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## Consejo de Derechos Humanos

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Situaciones de derechos humanos que  
requieren la atención del Consejo

### Informe del Relator Especial sobre la situación de los derechos humanos en la República Islámica del Irán, Ahmed Shaheed\* \*\*

#### *Resumen*

En el presente informe, que se presenta al Consejo de Derechos Humanos de conformidad con la resolución 25/24 del Consejo, el Relator Especial pone de relieve los acontecimientos ocurridos en la esfera de los derechos humanos en la República Islámica del Irán desde que presentara su cuarto informe provisional a la Asamblea General en octubre de 2013 (A/68/503). Asimismo, examina las preocupaciones actuales y las tendencias emergentes en lo que respecta a la situación de los derechos humanos en el Estado.

El informe, si bien no es exhaustivo, esboza la situación imperante conforme a lo observado a partir de los informes recibidos y examinados por el Relator Especial. En particular, el Relator Especial analiza esos informes a la luz de las recomendaciones del informe relativo al segundo examen periódico universal del Estado, que se aprobará próximamente.

\* Documento presentado con retraso.

\*\* Los anexos del presente informe se distribuyen tal como se recibieron, únicamente en el idioma en que se presentaron.



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## I. Introducción

1. En octubre de 2014, la República Islámica del Irán fue objeto del segundo ciclo de examen en el marco del mecanismo del examen periódico universal. En total, 104 delegaciones formularon recomendaciones relativas a los derechos garantizados por los cinco tratados internacionales de derechos humanos ratificados por el Estado<sup>1</sup>. En la mayoría de las recomendaciones, las delegaciones solicitaban al Gobierno que sopesara la posibilidad de fortalecer la protección de los derechos civiles y políticos, y que abandonara aquellas prácticas que los conculcaban. Asimismo, se alentaba al Gobierno a que se adhiriera a convenciones que abolieran el recurso a la pena capital, protegieran contra la tortura y otros tratos o penas crueles, inhumanos o degradantes, ampararan los derechos de los trabajadores migratorios y favorecieran la igualdad de género. Las delegaciones también formularon recomendaciones relativas al fomento de la protección de los grupos vulnerables, incluidas las minorías religiosas, étnicas y sexuales; al establecimiento de un instituto nacional de derechos humanos de conformidad con los principios relativos al estatuto de las instituciones nacionales de promoción y protección de los derechos humanos (Principios de París), y a la cooperación con los mecanismos de derechos humanos de las Naciones Unidas.

2. Las cuestiones destacadas en las recomendaciones del examen periódico universal en 2014 incidían de nuevo en las planteadas durante el primer examen del Estado parte, realizado en 2010. En muchos casos, las nuevas recomendaciones guardaban relación con leyes, políticas y prácticas a las que el Relator Especial sobre la situación de los derechos humanos en la República Islámica del Irán había hecho referencia en sus informes.

### Panorama general de las recomendaciones, desglosadas por la cuestión de derechos humanos a la que afectan

<i>Cuestión de derechos humanos</i>	<i>Recomendaciones del examen periódico universal</i>			<i>Recomendaciones del Relator Especial desde 2011</i>	
	<b>Total (2010)</b>	<i>Aceptadas (2010)</i>	<i>Rechazadas (2010)</i>	<b>Total (2014)</b>	
Adhesión a tratados en los que el Estado aún no es parte	<b>15</b>	0	15	<b>33</b>	1
Cooperación con mecanismos internacionales de derechos humanos	<b>19</b>	8	11	<b>25</b>	8
Derechos civiles y políticos	<b>93</b>	45	48	<b>94</b>	32
Derechos económicos, sociales y culturales	<b>40</b>	38	2	<b>58</b>	12
Igualdad de género/derechos de la mujer	<b>14</b>	10	4	<b>52</b>	9
Derechos del niño	<b>28</b>	19	11	<b>36</b>	7
Protección de los derechos de las comunidades religiosas minoritarias	<b>19</b>	8	11	<b>26</b>	5
Protección/fomento de los derechos de las comunidades étnicas minoritarias	<b>5</b>	5	4	<b>13</b>	5
Protección de los derechos de los miembros de la comunidad de personas lesbianas, gais, bisexuales y transgénero	<b>3</b>	0	3	<b>12</b>	1

<sup>1</sup> El Pacto Internacional de Derechos Civiles y Políticos, el Pacto Internacional de Derechos Económicos, Sociales y Culturales, la Convención sobre los Derechos del Niño, la Convención Internacional sobre la Eliminación de Todas las Formas de Discriminación Racial y la Convención sobre los Derechos de las Personas con Discapacidad.

3. La capacidad del Gobierno para mejorar la situación de los derechos humanos continúa viéndose mermada por aspectos que tienen que ver con leyes, políticas y prácticas que ya habían identificado los mecanismos de derechos humanos de las Naciones Unidas, así como por otros señalados en el presente informe. El recurso a la pena capital y a otras penas crueles, inhumanas o degradantes persiste y a niveles alarmantes. Resulta particularmente preocupante la frecuente imposición de la pena de muerte por delitos que en el derecho internacional de los derechos humanos no son considerados de “los más graves”, así como la persistencia de políticas y prácticas que, conforme habían señalado anteriormente los mecanismos de derechos humanos de las Naciones Unidas, hacen problemática la correcta administración de la justicia.

