org/wp-content/uploads/2015/09/SG-report.pdf>

89 <https://www.cpj.org/imprisoned/2015.php>

after Iran's leader, Ayatollah Khamenei, repeatedly referred to US "plots" aimed at "infiltrating" the country. President Rouhani reportedly criticized the string of arrests against individuals linked to the infiltration network and noted the apparent correlation between allegations made in ultra-conservative outlets, such as *Kayhan* and *Fars News Agency*, and the arrests that followed.⁹⁰

66. Mr. Saharkhiz, a journalist and political activist, was reportedly arrested by the intelligence unit of the Revolutionary Guards on charges of disrupting national security, "propaganda against the state," and "insulting the Supreme Leader."⁹¹ Mr. Saharkhiz's arrest was discussed by Revolutionary Guard spokespersons on Iranian television in connection with "infiltration networks" which have links to hostile foreign governments.⁹² He was previously arrested in July 2009 following the disputed presidential election and was sentenced to three years in prison and five years' banishment from political and journalistic activities. He was tried by Branch 15 of the Islamic Revolutionary Court in Tehran by Judge Salavati for "insulting the Supreme Leader," and "propaganda against the state." In 2011, Mr. Saharkhiz received an additional two year prison sentence for his journalist activities prior to 2009. He was released on 3 October 2013.⁹³ Following his November 2015 arrest Mr. Saharkhiz went on hunger strike but had to stop due to the deterioration of his health. He has since resumed a wet hunger strike in protest at his continued detention.⁹⁴

67. Ms. Chitsaz, an *Iran Daily* newspaper columnist, was also arrested by the intelligence unit of the Revolutionary Guards reportedly for her connection to "infiltration networks" with links to hostile foreign governments.⁹⁵ President Hassan Rouhani reacted to the justification for the arrests of Ms. Chitsaz and fellow journalists as both a fabrication and exaggeration of reality.⁹⁶ Ms. Chitsaz' official charges have not been announced.⁹⁷ Formal charges are also yet to be announced in connection with the arrest of Mr. Ehsan Mazandarani's, the publisher of the daily newspaper *Farhikhtegan*. Mr. Mazandarani's lawyer, Mahmoud Alizadeh Tabatabaie, reported that a bail amount had been set but the judiciary had not yet decided if Mr. Mazandari would be allowed to post bail.⁹⁸ Mr. Saman Safarzaei's charges and whereabouts were similarly unknown. He contributed to several newspapers such as *Shahrvand-e Emrooz*, *Irاندokht*, *Ham-Mihan*, as well as *Mehr Nameh* and *Andisheh Pouya*.⁹⁹

68. Mr. Amin Anvari Rostami is a social media activist who posted news on his popular Facebook page about political prisoners and creating petitions for their release. On 28 December 2014, Mr. Anvari received a notice requesting his appearance at the police station for paperwork related to his driver's license. Upon arrival, Mr. Anvari was reportedly arrested by Iran's Cyber Police (FATA) and was detained for nine hours. Mr. Anvari was interrogated about the content of his Facebook posts and his connections to his Facebook followers. On 15 July 2015, Branch 26 of Tehran's Revolutionary Court gave Mr. Anvari a five year suspended sentence on charges of propaganda against the state, insulting the Supreme leader and insulting government officials on Facebook. On 4 October

90 <https://www.iranhumanrights.org/2015/12/90-iranian-journalists-statement/>

91 <https://www.iranhumanrights.org/2015/11/isa-saharkhiz-arrested-again/>

92 <https://cpj.org/2015/11/iran-steps-up-pressure-on-media-with-arrests-of-at.php>

93 Ibid.

94 <https://www.iranhumanrights.org/2016/01/issa-saharkhiz-hunger-strike/>

95 <https://cpj.org/2015/11/iran-steps-up-pressure-on-media-with-arrests-of-at.php>

96 <https://www.iranhumanrights.org/2015/12/90-iranian-journalists-statement>

97 <https://cpj.org/2015/11/iran-steps-up-pressure-on-media-with-arrests-of-at.php>

98 <https://www.iranhumanrights.org/2015/12/90-iranian-journalists-statement/>

99 <http://www.journalismisnotacrime.com/en/wall/samansafarzai/>

2015, Mr. Anvari was arrested by officers of the Revolutionary Guards' intelligence unit at his parents' apartment and was summoned to appear at the Office of the Prosecutor in Evin prison on the same day. Mr. Anvari was blindfolded and handcuffed in the car and was taken to Ward 2-A of Evin Prison where he was detained for 30 days. Mr. Anvari was detained in solitary confinement for about three weeks and was mostly interrogated regarding his Facebook posts and for his relationship with an Iranian singer, Shahin Najafi. During the interrogation, Mr. Anvari was also accused of supporting Bahais and members of the LGBT community. In November 2015, Mr. Anvari was released on bail. Both Mr. Anvari and his family have reported been harassed since his release.¹⁰⁰

69. Cartoonist and social media activist, Ms. Atena Farghadani was rearrested on 10 January 2015 when she responded to a summons concerning a video she posted on social media regarding her previous arrest in August 2014. She was sentenced to 12 years and nine months in prison by Branch 15 of the Revolutionary Court of Tehran presided over by Judge Salavati. She was charged with acting against national security, assembly and collusion, insulting three branches of government and government officials, and insulting the Supreme Leader.¹⁰¹ In June 2015, Ms. Farghadani and her lawyer Mohammad Moghimi were charged with "illegitimate sexual relations" after they shook hands in front of two prison guards. On 3 October 2015, during a closed-court trial by Branch 1166 of the Criminal Court, presiding Judge Majid Sharifzad acquitted both accused of these charges. Ms Farghadani is awaiting a decision by the Appeals Court on her 12 year, nine month sentence¹⁰²

70. Mr. Mohsen Sadeghinia, human rights blogger for the site *Openeyes*, was arrested on 5 September 2015 after his blog was shut down by the authorities. Iranian authorities have not announced any official charges and have yet to reveal Mr. Sadeghinia's whereabouts.¹⁰³