4. Desde marzo de 2014 están en curso de examen, o se han aprobado ya, varios proyectos de ley y de políticas que parecen persistir en la denegación de los derechos humanos amparados por la legislación nacional y el derecho internacional. Se trata, entre otras, de disposiciones que, al parecer, incrementan la influencia del Gobierno sobre los medios de comunicación, la sociedad civil, las organizaciones políticas y la comunidad jurídica. Se están examinando o ejecutando políticas que segregan a las mujeres en el lugar de trabajo y que limitan aún más las oportunidades económicas de estas.

5. Las repercusiones negativas que se derivan de esas leyes y prácticas se hacen patentes en las persistentes denuncias, que siguieron llegando del país en 2014, de continuas detenciones de defensores de los derechos humanos, abogados, periodistas y miembros de minorías religiosas y étnicas, así como en las cartas abiertas y comunicaciones confidenciales relativas a la tortura y a violaciones de las garantías procesales. Persisten tanto el cierre de medios de difusión como las graves restricciones a la utilización de Internet y de los medios sociales.

## **II. Metodología**

6. La información que contiene el presente documento fue recopilada durante una misión de investigación realizada en Alemania, Dinamarca y Noruega, en el curso de la cual se efectuaron 39 entrevistas a víctimas y activistas pertenecientes a la diáspora iraní. El Relator Especial agradece a los Gobiernos de los tres países su acogida. Entre julio de 2014 y enero de 2015 se realizaron otras 28 entrevistas a iraníes residentes tanto dentro como fuera de la República Islámica del Irán.

7. Además, el Relator Especial examinó la información contenida en cartas abiertas, comunicaciones confidenciales, despachos de prensa y contenidos difundidos en medios de comunicación nacionales, declaraciones oficiales, la información remitida por el Gobierno en sus respuestas a los titulares de mandatos de los procedimientos especiales a raíz de las investigaciones de estos, y los informes de interlocutores nacionales y de la sociedad civil presentados durante el primer y el segundo examen periódico universal, así como los informes que señalaron a su atención organizaciones de derechos humanos dignas de todo crédito. El relator también analizó el contenido de varios proyectos de ley en curso de examen.

## **III. Cooperación con el titular del mandato**

8. En 2014, los procedimientos especiales transmitieron al Gobierno 29 comunicaciones, 27 de ellas con arreglo al procedimiento de acción urgente, en las que se manifestaba preocupación por la tortura, la detención arbitraria y la privación de libertad, la persecución de las minorías religiosas y las represalias contra personas por su presunta colaboración con funcionarios de derechos humanos de las Naciones

Unidas en temas relativos a la libertad de expresión y de reunión, así como a las condiciones de reclusión, en particular el insuficiente acceso de los reclusos a atención médica. El Gobierno respondió a 5 de las comunicaciones, con lo que su índice de respuesta a las comunicaciones cayó del 40% en 2013 al 17% en 2014.

9. El Relator Especial agradece al Gobierno que organizase las reuniones que mantuvo con las delegaciones que visitaron Ginebra, en particular la reunión que celebró con representantes de la judicatura, el Consejo Superior de Derechos Humanos de la República Islámica del Irán y el Ministerio de Relaciones Exteriores en septiembre de 2014, así como que aportase observaciones detalladas sobre su último informe a la Asamblea General (A/69/356).

10. Lamentablemente, siguen sin atenderse las solicitudes formuladas por el Relator Especial de visitar el país a fin de profundizar el diálogo con los funcionarios del Gobierno y corroborar la veracidad de las denuncias remitidas a los procedimientos especiales. Pese a que, desde el año 2011, el Gobierno ha manifestado en reiteradas ocasiones su intención de fortalecer esta faceta de la cooperación con los mecanismos de derechos humanos, todavía no ha respondido a numerosas solicitudes de visita formuladas por otros procedimientos especiales.

#### **IV. Represalias contra los activistas**

11. El Relator Especial reitera su preocupación por incidentes que parecen ser represalias contra personas que han contactado con organizaciones internacionales de derechos humanos y los mecanismos de derechos humanos de las Naciones Unidas. Desde agosto de 2014, se han denunciado 5 casos (véase el anexo I), entre ellos el enjuiciamiento de Atena Daemi, Saeed Shirzad, Mohammad Ali Taheri, Behnam Ebrahimzadeh y Mohammad Reza Pourjashari. Al parecer, desde 2011 al menos 15 personas han sido privadas de libertad, acusadas, procesadas o víctimas de intimidación por haber mantenido contactos con los procedimientos especiales.

#### **V. Panorama general de los derechos civiles y políticos**

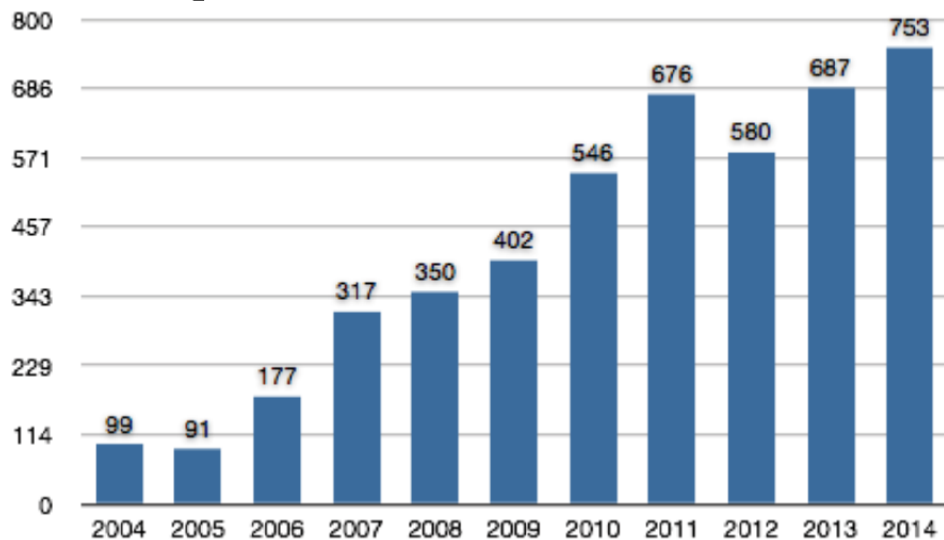
##### **A. Derecho a la vida**

12. Durante su primer examen periódico universal, en 2010, el Gobierno recibió 29 recomendaciones relativas al recurso a la pena de muerte. En el segundo examen en 2014, se formularon 41 recomendaciones a ese respecto.