71. Mr. Mostafa Azizi, a television producer and writer, was sentenced to eight years in prison for Facebook posts. Mr. Azizi was charged with "collusion and gathering against the national security" and "insulting the Supreme Leader" by Branch 15 of the Tehran Revolutionary Court. Mr. Azizi was allegedly held in Ward 2-A of Evin Prison, controlled by the Revolutionary Guards, for approximately one month, where he was allegedly harshly interrogated.¹⁰⁴ In September 2015, human rights organizations reported that Mr. Azizi was suffering from a respiratory illness that was not receiving proper medical attention.¹⁰⁵

72. On 28 August 2015, Mr. Keyvan Mehregan was arrested to serve a one year sentence at Evin Prison. He has been arrested several times in the last 10 years. His most recent arrest is allegedly in connection with a previous arrest in December 2010 at the Shargh newspaper headquarters after which he was held for one month and released on bail. Mr. Mehregan was tried by Branch 15 of the Revolutionary Court by Judge Salavati and sentenced to one year in prison and a five year ban on journalistic or political activity. He was charged with "propaganda against the regime."¹⁰⁶

73. Cyber activist and internet entrepreneur, Mr. Arash Zad, was arrested on 1 August 2015 while boarding a plane to Istanbul at Imam Khomeini airport in Tehran. Mr. Zad is

100 Information submitted to the Office of the Special Rapporteur, November 2015.

101 https://journalismisnotacrime.com/en/wall/atena_farghadani/atena

102 <https://www.iranhumanrights.org/2016/01/atena-farghadani-lawyer-2/>

103 <http://en.rsf.org/iran-press-freedom-violations-recounted-21-01-2015,47521.html>

104 <https://journalismisnotacrime.com/en/features/tag/407/>

105 <https://journalismisnotacrime.com/en/features/348/>

106 <https://journalismisnotacrime.com/en/wall/keyvanmehregan/>

the Persian-language editor of the website *Weblogina*, and director of Zigzag Lab, which provides web-based tools and services to Iranian users. The authorities have not confirmed the detention, whereabouts, or charges against Mr. Zad.¹⁰⁷

74. In November 2015, Ms. Solmaz Ikdar, a journalist, was sentenced by Branch 28 of the Tehran Revolutionary Court to three and half years' imprisonment for propaganda against the state and insulting Iran's Supreme Leader. She was also ordered to pay a fine for insulting government authorities. On 6 June 2015, when she was about to travel outside of the country, Ms. Ikdar was reportedly informed that she was travel-banned and her passport was confiscated. She was referred to the prosecutor's office to follow up on her case which, she was told, related to her journalistic activities. When she arrived there she was informed of the charges against her and arrested for approximately 48 hours, during which time she was transferred to Gharchak Prison in Varamin. Judge Moghiseh added a suspended six month sentence from 2008 to Ms. Ikdar's prison sentence. She lodged an appeal but left the country before a judgment could be issued.¹⁰⁸

¹⁰⁷ <https://www.article19.org/resources.php/resource/38104/en/iran:-detained-internet-entrepreneur-must-be-released>

¹⁰⁸ Information submitted to the Office of the Special Rapporteur, January 2016.

Figure 3 Journalist and Social Media/Cyber Activists Imprisoned in Iran (as of January 20, 2016)

NAME	TYPE	DATE OF ARREST	GENDER	CHARGES	SENTENCE
1 Abolfazl Abedini	Journalist	3/3/2010	Male	Collaborating with hostile foreign governments; Interviews with foreign media; Propaganda against the state	11 yrs (Ahvaz); 1 year (Tehran)
2 Adel Sadoni	Social Media Activist	9/4/2013	Male	Activities against the Islamic Republic via social media; Propaganda against the state	3 yrs
3 Adnan Hassanpour	Journalist	25/1/2007	Male	Espionage; Acting against the national security, <i>moharebeh</i>	15 yrs, 1 day
4 Afarin Chitsaz	Journalist	1/11/2015	Female	N/A	N/A
5 Alireza Beheshti Shirazi	Journalist	Sentenced 31/5/2010; began serving sentence 12/7/2011	Male	Acting against the national security	5 yrs
6 Amin (Farid) Akramipour	Cyber Activist	30/11/2013	Male	Propaganda against the state; Insulting the Supreme Leader; Insulting the three branches of government/government officials; Publishing	13 yrs, 1 day

				obscene pictures, Collusion and gathering against the national security		
7	Amir Golestan i	Cyber Activist	20/8/2013	Male	Propaganda against the state; Insulting the Supreme Leader, Insulting the three branches of government/government officials; Publishing obscene pictures; Collusion and gathering against the national security; Insulting the sanctities	20 yrs, 1 day
8	Arash Honarvar Shojaei	Social Media Activist	28/10/2010	Male	Acting against the national security; Espionage, Cooperation with foreign embassies; Propaganda against the state; Insulting the Supreme Leader	19 yrs; 4 yrs defrocking; 50 lashes
9	Arash Zad	Cyber Activist	31/7/2015	Male	N/A	N/A
10	Arvin Sedaghat Kish	Journalist	Sentenced 09/2010; Began serving sentence 15/9/2013	Male	Collusion and gathering against the national security	3 yrs
11	Atena Farghad	Social Media	10/1/2015	Female	Acting against the national security;	12 yrs, 9 months

ani	Activist			Collusion and gathering against the national security; Insulting the three branches of government/government officials; Insulting the Supreme Leader	
1 2 Ehsan Mazand rani	Journalist	1/11/2015	Male	N/A	N/A
1 3 Fariborz Kardafar	Cyber Activist	1/7/2013	Male	Propaganda against the state; Publishing obscene photos; Vulgar images on internet; Insulting the sanctities; Collusion and assembly against the national security	18 yrs, 91 days
1 4 Farzad Pourmor adi	Journalist	3/1/2016	Male	N/A	N/A
1 5 Habibola h Beygzad eh	Social Media Activist	1/7/14	Male	Insulting religious officials; Insulting the Supreme Leader; Propaganda against the state	23 months
1 6 Hadi Heidari	Journalist	16/11/2015	Male	N/A	N/A
1 7 Hamzeh Zargani	Social Media Activist	22/3/2013	Male	Propaganda against the state; Acting against the national	3 yrs

				security		
1 8	Hanieh Sane Farshi Shotorban	Social Media Activist	18/7/2010	Female	Insulting the sanctities; Insulting the Supreme Leader	7 yrs, 1 day
1 9	Hossein Ronaghi Maleki	Cyber Activist	20/01/2016	Male	Acting against the national security; Insulting 3 branches of government/government officials; Insulting the Supreme Leader, Membership in the committee against censorship in Iran	15 yrs
2 0	Isa Saharkhiz	Journalist	2/11/2015	Male	N/A	N/A
2 1	Keyvan Mehregan	Journalist	28/8/15	Male	Propaganda against the state	1 yr; 5 year banned from journalistic activity
2 2	Masoud Ghasemkhani	Cyber Activist	1/11/2013	Male	Propaganda against the state; Insulting state officials; Insulting the Supreme Leader; Collusion and gathering against the national security	19 yrs, 91 days
2 3	Masoud Kordpour	Journalist	7/3/2013	Male	Collusion and gathering against the national security;	3 yrs, 6 months

				Propaganda against the state		
2 4	Mehdi Alizadeh Fakhrabad	Social Media Activist	2011	Male	Insulting the sanctities; Propaganda against the state	9 yrs with 2 of those years exile; 7 year ban from political/journalist activity (initially death)
2 5	Mehdi Reyshahri-Tangestani	Social Media Activist	24/10/2013	Male	Collusion and gathering against the national security; Propaganda against the state; Insulting state officials; Insulting the Supreme Leader	11 yrs
2 6	Meysam Mohammadi	Journalist	8/1/2016	Male	Collusion and gathering against the national security	4 yrs; 5 yr ban on journalist and political activity
2 7	Mohammad Reza Golizadeh Akhlaghi	Social Media Activist	1/7/2010	Male	Insulting the sanctities; Insulting the Supreme Leader; Propaganda against the state	7 yrs
2 8	Mohammad Sedigh Kaboudvand	Journalist	7/1/2007 (sentenced 2008)	Male	Propaganda against the state, Acting against national security	11 yrs
2 9	Mohsen Sadeghnia	Social Media Activist	5/9/15	Male	N/A	N/A
3 0	Mostafa Azizi	Journalist /social media	1/2/2015	Male	Collusion and gathering against the national	8 yrs

				security; Insulting the Supreme Leader	
3 1 1 Reyhane Tabataba tei	Journalist	Sentenced 17/11/2015 Start Sentence 12/1/2016	Female	Propaganda against the state	1 yr; 5 year ban from journalist activity
3 2 2 Roya Saverine zhad Nobakht	Cyber Activist	1/11/2013	Female	Propaganda against the state, Insulting the Supreme Leader, Insulting 3 branches of gov't; Publishing obscene images; Acting against the national security; Insulting the sanctities	20 yrs 1 day
3 3 3 Saaed Razavi Faghih	Journalist	Rearrested in 03/2015	Male	Insulting the Supreme Leader; Propaganda against the state	3 yrs and 6 months
3 4 4 Saeed Madani	Journalist	7/1/2012	Male	Propaganda against the state; Acting against the national security	6 yrs
3 5 5 Saeed Pourheid ar	Journalist	4/1/2015 (sentenced 08/2015)	Male	Insulting the Supreme Leader; Propaganda against the state; Publishing falsehoods in cyberspace	5 yrs
3 6 6 Sakhi Rigi	Social Media Activist	18/6/2009	Male	<i>Moharebeh</i> (cooperating with the illegal Baluchi insurgent group	20 yrs

				Joundallah); Propaganda against the state; Insulting religious officials		
3 7	Saleh Tamouli Tarafi	Social Media Activist	9/5/2014	Male	Collaborating with hostile foreign governments; Insulting state authorities; Propaganda against the state	3 yrs
3 8	Saman Safarzae i	Journalist	1/11/2015	Male	N/A	N/A
3 9	Serajedd in Mirdama di	Journalist	27/7/2014	Male	Acting against the national security; Interviews with foreign media; Propaganda against the state	6 yrs; 5 yr ban from journalism
4 0	Seyed Masoud Seyed Talebi	Cyber Activist	2013	Male	Collusion and gathering against the national security; Insulting state authorities; Insulting the Supreme Leader; Publishing vulgar pictures; Propaganda against the state	15 yrs 1 day
4 1	Soheil Arabi	Social Media Activist	30/8/2014	Male	Insulting the sanctities; Propaganda against the state	7 yrs and 6 months (initially death)
4 2	Solmaz Ikdar	Journalist	10/11/2015	Female	Insulting the Supreme Leader;	3 yrs

				Propaganda against the state		
4 3	Vahid Asglari	Social Media Activist	11/5/2008	Male	Propaganda against the state, Insulting the sacred, Publishing falsehoods	Initially death but still under review after a trial court issued an 18 yr sentence
4 4	Yaghma Fakhshami	Journalist	1/12/2014	Male	N/A	N/A
4 5	Zahra Kaabi	Cyber Activist	27/7/14	Female	N/A	N/A

75. Mohammad Mahdavifar, a poet from the city of Aran-Bidgol in Kashan province, was sentenced to 18 months' imprisonment on charges related to defamation and publication of false information. His sentence reportedly resulted from a complaint filed against him by the intelligence unit of the Revolutionary Guards in connection with a poem he published titled *Alphabet*. At the end of September 2015, Mr. Mahdavifar was reportedly summoned to the prosecution office in Kashan and informed that he had insulted the authorities, disturbed public minds, and offended general decency. He was allegedly released on bail on the same day. On 7 December 2015, he was tried and convicted by Branch 105 of the Criminal Court after allegedly not being given an adequate opportunity to defend himself. Mr. Mahdavifar received the trial court ruling on 18 January 2016 and intends to appeal it.¹⁰⁹

76. Ms. Hila Sedighi, a poet, was arrested on 7 January 2016 at Imam Khomeini International Airport upon return from a trip abroad. She was allegedly held in solitary confinement at the airport on the first night and then transferred to Shapour Detention Center where she was reportedly held in a confined space along with eight prisoners accused of violent crimes. Although Ms. Sedighi's arrest warrant was issued by the Culture and Media Court there has been no indication of the charges against her. Ms. Sedighi was released on bail after two days in detention, and she is currently awaiting trial.¹¹⁰

77. Mr. Keywan Karimi, a film maker from Kurdistan province, was sentenced to six years in prison and 223 lashes on 22 September 2015. Mr. Karimi was charged with "insulting the sanctities" and illegitimate relations short of adultery by Branch 28 of the Tehran Revolutionary Court, presided over by Judge Moghisseh. The maximum sentence for insulting the sanctities is five years' imprisonment. However, Mr. Karimi's sentence exceeds this limit in violation of article 134 of the Islamic Penal Code.¹¹¹ Mr. Karimi was arrested on 14 December 2013 by agents affiliated with the intelligence unit of the Revolutionary Guards. He was reportedly informed of the charges against him

¹⁰⁹ Information received by the Office of the Special Rapporteur, January 2016.