13. Al menos 753 personas, 25 de ellas mujeres, fueron al parecer ejecutadas en 2014, una cifra anual sin precedentes en los últimos 12 años. De ellas, 53 ejecuciones fueron públicas, y otras 362, casi la mitad del total, estaban relacionadas con delitos de drogas (sin incluir los delitos de drogas cometidos conjuntamente con homicidios)<sup>2</sup>, unos delitos que no rebasan el umbral de gravedad delictiva internacionalmente aceptado para justificar la imposición de la pena de muerte. En al menos 4 casos, las familias de las víctimas de homicidio concedieron su perdón únicamente cuando las autoridades ya habían iniciado la ejecución mediante la horca. En esos casos, las autoridades detuvieron la ejecución y descolgaron a los condenados cuando estos ya llevaban algunos instantes suspendidos.

<sup>2</sup> Centro de Documentación de los Derechos Humanos en el Irán, gráfico sobre las ejecuciones realizadas en 2014, actualizado el 1 de enero de 2015, [www.iranhrdc.org/english/publications/1000000425-ihrc-chart-of-executions-by-the-islamic-republic-of-iran-2014.htm](http://www.iranhrdc.org/english/publications/1000000425-ihrc-chart-of-executions-by-the-islamic-republic-of-iran-2014.htm).

## Ejecuciones en la República Islámica del Irán, 2003-2014



14. En noviembre y diciembre de 2014, el Secretario General del Consejo Superior de Derechos Humanos de la República Islámica del Irán, Mohammad Javad Larijani, reiteró sus llamamientos en favor de la modificación de la Ley sobre Estupefuentes, de 1988, con el argumento de que ese cambio de política disminuiría el índice de ejecuciones en un 80%<sup>3</sup>. La imposición de la pena capital por delitos de drogas se rige por esa Ley y por sus modificaciones de 1997 y 2011. La Ley, en su versión actual, establece la imposición obligatoria de la pena de muerte por 17 delitos. Además, la imposición de la pena capital es automática en los casos de tráfico en los que el alijo alcanza una determinada cantidad mínima, por ejemplo 30 gramos de heroína, morfina, cocaína, metilendioximetanfetamina (MDMA o éxtasis) o metanfetamina<sup>4</sup>.

15. La versión revisada del Código Penal, en vigor desde junio de 2013, permite la aplicación de la pena de muerte a menores infractores, a menos que se determine que estos carecen de facultades mentales para entender la índole del delito o las consecuencias de este. Persisten las ejecuciones de menores delincuentes. Solo en 2014, podrían haber sido ejecutados al menos 13 menores<sup>5</sup>.

16. Entre el 26 de agosto y el 14 de noviembre de 2014, al menos 33 personas fueron al parecer ejecutadas en la prisión de Kerman. Presuntamente, todas ellas, salvo una, habían sido condenadas por delitos de drogas. Durante ese período, las autoridades no

<sup>3</sup> Euronews, “Iran’s Larijani slams West’s ‘bias’ on human rights”, 7 de noviembre de 2014, y Mizan News Agency (agencia de noticias semioficial), 5 de diciembre de 2014, <http://mizanonline.ir/fa/content/19246>.

<sup>4</sup> University of Essex, Dependencia sobre los Derechos Humanos en el Irán: *The death penalty for drug crimes in Iran: analysis of Iran’s international human rights obligations* (2014). Disponible en: [www.essex.ac.uk/hri/documents/research-paper-iran-death-penalty-drug-crimes.pdf](http://www.essex.ac.uk/hri/documents/research-paper-iran-death-penalty-drug-crimes.pdf).

<sup>5</sup> Véase también Iran Human Rights: “Another juvenile execution in Iran”, 5 de julio de 2014, <http://iranhr.net/2014/07/another-juvenile-execution-in-iran/> y Amnesty International, “Iran: alleged juvenile offender among 10 hunger strikers threatened with immediate execution”, 16 de diciembre de 2014, [www.amnestyusa.org/news/news-item/iran-alleged-juvenile-offender-among-10-hunger-strikers-threatened-with-immediate-execution](http://www.amnestyusa.org/news/news-item/iran-alleged-juvenile-offender-among-10-hunger-strikers-threatened-with-immediate-execution).

anunciaron públicamente las ejecuciones en la prisión<sup>6</sup>. Ello suscita alarma e inquietud por la posibilidad de que el número de ejecuciones sea mayor que el declarado.

## **B. Normas sobre la imparcialidad del juicio**

17. El Grupo de Trabajo sobre la Detención Arbitraria, tras una visita a la República Islámica del Irán en 2013, recomendó que el Estado estableciera salvaguardias contra la intimidación para los abogados defensores y que previera la presencia del abogado, independientemente de la naturaleza de las acusaciones, desde el inicio del caso (véanse E/CN.4/2004/3/Add.2 y Corr.1, párr. 65). Del mismo modo, durante el examen periódico universal de 2014, el Gobierno recibió 13 recomendaciones relativas a las normas de imparcialidad de los juicios y la independencia del poder judicial; en 2010, se formuló un número idéntico de recomendaciones sobre la cuestión. En varias de ellas, las delegaciones destacaron la necesidad de garantizar que el acusado tuviera acceso inmediato a un abogado de su elección, y que se brindara acceso adecuado a todas las pruebas relativas a la causa.