¹¹⁰ <https://www.iranhumanrights.org/2016/01/hila-sedighi-arrest-2/>

¹¹¹ <http://www.iranhumanrights.org/2015/10/keywan-karimi/>

immediately, which included “propaganda against state”, “insulting Islamic sanctities”, and “collusion and gathering against the national security”. He was reportedly held in a solitary confinement in Ward 2-A- of Evin Prison for 12 days and released on bail. During his temporary detention he was subjected to long interrogation sessions and ill-treatment. He was allowed to contact his family eight days after arrest but was not allowed access to his lawyer. During his trial the judge informed him that the national security charges had been dropped. However, Mr. Karimi was told he would be tried for engaging in illicit relations short of adultery for allegedly shaking hands with another woman. The appeals hearing for Mr. Karimi's case took place on 23 December 2015 in the presence of representatives from security and intelligence agencies¹¹²

78. On 10 October 2015, poets Fatemeh Ekhtesari and Mr. Mehdi Mousavi were sentenced to 11 years' and six months' imprisonment and 99 lashes, and nine years' imprisonment and 99 lashes, respectively, by Branch 28 of the Tehran Revolutionary Court. Ms. Ekhtesari was charged with “propaganda against the state,” “insulting the sanctities” for her poetry, and with “illicit relations” for shaking hands with a stranger. Ms. Ekhtesari was arrested in December 2013 by agents reportedly linked to the Revolutionary Guards and transferred to Ward 2(A) of Evin prison where she was kept in solitary confinement. She was reportedly transferred to Ward 2-A of Evin Prison, shackled and blindfolded, and kept in solitary confinement for 38 days. During her detention Ms. Ekhtesari was allegedly subjected to long interrogation sessions in which she was coerced to false confessions, and was not accompanied by a lawyer. The authorities allowed her to contact her family 22 days after her arrest and released her on bail after 38 days of investigations. Ms. Ekhtesari and her lawyer were reportedly not allowed to mount an adequate defense during her trial. An appeal case is currently pending before Branch 54 of the Tehran Appeals Court¹¹³

79. Mr. Mehdi Mousavi was arrested in December 2013 by plainclothes agents affiliated with the Revolutionary Guards. His home was searched and his personal belongings, including books, notes and computers, were confiscated. He was reportedly transferred to Ward 2-A of Evin Prison, kept in solitary confinement, and subjected to long interrogation sessions accompanied by ill-treatment, and coerced into making confessions. More than a week after his arrest, he was allowed to contact his family but he was not allowed to access to a lawyer. Authorities later released Mr. Mousavi on bail. His trial lasted for almost 17 months before he was convicted and sentenced.¹¹⁴

80. Mr. Mehdi Rajabian, musician and founder of BargMusic, Mr. Yousef Emadi, musician and co-founder of BargMusic, and Mr. Hossein Rajabian, independent film maker, were tried in December 2015 by Branch 28 of the Tehran Revolutionary Court. They were each sentenced to six years in prison for insulting the sacred and spreading propaganda against the regime. Mr. M. Rajabian, Mr. H. Rajabian, and Mr. Emadi, were arrested in 2013 and held for over two months in solitary confinement before being released on bail. While in prison the accused were allegedly subjected to torture and forced to confess to the charges presented. Mr. M. Rajabian, Mr. H. Rajabian, and Mr. Emadi have submitted their cases for appeal and will be reviewed at Branch 54 of the Tehran Appeals Court in late January 2016¹¹⁵

81. On 16 December 2015, poet, Mohamadreza Haj Rostambeygloo, was arrested at his home in Karaj by agents of the intelligence unit of the Revolutionary Guard on charges of “insulting the scarcities” and “spreading lies on social media”. During the search of his

112 Information submitted to the Office of the Special Rapporteur, January 2016.

113 Information submitted to the Office of the Special Rapporteur, January 2016.

114 Information submitted to the Office of the Special Rapporteur, January 2016.

115 <https://www.iranhumanrights.org/2015/12/mehdi-rajabian/>

home, which led to the confiscation of some of Mr. Rostambeygloo's personal belongings including his writings, one of the Revolutionary Guards agents reportedly showed him his gun, threatened him, and subjected him to ill-treatment. Mr. Rostambeygloo reportedly spent a night and two days in Gohardasht Prison in Karaj and was subjected to long interrogation sessions. He was released on bail on 17 December 2015 and is awaiting trial.¹¹⁶

82. Poet and songwriter, Mr. Yagma Golrouee was arrested on 30 November 2015 on unknown charges. His whereabouts remain unknown¹¹⁷

83. Ms. Sara Saei, a student and follower of Mr. Mohammad Taheri, participated in several peaceful gatherings convened on Saturdays and Mondays to protest against the unlawful arrests of human and civil rights activists and advocate for them. She was arrested by plainclothes agents on 21 November 2015 when she was participating in a gathering in front of Evin Prison to protest against arrest of Mr. Taheri. Authorities reportedly informed her of her charge, disturbing public order, immediately after her arrest. She was transferred to Ward 2-A of Evin Prison and kept in a solitary confinement for four nights. Her interrogators reportedly demanded information about the organizers of the gatherings and her ideas and personal beliefs. She was asked to sign a promissory note to avoid gatherings and assemblies. She was later transferred to Gharchak Prison in Varmin and released on bail. She was not allowed to contact her family until she was transferred to Gharchak Prison.¹¹⁸

84. Mr. Dariush Adeem, a student and follower of Mr. Mohammad Taheri, was arrested on 15 August 2015 by four plainclothes men believed to be Revolutionary Guard agents after participating in a gathering in support of Mr. Taheri. He was handcuffed, blindfolded, and taken to Dastgerd Prison in Esfahan, where he lives. Mr. Adeem was reportedly beaten and subject to ill-treatment during the first three days of interrogations. Four days after his, he was informed of his charges, which included "disturbing the public order" but was not allowed to access to a lawyer. He was released on bail 11 days after his arrest but twice summoned for questioning and pressured to disclose the identities of the assembly organizers and followers of Mr. Taheri. He left Iran in October 2015.¹¹⁹

B. Freedom of association and the right to free and fair elections

85. On 7 October 2015, Mr. Ayatollah Ahmad Jannati, the Guardian Council's Secretary, stated that "the Guardian Council will not allow the individuals who do not believe (by heart) in the regime, constitution, Imam's doctrine and Guardianship of the Jurist (*velayat-e-faghih*) to enter the parliament or occupy other important positions." Mr. Janati added that there are individuals who pretend to believe in the Providence of the Jurist but do not obey his orders in practice.¹²⁰ On 13 November 2015 the head of Tehran's (election) monitoring board stated that one of the Guardian Council's priorities this year would be to reduce the number of individuals disqualified for candidacy, but this reduction would also depend on cooperation by executive boards. Mr. Tehrani added that the criteria for candidates is clear, asserting that individuals considered by officials as seditionists

116 Information submitted to the Office of the Special Rapporteur,

117 <https://journalismisnotacrime.com/en/news/744/>

118 Information submitted to the Office of the Special Rapporteur, January 2016.

119 Information submitted to the Office of the Special Rapporteur, January 2016.

120 Persian Link: <http://tnews.ir/news/BA0849570283.html>

would be redlined and those defending the Iranian system would be considered for candidacy.¹²¹

86. The bill also bans all affiliates, supporters and fans of organizations and parties that the court has concluded to be illegal from registering as candidates.¹²² The law also prohibits all individuals and activists convicted of “acting against national security” from registering as candidates. This restriction excludes the vast majority of activists involved in peaceful protests after the 2009 presidential elections. On 17 September 2015, an official news agency published an article denouncing those who criticize the legislation approved by the Guardian Council. The article quoted a statement issued by Imam Khomeini stating that “if the Parliament votes on a bill and the Guardian Council approves it, no one has the right to criticize it. I am not saying they should not say their opinion, but if they want to do corruption and tell people that this Parliament and this Guardian Council is [not legitimate], this is corruption and such individual should be prosecuted for being mofsed-e feel arz.”¹²³

87. On 1 September 2015, Revolutionary Guard Commander, General Mohammad Ali Jafari, stated that speeches like the aforementioned statement enabled the foreign “infiltration” of Iran and weakened “effective bases of the revolution like the Guardian Council.”¹²⁴ Referring to the Council’s approval of Rouhani to run for president, Mr. Jafari remarked that those who had been approved by the body: “must have more well-thought out words...and not permit questioning of the revolutionary beliefs and ideals of society to gain the consent of the dominating regime and Great Satan [United States].” Iran’s Chief Justice Ayatollah Sadegh Larijani also chimed in saying it was clear that the Council is empowered to play a proactive role in vetting candidates and called on the body to be “firm.”

88. On 9 September 2015, the Supreme Leader criticized the doubts surrounding the fairness of Iran’s elections, asserting that “unfortunately one of the bad habits that some in the country have is that they constantly question the health of elections.” He further remarked that “the Guardian Council is the seeing eye of the regime. All over the world something like this exists. It may be called something different elsewhere, but here it is the Guardian Council. They are careful to see whether a person who enters elections and becomes an electoral candidate is qualified, and must approve their qualification. If they see that there have been shortcomings and an unqualified person has entered, they block him. This is their right.”¹²⁵

89. On 30 April 2015, the Parliament adopted a bill guaranteeing that sitting members would be automatically eligible to run in the 2016 elections. Under the bill, incumbent parliamentarians would have been able to bypass the Guardian Council’s vetting process. Instead, the council would only have been able to disqualify candidates around 15 days before the start of the official campaign period. The Guardian Council rejected the bill on the grounds that it was unconstitutional.¹²⁶

¹²¹<http://www.fardanews.com/fa/news/462443/>

¹²² Article 30, Iran Election Law

¹²³ Persian link: <http://www.mizanonline.ir/fa/news/77712/>

¹²⁴ <http://ir.voanews.com/content/jafari-tavakolli-react-to-hasan-rouhani-guardian-council/2925520.html>

¹²⁵ <http://www.dw.com/fa-ir/%D8%A2%DB%8C%D8%AA%D8%A7%D9%84%D9%84%D9%87-%D8%AE%D8%A7%D9%85%D9%86%D9%87%D8%A7%DB%8C-%D8%B4%D9%88%D8%B1%D8%A7%DB%8C-%D9%86%DA%AF%D9%87%D8%A8%D8%A7%D9%86-%D8%A7%D8%B2-%D8%AD%D9%82%D8%A7%D9%84%D9%86%D8%A7%D8%B3-%D8%AF%D9%81%D8%A7%D8%B9-%D9%85%DB%8C%DA%A9%D9%86%D8%AF/a-18703152>

¹²⁶ <http://www.khabaronline.ir/detail/476298/Politics/5162>

90. The Parliament adopted the Parties and Associations Law Reform Law in November 2015.¹²⁷ The plan contains several provisions which regulate the establishment and activities of political parties operating in the country and provides criteria to disqualify individuals from political activities and membership in political parties. Article 24 of the bill prohibits certain individuals from participating in political parties or associations, including those “engaged in... actions against national interest,” “members of [previously] dissolved parties” and “individuals who are under judicial investigation.” The law empowers a newly created “Parties Commission,” which includes government officials, parliamentarians, clerics, and key members of the judiciary and intelligence ministries to bar individuals from membership in political parties or associations if they fall into the aforementioned categories. On 30 December 2015, the Guardian Council rejected the bill and returned it to the Majlis for modification.¹²⁸

91. Ms. Narges Mohammadi, the former Vice-President of the Defenders of Human Rights Centre and one of the founders of the death penalty abolitionist group Step by Step to Stop the Death Penalty continues to remain in prison despite the deterioration of her health. On 5 May 2015, Ms. Mohammadi was arrested by security forces and transferred to Evin Prison to serve the remainder of a six year prison sentence handed down in 2012. On 11 October 2015, Ms. Mohammadi, who suffers from a neurological disorder that causes muscular paralysis, was reportedly transferred to hospital after suffering a seizure. However, Ms. Mohammadi was transferred back to prison on October 2015, against the medical advice of her doctors.¹²⁹