18. El artículo 48 del Código de Procedimiento Penal revisado, cuya entrada en vigor se prevé para junio de 2015, establece el derecho de los acusados a solicitar la presencia de un abogado desde el momento en que son detenidos. No obstante, en una nota a ese artículo se prevén excepciones: por ejemplo, si el acusado ha sido privado de libertad por sospecharse que ha cometido delitos de delincuencia organizada, delitos contra la seguridad nacional, hurto o delitos de drogas, se le podría negar el acceso a un abogado durante un período máximo de una semana a contar desde la detención. Cabe mencionar que, al parecer, la mayoría de las conculcaciones de las garantías de un juicio imparcial tienen lugar durante la fase de instrucción. Con frecuencia se condena por delitos contra la seguridad nacional a abogados, periodistas, miembros de minorías religiosas y étnicas, y otras personas que ejercen pacíficamente derechos reconocidos internacionalmente.

## **C. Protección contra la detención arbitraria**

19. El arresto domiciliario continuado de dirigentes del Movimiento Verde y de ex candidatos presidenciales ha suscitado considerable atención. Se aproxima el cuarto aniversario de la reclusión de Mehdi Karroubi, Mir-Hossein Mousavi y Zahra Rahnavard (esposa del señor Mousavi), y también el aniversario de las manifestaciones que tuvieron lugar en 2009. Entre 2011 y 2013, el Grupo de Trabajo sobre la Detención Arbitraria emitió 10 opiniones relativas a la privación de libertad de 13 iraníes, incluidos los líderes de la oposición mencionados anteriormente y varios periodistas, abogados, 1 pastor cristiano y 1 activista estudiantil (cf. anexo 1). El Gobierno ha respondido a 3 de las 10 comunicaciones.

20. En sus opiniones, el Grupo de Trabajo concluyó que, en 12 de los 13 casos, la privación de libertad parecía obedecer al ejercicio de los derechos a la libertad de expresión, de opinión, de religión, de creencias o de asociación, e instó al Gobierno a que liberase inmediatamente a quienes hubieran sido acusados de ejercer legítimamente esas libertades y a que los resarciera por su detención arbitraria. Una de las personas reclusas, Nasrin Soutodeh, fue puesta en libertad antes de cumplir su pena, mientras que Bahman Ahmadi Amouee y Kiarash Kamrani fueron liberados una vez cumplidas las suyas. Ninguno ha sido indemnizado, conforme recomendó el Grupo de Trabajo.

<sup>6</sup> Iran Human Rights: "Secret mass executions of drug convicts in Kerman Prison (Southeastern Iran)", 30 de diciembre de 2014. Disponible en: <http://iranhr.net/2014/12/secret-mass-executions-of-drug-convicts-in-kerman-prison-southeastern-iran/>.

## D. Independencia de la abogacía

21. Las normas internacionales reconocen el derecho de los abogados a ejercer su profesión de conformidad con la ética profesional establecida, sin ninguna restricción, influencia, presión o injerencia indebida de ninguna parte<sup>7</sup>. La existencia de un colegio de abogados independiente y la capacidad de ejercer la abogacía de manera independiente constituyen garantías indispensables en materia de protección de los derechos humanos y de acceso a la justicia. En palabras de un representante del Instituto de Derechos Humanos de la International Bar Association, “los abogados no podrán desempeñar sus obligaciones de manera adecuada y en la forma debida mientras sean objeto de injerencias externas y su capacidad de ejercer esté supeditada a controles”<sup>8</sup>.

22. En 2012, la International Bar Association y el Relator Especial manifestaron su preocupación por el proyecto de ley sobre la abogacía formal, que aumentaba la supervisión ejercida por el Gobierno sobre el colegio de abogados del país. En el informe que presentó a la Asamblea General en su 68º período de sesiones (A/68/503), el Relator Especial acogió con beneplácito la decisión del Gobierno de suspender las deliberaciones sobre el proyecto de ley<sup>9</sup>.

23. En septiembre de 2014, se sometieron al Parlamento varias versiones modificadas del proyecto de ley<sup>10</sup>. Constituye un motivo de preocupación que el proyecto de ley todavía dé cabida a un nivel considerable de intervención e influencia por parte del Gobierno, con el consiguiente menoscabo de la independencia del colegio de abogados<sup>11</sup>. Por ejemplo, en los artículos 33 y 37 del proyecto de ley, se prevé el establecimiento de una junta de supervisión que colaboraría con el Ministerio de Inteligencia y los centros de inteligencia y de protección del poder judicial en la evaluación y la acreditación de la competencia de los abogados para ejercer la profesión y para formar parte del Consejo Supremo y de la Junta de Gobierno del Colegio de Abogados del Irán. La Junta de Supervisión, integrada por representantes de los poderes ejecutivo y judicial, así como por cinco abogados elegidos por el Colegio de Abogados previa aprobación de una comisión de la que forman parte los jefes del Tribunal Supremo Disciplinario de la Judicatura, podría en principio suspender la licencia para el ejercicio de la profesión. La facultad de revocar licencias recaería en el Tribunal Supremo Disciplinario de la Judicatura (arts. 55, 33 y 34 del proyecto de ley).

24. Las elecciones para integrar la Junta de Gobierno del Colegio de Abogados ya están sometidas a una importante influencia del Gobierno. Se celebran con carácter bienal y las candidaturas están supeditadas a la aprobación del Tribunal Supremo Disciplinario de la Judicatura, que al parecer consulta con el Ministerio de Inteligencia

<sup>7</sup> Véase, por ejemplo, el párrafo 34 de la observación general núm. 32 (2007) del Comité de Derechos Humanos sobre el derecho a un juicio imparcial y a la igualdad ante los tribunales y cortes de justicia.

<sup>8</sup> International Bar Association, “Iran urged to stop infringements on the independence of the legal profession by global lawyers’ body”, 26 de marzo de 2013. Disponible en: [www.ibanet.org/Article/Detail.aspx?ArticleUid=ac631d72-4d4b-4b4b-b112-206e183c86b8](http://www.ibanet.org/Article/Detail.aspx?ArticleUid=ac631d72-4d4b-4b4b-b112-206e183c86b8).

<sup>9</sup> Véase también Iranian Students’ News Agency (noticias semioficiales), 22 de junio de 2014, [www.isna.ir/fa/news/92040100629/](http://www.isna.ir/fa/news/92040100629/).

<sup>10</sup> Dolat (sitio web oficial), 23 de septiembre de 2014, [www.dolat.ir/NSite/FullStory/News/?Serv=1&Id=249673](http://www.dolat.ir/NSite/FullStory/News/?Serv=1&Id=249673), e Ichar (sitio web oficial), 22 de abril de 2014, <http://icbar.ir/Default.aspx?tabid=55&ctl=Edit&mid=435&Code=1403>.

<sup>11</sup> *Shargh* (noticias semioficiales), [http://sharghdaily.ir/Modules/News/PrintVer.aspx?Src=Main&News\\_Id=43569](http://sharghdaily.ir/Modules/News/PrintVer.aspx?Src=Main&News_Id=43569); Centro de Defensores de los Derechos Humanos, <http://cshh.org.uk/human-rights-portal/2692>.



la elegibilidad de los candidatos<sup>12</sup>. En la última elección de la Junta de Gobierno, celebrada el 13 de marzo de 2014, el Tribunal Supremo Disciplinario de la Judicatura inhabilitó a 29 candidatos<sup>13</sup>, incluidos 3 miembros de la junta en ejercicio y 14 candidatos que habían satisfecho los requisitos en elecciones anteriores<sup>14</sup>.

25. La facultad de renovar las licencias incumbe al Colegio de Abogados, pero al parecer los abogados deben abonar una tasa obligatoria al poder judicial para renovarlas<sup>15</sup>. La concesión de licencias para ejercer la profesión o para que estudiantes de Derecho efectúen pasantías también está supeditada a la aprobación del aparato de seguridad del Estado. Se ha informado de que estudiantes de Derecho han sido inhabilitados por su activismo, o se les ha exigido que se comprometieran a renunciar a él. Al parecer, funcionarios del Ministerio de Inteligencia están continuamente presentes en el Colegio de Abogados<sup>16</sup>.

26. Desde junio de 2009, al menos 50 abogados han sido presuntamente enjuiciados por representar a presos de conciencia, presos políticos o “de seguridad”<sup>17</sup>. Numerosos abogados iraníes se han mostrado preocupados por la incapacidad del Colegio de Abogados y de su Junta de Gobierno para defender a sus propios miembros, debida en parte a la falta de independencia del Colegio<sup>18</sup>. Hossein Raeesi, abogado y defensor de los derechos humanos, ha manifestado su preocupación por el grado de influencia que ejercen el poder judicial y el aparato de seguridad sobre la comunidad jurídica, especialmente fuera de Teherán y entre los abogados pertenecientes a minorías étnicas, al propiciar un entorno que disuade a los abogados de asumir la defensa de personas detenidas por motivos políticos o de seguridad, o de presos de conciencia, en casos que afectan a la seguridad nacional. Por ejemplo, la Junta de Gobierno del Colegio de Abogados de la Provincia de Azerbaiyán Occidental suspendió la licencia de Masoud Shamsnejad, un abogado kurdo pro derechos humanos que había representado a presos políticos kurdos; tras ello, el abogado fue acusado oficialmente de “difundir propaganda contra el régimen”. Comenzó a cumplir su pena de cuatro meses de cárcel el 19 de octubre de 2014<sup>19</sup>.

## E. Condiciones de reclusión y trato a los reclusos

27. El Relator Especial continúa preocupado por las denuncias relativas al acceso insuficiente o inexistente de los reclusos a servicios médicos, y por la insuficiente

<sup>12</sup> Centro de Defensores de los Derechos Humanos, “Mr. Hossein Raeesi, human rights lawyer”, 22 de diciembre de 2014, <http://cshr.org.uk/human-rights-portal/2692>; *Rooz Online*, [www.roozonline.com/persian/opinion/opinion-article/archive/2013/may/02/article/-4723ff2b43.html](http://www.roozonline.com/persian/opinion/opinion-article/archive/2013/may/02/article/-4723ff2b43.html) y [www.roozonline.com/persian/opinion/opinion-article/archive/2014/march/18/article/-9c61eff539.html](http://www.roozonline.com/persian/opinion/opinion-article/archive/2014/march/18/article/-9c61eff539.html).

<sup>13</sup> *Shargh*, [http://sharghdaily.ir/Modules/News/PrintVer.aspx?Src=Main&News\\_Id=30658](http://sharghdaily.ir/Modules/News/PrintVer.aspx?Src=Main&News_Id=30658), y el sitio web oficial del Parlamento, 17 de agosto de 2010, [http://rc.majlis.ir/fa/legal\\_draft/show/781457](http://rc.majlis.ir/fa/legal_draft/show/781457).