92. Mahmoud Salehi, a labour rights activist, was last arrested on 28 April 2015 by Intelligence Ministry agents in Saqqez, Kurdistan province. He was reportedly not shown an arrest warrant but agents proceeded to search his house and confiscated his personal belongings. Mr. Salehi was charged with membership in the Communist Party, acting against the national security, and establishing an illegal workers’ syndicate. He was released on bail and tried in Branch 1 of the Sanandaj Revolutionary Court on 16 July 2015. The court sentenced him to nine years’ imprisonment for membership in an illegal group and “propaganda against state.” Mr. Salehi appealed the lower court’s decision in October 2015 but the case is still pending. His request for a copy of the lower court’s verdict has reportedly been denied.¹³⁰

93. Mr. Ali Nejati, a labour rights activist, was arrested on 15 September 2015 at 1.30 am by several agents of the intelligence unit of the Revolutionary Guards. His house was reportedly searched and his personal belongings, including his laptop, cellular phones, and books confiscated. He was allegedly taken, blindfolded and shackled, to the prosecutor’s office in Andimeshk where he was questioned and informed of the charges against him which include “propaganda against state” and association with opposition groups. On the morning of 16 September 2015, agents transferred Mr. Nejati to Karun Prison in Ahvaz for 24 hours. On 17 September 2015, he was transferred to solitary confinement at a base controlled by the Revolutionary Guards in Ahvaz and kept there for two weeks. He was allowed to contact his family after five days and eventually released on bail. He is awaiting trial.¹³¹

94. On 6 September 2015, Mr. Mahmoud Beheshti Langeroudi, a member of Iranian Teachers’ Association, was arrested to serve a five year sentence, four years of which are to

127 <http://www.iranhrdc.org/english/news/features/100000018-the-parties-and-associations-law-reform-plan.html>

128 <http://www.farsnews.com/newstext.php?nn=13941009000768>

129 <http://www.humanrights-ir.org/?p=1443>

130 Information submitted to the Office of the Special Rapporteur, January 2016.

131 Information submitted to the Office of the Special Rapporteur, January 2016.

be served in exile, in connection with a peaceful gathering he attended in front of parliament in 2006. Mr. Beheshti was supposed to serve his sentence in October 2014 but the Ministry of Education intervened and succeeded in delaying the implementation of the sentence. Since his arrest and detention Mr. Beheshti has gone on two hunger strikes. He has since been allowed to leave prison on short furlough.¹³²

95. Mr. Karroubi, Mr. Mousavi and Ms. Rahvanard have repeatedly called on authorities to grant them a public trial by a competent court, in accordance with the Constitution.¹³³ Tehran Member of Parliament Mr. Ali Motahari has also repeatedly called on Government officials to address their house arrest.¹³⁴ On 7 October 2014, Mr. Motahari declared the house arrest to be without judicial warrant and unconstitutional and criticized the comments of officials who predicted, prior to a due process of law, that the sentence in case of trial would be heavy or possibly execution.¹³⁵ Mr. Motahari also called for a public trial by jury in accordance with the Constitution and for the punishment of officials responsible for the continuation of the house arrest. He maintained that the President, who is also the head of the Supreme National Security Council, is responsible for the implementation of the Constitution.¹³⁶ An administration spokesperson responded by stating that it is “not indifferent” toward this issue, but no action has yet been taken.¹³⁷

C. Women’s Rights

96. On 1 February 2016, Iran’s parliament voted for the general text of a bill that would reduce the working hours of women with “special circumstances” from 44 to 36 hours a week without reducing their total salaries. The bill would primarily affect women who head households, those with children under the age of seven, and those with children or spouses with disabilities or incurable and chronic diseases. If the bill is adopted by parliament and becomes law it gives an option to women who fall in these categories to either request the law be applied or seek two days of additional vacation. During parliamentary discussions there was a proposal to make this option available to all the women. Some feared this would contribute to the already high unemployment rate among women in the country and there are criticisms that in the absence of anti-discrimination laws affecting the hiring process the plan will backfire and lead to higher unemployment among women.¹³⁸

97. The Special Rapporteur has received information regarding dozens of women reportedly detained or serving prison sentences either for the peaceful exercise of their fundamental rights or pursuant to flawed trials. The list of women includes but is not limited to: Mahvash Sabet (Evin Prison, 20 years); Fariba Taefi (Evin Prison, 20 years); Nasim Bagheri (Evin Prison, 4 years); Fahimeh Aarafi (Evin Prison, 5 years); Maryam Akbari Monfared (Evin Prison, 15 years), Shokoufeh Azar Masouleh (Evin Prison,

132 <https://www.iranhumanrights.org/2015/12/mahmoud-beheshti/>

133 <http://www.kaleme.com/1393/10/06/klm-205874/> ; <http://sahamnews.org/1393/09/271227/>

134 <http://alimotahari.com/?p=2358>

135 <http://alimotahari.com/?p=2358> ; www.isna.ir/fa/news/93072614099/ ;

<http://sahamnews.org/1393/09/271030/>

136 <http://alimotahari.com/?p=2358>

137 www.isna.ir/fa/news/93071609462/

138 <http://www.mehrnews.com/news/3035631/%D8%B7%D9%84%D8%B3%D9%85-%DB%B1%DB%B0%D8%B3%D8%A7%D9%84%D9%87-%D8%B4%DA%A9%D8%B3%D8%AA-%D9%85%D9%88%D8%A7%D9%81%D9%82%D8%AA-%D9%85%D8%AC%D9%84%D8%B3-%D8%A8%D8%A7-%DA%A9%D9%84%DB%8C%D8%A7%D8%AA-%D9%84%D8%A7%DB%8C%D8%AD%D9%87-%DA%A9%D8%A7%D9%87%D8%B4-%D8%B3%D8%A7%D8%B9%D8%AA-%DA%A9%D8%A7%D8%B1%DB%8C-%D8%B2%D9%86%D8%A7%D9%86>