<sup>14</sup> *Shargh*, [http://sharghdaily.ir/Modules/News/PrintVer.aspx?Src=Main&News\\_Id=30658](http://sharghdaily.ir/Modules/News/PrintVer.aspx?Src=Main&News_Id=30658), y the Iranian Student News Agency, [isna.ir/fa/news/92120200683/](http://isna.ir/fa/news/92120200683/).

<sup>15</sup> Centro de Defensores de los Derechos Humanos, “Sr. Hossein Raeesi”.

<sup>16</sup> *Ibid.* Véase también *Rooz Online*, 18 de marzo de 2014, [www.roozonline.com/persian/opinion/opinion-article/archive/2014/march/18/article/-9c61eff539.html](http://www.roozonline.com/persian/opinion/opinion-article/archive/2014/march/18/article/-9c61eff539.html).

<sup>17</sup> Centro de Defensores de los Derechos Humanos, “Sr. Hossein Raeesi”.

<sup>18</sup> *Ibid.*

<sup>19</sup> Carta del Centro de Defensores de los Derechos Humanos, de fecha 10 de noviembre de 2014, remitida en copia al Alto Comisionado de las Naciones Unidas para los Derechos Humanos, el Relator Especial sobre la situación de los derechos humanos en la República Islámica del Irán, el Relator Especial sobre la situación de los defensores de los derechos humanos y el Relator Especial sobre la independencia de los magistrados y abogados, <http://cshr.org.uk/human-rights-portal/news/2830>; Véase también la Campaña Internacional por los Derechos Humanos en el Irán, [http://persian.iranhumanrights.org/1393/08/shamnejad\\_kord\\_lawer/](http://persian.iranhumanrights.org/1393/08/shamnejad_kord_lawer/).

separación en las prisiones. Entre abril y diciembre de 2014, el Relator Especial y otros titulares de mandatos temáticos transmitieron 5 comunicaciones sobre el deterioro de las condiciones de salud de 16 reclusos que necesitaban recibir con urgencia atención médica especializada fuera de prisión. Al parecer, la vida de algunos de ellos corría peligro debido a una inadecuada atención médica. En muy contadas ocasiones, se ha autorizado a los presos a recibir asistencia médica fuera de prisión. Las Reglas Mínimas para el Tratamiento de los Reclusos prescriben que los presos enfermos que necesiten tratamiento especializado tengan acceso adecuado a instituciones médicas adecuadas y personal cualificado, y solicita la separación de los presos según su sexo, edad, antecedentes penales y los motivos de su detención.

28. Al parecer, el 20 de noviembre de 2014 al menos 24 presos curdos reclusos en el pabellón 12 de la prisión de Urumia Central (en la provincia de Azerbaiyán Occidental) iniciaron una huelga de hambre para protestar contra la insuficiente separación de los presos y el deficiente acceso a la atención médica (véase el anexo I). Algunos de los presos habían sido condenados por acusaciones imprecisas relativas a la seguridad nacional, por ejemplo la distribución de panfletos y declaraciones en conmemoración del Día Internacional de la Lengua Materna, la publicación de artículos en las redes sociales, la consulta de sitios web de la oposición kurda y el establecimiento de contactos con los administradores de estos, la distribución de panfletos políticos y la afiliación a partidos de la oposición o la cooperación con ellos.

29. El 9 de diciembre de 2014, las fuerzas de seguridad de la prisión central de Urumia rodearon presuntamente el pabellón 12 y amenazaron con agredir a quienes protestaban. Se cree que varios de ellos fueron convocados a la Oficina de Inteligencia y amenazados con nuevas acusaciones, con un régimen de aislamiento, con el encarcelamiento acompañado de extrañamiento y con el arresto de sus familiares. A otros reclusos que se declararon en huelga de hambre, entre ellos Ali Afshari, Mohammad Abdollahi y Saman Nasim, un presunto menor infractor, se los amenazó con acelerar su ejecución. El 10 de diciembre, funcionarios de Inteligencia exigieron al parecer a la familia del Sr. Nasim que lo instara a poner término a su huelga de hambre, porque de lo contrario su sentencia de muerte se ejecutaría de manera inmediata<sup>20</sup>. Al parecer, 26 presos abandonaron la huelga de hambre el 22 de diciembre de 2014, después de que las autoridades asumieran el compromiso de poner fin al hostigamiento a sus familiares y de investigar las demandas de los reclusos.

## **F. Libertad de expresión y de acceso a la información**

30. Durante el examen periódico universal de 2014, el Gobierno recibió 19 recomendaciones relativas a la libertad de expresión y de opinión y al acceso a la información. El Ministerio de Cultura y Orientación Islámica organizó, del 8 al 14 de noviembre de 2014, la 20ª edición de la Feria Nacional de la Prensa, que tuvo por título “La libertad responsable”. Lamentablemente, los comentarios positivos sobre la libertad de los medios de comunicación que formularon en ese evento varios funcionarios, algunos del Ministerio, no se compadecen con el trato que se prodiga a los periodistas y blogueros en el país.

31. Desde julio de 2014, un mínimo de 13 periodistas y blogueros han sido detenidos o privados de libertad (véase el anexo I), y al menos 8 periodistas han sido puestos en libertad tras el cumplimiento de sus penas de prisión. En diciembre de 2014, 30 periodistas permanecían encarcelados (véase el anexo I)<sup>21</sup>. Las acusaciones

<sup>20</sup> Información presentada a la oficina del Relator Especial el 16 de diciembre de 2014.

<sup>21</sup> Véase también el informe especial del Comité para la Protección de los Periodistas, 17 de diciembre de 2014, en <https://cpj.org/reports/2014/12/journalists-in-prison-china-is-worlds-worst-jailer.php>.

comprendían delitos imprecisos “contra la seguridad nacional” tales como “propaganda contra el régimen”, “reunión y conspiración contra el régimen”, “injurias al Líder Supremo” y “propagación de falsedades con el ánimo de agitar la conciencia pública”. En septiembre de 2014, el Tribunal Supremo de la República Islámica del Irán confirmó la pena de muerte para Soheil Arabi, un bloguero condenado por *sabb al-nabi* (injurias al Profeta del islam) a raíz de comentarios que presuntamente publicó en varias cuentas de Facebook. Además, fue condenado por “injurias a funcionarios del Gobierno”, “injurias al Líder Supremo” y “propaganda contra el régimen”. En sus observaciones sobre el presente documento, el Gobierno alegó que el Sr. Arabi “hirió [sic] el sentimiento público religioso”.

32. Según parece, las autoridades iraníes prosiguieron con el cierre de publicaciones y cadenas de televisión consideradas subversivas contra varios integrantes del *establishment* político. Se autorizó que se reanudara la publicación de los diarios *Ghanoun*, *Bahar* y *Aseman*, que habían sido cerrados por considerarse sus contenidos ofensivos<sup>22</sup>. El 23 de diciembre de 2014, el diario *Roozan* fue cerrado por orden de la Fiscalía de Teherán, en relación al parecer con un artículo publicado para conmemorar el quinto aniversario del fallecimiento del ayatolá Hossein Ali Montazeri. En agosto de 2014, cinco cadenas religiosas privadas (Imam Hossein, Abolfazal Abass, Alghaem, Alzahra y Almehti) fueron clausuradas después de que el Ministerio de Inteligencia las acusara de trabajar ilegalmente para cadenas de televisión por satélite de los Estados Unidos y del Reino Unido, así como de provocar tensiones sectarias en el islam, de degradar la imagen del chiísmo y de injuriar a las figuras sagradas del islam. El 8 de enero de 2015, el Ministerio anunció el cierre de las oficinas de 17 cadenas de televisión por satélite que “apoyaban a enemigos que estaban provocando tensiones sectarias en el islam”<sup>23</sup>.

33. El bloqueo de acceso y el filtrado de contenidos de los sitios web, que, al parecer, ordenan numerosos organismos, sigue siendo una práctica generalizada. No está claro que la legislación nacional confiera a los organismos facultades legales para interferir en el contenido de sitios web. En octubre de 2014, el Jefe del Tribunal Administrativo y la Fiscalía General criticaron al Ministerio de Cultura y Orientación Islámica por haber cerrado sin más trámites sitios web que carecían de autorización, arguyendo que ni el Ministerio ni la Junta de Supervisión de la Prensa tenían facultad para hacerlo sin una orden de la Fiscalía General<sup>24</sup>. En noviembre, el Grupo de Trabajo encargado de determinar casos de contenido delictivo confirmó que el Ministerio de Información y Tecnología continuaría filtrando el acceso a datos en Instagram<sup>25</sup>. En diciembre de 2014, Fars News Agency informó de que se habían bloqueado páginas “inmorales” en Instagram.

34. En noviembre de 2014, el Gobierno del Presidente Hassan Rouhani aprobó modificaciones a la Ley de Acceso a la Información, de 2009, destinadas a permitir el acceso a información detallada sobre la utilización de fondos públicos por parte del Gobierno<sup>26</sup>. Cabe mencionar que Sadegh Larijani, máxima autoridad del poder judicial, anunció que había ordenado a la Fiscalía vigilar y citar a todo aquel culpable de “cargar las tintas” al hablar de la corrupción del Gobierno<sup>27</sup>.

<sup>22</sup> British Broadcasting Corporation (BBC), 13 de noviembre de 2014, [www.bbc.co.uk/persian/iran/2014/11/141113\\_145\\_aseman\\_daily](http://www.bbc.co.uk/persian/iran/2014/11/141113_145_aseman_daily).

<sup>23</sup> Fars News Agency (noticias semioficiales), 4 de enero de 2015, [www.farsnews.com/newstext.php?nn=13931014000459](http://www.farsnews.com/newstext.php?nn=13931014000459).

<sup>24</sup> Radio Farda, 14 de octubre de 2014, [www.radiofarda.com/content/f6\\_iran\\_websites\\_filtering/26637464.html](http://www.radiofarda.com/content/f6_iran_websites_filtering/26637464.html).

<sup>25</sup> Iranian Students' News Agency, 11 de noviembre de 2014, <http://isna.ir/fa/news/93082010296/>.

<sup>26</sup> Mehr News Agency (noticias semioficiales), 15 de octubre de 2014, <http://mehrnews.com/news/2389693/>.

<sup>27</sup> Mehr News Agency, 12 de octubre de 2014, <http://mehrnews.com/news/2387790/>.