temporary detention); Elham (Elaheh) Barmaki (Evin Prison; 5 years); Ziba Pourhabib (Evin Prison, 3 years); Tahereh Jafari (Evin Prison, 1 year); Reyhaneh Haj-Ebrahim Dabagh (Evin Prison, 15 years), Faran Hesami (Evin Prison, 4 years), Atena Daemi (Evin Prison, 14 years); Behnaz Zakeri Ansari (Evin Prison, 10 years); Zahra Zehtabchi (Evin Prison, 12 years); Mahvash Shahriari (Evin Prison, 10 years); Roya Saberinejhad Nobakht (Evin Prison, 5 years); Elham Farahani (Evin Prison, 4 years); Atena Farghadani (Evin Prison, 12 years and 9 months); Fariba Kamal Abadi (Evin Prison, 10 years); Fatemeh Mosanna (Evin Prison, temporary detention); Sedigheh Moradi (Evin Prison, 10 years); Narges Mohammadi (Evin Prison, 6 years); Mahnaz Mohammadi (Evin Prison, 5 years); Maryam Moghadasi (Evin Prison, 9 years); Maryam Naghash Zargarani (Evin Prison, 4 years); Bahareh Hedayat (Evin Prison, 7 years); Azita Rafizadeh (Evin Prison, 4 years); Motahareh Bahrami Haghighi (Evin Prison, 10 years); Sonia Ahmadi (Vakilabad Prison/Mashhad, 5 years); Nika Kholousi (Vakilabad Prison/Mashhad, 6 years); Nava Kholousi (Vakilabad Prison/Mashhad, 4 years and 6 months); Noura Nabilzadeh (Vakilabad Prison/Mashhad, 5 years); Besme Aljabouri (Gharchak Prison/Varamin, 5 years); Farah Baghi (Yazd prison, 1 year of discretionary imprisonment and 1 year of suspended imprisonment); Sania Bobnehvich (Ministry of Intelligence Detention/Gorgan, temporary detention); Elaheh Soroushnia (Ministry of Intelligence Detention/Gorgan, temporary detention); Zeynab Jalalian (Khoy Prison, life imprisonment); Fatemeh Rahnama (Sepidar Prison/Ahvaz, 10 years); Zahra Rahnavard (house arrest, temporary); Gissou Sheikh Hasanabadi (Urmia Prison, 3 years); Farahnaz Moghadam (Urmia Prison, 3 years); Safieh Sadeghi (Sanandaj Prison, 15 years); Ghadrieh Ghaderi (Yasuj Prison, 7 years).¹³⁹

D. Ethnic and religious minority rights

98. Since 2005, more than 815 Baha'is have been arrested and the number of Baha'is in prison has risen from fewer than five to more than 70. The list of prisoners includes all seven members of a former leadership group serving the Baha'i community of Iran. In 2010, the seven were wrongly sentenced to 20 years in prison, the longest term currently facing any prisoner of conscience in Iran. Recent reports indicate that their sentences have been belatedly reduced from 20 years to 10 years, in line with changes to the Iranian Penal Code introduced in May 2013. The constant threat of raids, arrests, and detention or imprisonment is among the main features of Iran's persecution of Baha'is today.¹⁴⁰

99. During the first UPR of the Islamic Republic of Iran in 2010, Iran accepted a number of recommendations regarding Baha'is, while specifying that the other recommendations were either implemented or in the process of being implemented. In the second UPR cycle in 2014, 10 recommendations specifically mentioned the situation of the Baha'is in the country. Of these recommendations, two were partially accepted by the Iranian government. An analysis of the implementation of the recommendations related to the situation of the Baha'is accepted by Iran in 2010 and 2014 revealed that none of the recommendations had been implemented. By failing to implement these recommendations, Iran has undermined the UPR process and the assurances it has made to the international community.¹⁴¹

¹³⁹ Information received by the Office of the Special Rapporteur, January 2015; information submitted to the Office of the Special Rapporteur by Human Rights Activists in Iran.

¹⁴⁰ Information submitted to the Office of the Special Rapporteur by the Bahai International Community, January 2016.

¹⁴¹ Ibid.

100. In the city of Gorgan, northern Iran, Branch 2 of the Revolutionary Court sentenced 24 Baha'is who had previously been arrested between 2012-2013 to prison terms from six to 11 years. Their charges are all related to their membership and activities in the Baha'i community. Their sentences include language which reportedly states that the Baha'is' belief in their prophet can be considered propaganda against the state. The charges against the 24 Baha'is are: teaching in favor of Baháism and against the regime of the Islamic Republic of Iran; carrying out programs in Golestan province; collaboration with hostile governments by assisting in the promotion of sectarian, anti-Islamic, and anti-Shia hostile governments; creation of unlawful Baha'i administration; propaganda and programming in seven regions of Gorgan and three regions of Gonbad and Minudasht; membership in an unlawful Baha'i administration disseminating propaganda as a tutor and/or children's teacher. Pursuant to the conviction Shahnam Jazbani and Sheida Ghoddousi have been sentenced to 11 years in prison; Farahnaz Tebyanian, Pouneh Sanaie, Parisa Shahidi, Mona Amri, Mojdeh Zohouri Golkenari, Behnam Hasani, Hona Aghighian, Hona Koushk-Baghi, Bitá Hedayati, Vesagh Sanaie, Shohreh Samimi, Tina Mowhebati, and Parivash Shojaie, have been sentenced to nine years in prison; Roufía Pakzadan, Nazi Tahghighi Hesari, Soudabeh Mehdinejad Behnamiri, Mitra Nouri, Shiva Rowhani, Navid Moallem, Houshmand Dehghan, Karmilia Bidelian, and Maryam Dehghan, have been sentenced to six years in prison.¹⁴²

101. Intelligence agents raided the houses and workplaces of many Baha'i in various cities across the country following Baha'i religious holidays on 15 November 2015. Reportedly, 20 individuals were arrested in these raids. Intelligence agents possessed warrants allowing them to carry out these searches and arrests while also providing permission to seek out individuals in hiding and to arrest anyone based on personal discretion. The agents confiscated items such as computers and a variety of documents from the workplaces of these individuals.¹⁴³

102. Reports indicate that in November 2015, two Baha'i students and residents of Shahinshahr were encouraged by an officer of the Office of Intelligence to claim they were adherents of Islam in order to gain admittance to university. The students did not agree to this request.¹⁴⁴

103. In October 2015, a Baha'i youth enrolled at Payam-e-Nur University in Sari and a Baha'i student studying computer engineering at the Babol University of Science and Technology were allegedly expelled because of their beliefs.¹⁴⁵

104. In October 2015, a third grade student from a Baha'i family in Karaj was reportedly expelled from primary school by the institution's principal. Despite efforts by the family and human rights activists to re-enroll the child, on 11 October 2015 his parents had no choice but to enroll their child at a different school.¹⁴⁶

105. In September 2015, agents of the Public Places Supervision Office in Babol allegedly approached a pharmacy and demanded that the owner dismiss from his employment a Baha'i employee, who had 24 years of pharmaceutical experience, due to his religious affiliation.¹⁴⁷

142 Ibid.

143 Ibid.

144 Ibid.

145 Ibid.

146 Information submitted to the Office of the Special Rapporteur by the Bahai International Community, January 2016.

147 Ibid.

106. In August 2015, three young music teachers were reportedly summoned to the Ministry of Intelligence Office in Babolsar for interrogation. One of the music teachers was notified that she was not permitted to continue teaching. The other two teachers summoned initially received permission to continue working in their respective fields. However, several days later they were dismissed by the director of the institute of music where they were employed.¹⁴⁸

107. On 21 August 2015, the Baha'i cemetery in Oroumīyeh was allegedly vandalized. In this act of vandalism, approximately 120 trees that had been growing at the cemetery for over 15 years were cut down. The Baha'i in Oroumīyeh went to the authorities to seek justice and demanded that some action be taken to halt the continued vandalism of the cemetery. The Baha'i in the town continued to appeal to the authorities for about two weeks but the authorities took no action to remedy the abuse.¹⁴⁹

108. At the July 2015 funeral of Mrs. Baji Khanoum Mohammadifard (Sedghi), a Baha'i from Sanandaj, her family and friends were confronted by military personnel and police officers who were tasked with preventing the burial. The Baha'is in this community brought the issue to the attention of the relevant authorities at which point they were informed that they had to bury her body in the Ghorveh cemetery, located about an hour and a half from Sanandaj. Mrs. Mohammadifard's family transferred a cooling system from Kermanshah cemetery to Sanandaj in order to keep the remains in the city. Security officials allegedly called the son of Mrs. Mohammadifard in for questioning in order to determine where her remains were being held. They explained that recently ratified provisions of the Supreme National Security Council only permitted one Baha'i cemetery per province and that Ghorveh had been designated the cemetery for the province of Kermanshah. In response, the Baha'i community explained that the great distance between Kermanshah and Ghorveh was not only dangerous but the transport over such a long distance was forbidden by Baha'i burial customs.¹⁵⁰

109. In May 2015, agents of the Public Places Supervision Office in Sari reportedly closed at least 17 shops in the city of Sari because they had been closed during Baha'i religious holidays.¹⁵¹

110. Ms. Dorsa Gholizadeh, a Baha'i resident of the city of Sari and a university student studying architecture, was summoned to the Information Office headquarters following the end of her university's spring 2015 semester. She was given the choice to maintain her beliefs and suffer expulsion from university, go abroad to continue her studies, or recant her beliefs and continue her studies. Ms. Gholizadeh chose the first option and she was expelled from university.¹⁵²

111. Over the past year and a half, many Baha'is have been prevented from burying their deceased loved ones in the Baha'i cemetery in Tabriz. Numerous Baha'i families from Tabriz have been forced by local authorities to bury their loved ones in the Miandoab cemetery, which is at least 2 hours from Tabriz. In several of these instances, the families concerned were informed of this procedure after the burials had taken place. Their efforts to remedy the situation have thus far not yielded results.¹⁵³

148 Ibid.

149 Ibid.

150 Ibid.

151 Ibid.

152 Ibid.

153 Ibid.

112. In April 2015 Mr. Dana Jaber, a 13 year old Baha'i boy in seventh grade from Fardis, Karaj was verbally harassed in class due to his beliefs. One day his teacher, Mr. Esmaielzadeh, told the class that the Baha'i faith was useless and that it should be avoided. Dana approached the Principal about what his teacher had said in class and the Principal responded in defense of Dana, that the classroom is not a place to teach about religion. Soon thereafter, Dana's teacher confronted Dana because he had spoken to the Principal and has since not permitted the young man to speak in class.¹⁵⁴

113. In March 2015, a number of posters protesting against the Baha'i faith were displayed in Tehran's metro stations. The anti-Baha'i posters described the Baha'i as members of an imperialist cult, whose aim is to spy on the Iranian people and alter the culture and religion of the country, especially Shi'a Muslims.¹⁵⁵

114. Reportedly, on 10 July 2015, at the Friday prayer marking the end of Ramadan, anti-Baha'i banners were placed on the walls of Tehran University.¹⁵⁶

115. The government allegedly called for two reservoirs on a farm owned by the Khanjani family near Semnan to be bulldozed. These were built on the farm to irrigate the orchards, pastures for grazing and to provide water for the animals. The Khanjani family hired lawyers and appealed, but Revolutionary Guard reportedly bulldozed the reservoirs. The family had a 30-year lease from the government on the pastures but this lease has been retracted, reportedly without an explanation. The majority of the livestock consequently had to be sold. The family attempted to transport the remaining livestock to a warmer climate in winter but was reportedly refused entry by the government, resulting in the death of some sheep due to hypothermia. On 22 April 2015, the Khanjani family received notice that their 18-year old villa, built according to regulation and certified for occupancy, would be bulldozed. The villa was reportedly bulldozed 48 hours later. Family members have also reportedly received decrees to close their businesses. Mr. Nikki Khanjani operates an eyeglasses business in Tehran, and reportedly had his entire inventory confiscated without explanation. Another Khanjani family member owned and operated an optical factory in Semnam, but the government reportedly closed the factory, auctioned off his equipment and locked away his entire inventory to the value of several thousands of dollars.¹⁵⁷

¹⁵⁴ Ibid.

¹⁵⁵ Ibid.

¹⁵⁶ Ibid.

¹⁵⁷ Information submitted to the Office of the Special Rapporteur, December 2015.