## 1. Anteproyecto de ley para establecer un consejo sobre los medios de comunicación

35. El 10 de agosto de 2014 se publicó un anteproyecto de ley para establecer un consejo sobre los medios de comunicación, a cuyo tenor parece aumentar la vigilancia del Gobierno sobre los medios de comunicación<sup>28</sup>. Periodistas y expertos jurídicos han mostrado serias reservas a las disposiciones del proyecto de ley, que otorgan al Gobierno una función a la hora de expedir licencias a los periodistas y de investigar casos de “mala práctica profesional”, así como de dictar medidas punitivas al respecto, entre ellas la inhabilitación temporal para el ejercicio del periodismo y la revocación de licencias<sup>29</sup>. No se conocen con certeza las eventuales medidas que se aplicarían, de aplicarse, a quienes ejerzan actividades periodísticas sin licencia. Al parecer, el Gobierno decidió suspender la redacción del proyecto de ley ante las críticas, alegando que era preciso efectuar ulteriores consultas con los periodistas<sup>30</sup>.

## 2. Proyecto de ley sobre delitos políticos

36. El Parlamento presentó el proyecto de ley sobre delitos políticos en septiembre de 2013, y lo revisó en junio de 2014. En el proyecto de ley se definen los delitos políticos como actividades que pretenden influir en los asuntos del país, sus instituciones administrativas y políticas, o sus políticas nacionales o exteriores, sin intención de menoscabar los principios del Estado. Entre ellos figuran la injuria o la difamación de parlamentarios o de miembros del Consejo de Guardianes, ministros u otros funcionarios del Gobierno<sup>31</sup>. El proyecto de ley estipula que los delitos políticos o de prensa sean juzgados en juicios públicos mediante jurado.

## G. Libertad de reunión pacífica y de asociación

37. En 2011, el Comité de Derechos Humanos observó que las asambleas y el establecimiento de asociaciones en la República Islámica del Irán están condicionados al cumplimiento de los “principios del islam”, carentes de definición en la legislación nacional (véase el párr. 26 del documento CCPR/C/IRN/CO/3). El Comité alentó al Gobierno a que pusiera inmediatamente en libertad a toda persona recluida por ejercer pacíficamente esos derechos, y lo instó a que retirase su proyecto de ley sobre el establecimiento y la supervisión de organizaciones no gubernamentales (ONG), conforme al cual se establecería un comité que, presidido por el Ministerio del Interior y por representantes del Ministerio de Inteligencia, gestionaría el funcionamiento de las ONG.

38. Durante el examen periódico universal del país de 2014, el Presidente del Consejo Superior de Derechos Humanos informó de que en la República Islámica del Islam existían más de 17.000 ONG que trabajaban en diversos ámbitos, entre ellos la promoción y la protección de los derechos humanos. Las denuncias de detenciones de activistas pro derechos humanos por ejercer pacíficamente derechos legítimos demuestran que las protecciones de esos derechos se aplican de forma caprichosa. Además, los proyectos de ley más recientes entrañan el riesgo de agravar la situación.

<sup>28</sup> Sitio web oficial del Parlamento, <http://rc.majlis.ir/fa/law/show/790196>.

<sup>29</sup> Iranian Labour News Agency (noticias semioficiales), 27 de Agosto de 2014, <http://ilna.ir/news/news.cfm?id=199081>.

<sup>30</sup> *Shahrvand* (noticias semioficiales), 15 de diciembre de 2014, [http://shahrvand-newspaper.ir/?News\\_Id=16826](http://shahrvand-newspaper.ir/?News_Id=16826).

<sup>31</sup> Sitio web oficial del Parlamento, [http://rc.majlis.ir/fa/legal\\_draft/state/856746](http://rc.majlis.ir/fa/legal_draft/state/856746).

## 1. Anteproyecto de ley relativo a las organizaciones no gubernamentales

39. El 9 de noviembre de 2014<sup>32</sup>, el Ministerio del Interior presentó un proyecto de ley que parece amenazar en mayor medida la independencia de la sociedad civil. La ley prevé el establecimiento de consejos en los planos nacional, provincial y municipal que, en parte, tendrían la responsabilidad de expedir licencias a las ONG que trabajen sobre cuestiones como el “arte, la salud, el medio ambiente, el patrimonio cultural, los derechos humanos, las cuestiones étnicas y el desarrollo”, unas organizaciones cuyas actividades no se rigen actualmente por otras leyes que regulan la labor de las organizaciones profesionales o las entidades políticas, como los partidos políticos (arts. 2 y 4 del proyecto de ley).

40. De conformidad con el proyecto de ley, a los consejos también les incumbiría la responsabilidad de supervisar y apoyar a las ONG, además de abordar los casos de mala práctica. Las ONG podrían desempeñar oficialmente actividades institucionales, previa autorización de su establecimiento y luego de recibir y registrar las correspondientes autorizaciones para el ejercicio de sus actividades (art. 21). Los procedimientos que establece el proyecto de ley para la creación de asociaciones parecen especialmente gravosos y someterían a las ONG a supervisión y discrecionalidad administrativas, que podrían emplearse para acallar opiniones o creencias discrepantes, en contravención de las leyes y normas internacionales.

## 2. Proyecto de ley sobre la constitución de partidos y grupos políticos y las actividades de estos

41. El 20 de julio de 2012 se presentó por primera vez en el Parlamento un proyecto de ley sobre la constitución de partidos y grupos políticos y las actividades de estos. El 20 de julio de 2014, el Parlamento suspendió el examen del proyecto de ley durante tres meses ante las preocupaciones que suscitaban las disposiciones de este<sup>33</sup>.

42. Varios aspectos del proyecto de ley resultan desconcertantes, pues parecen privar de los derechos civiles en la práctica a quienes hayan sido detenidos o procesados por ejercer pacíficamente sus derechos de expresión, asociación y reunión, inclusive durante los meses posteriores a las elecciones presidenciales en 2009, así como a abogados, periodistas y activistas pro derechos humanos que podrían haber manifestado opiniones discrepantes o críticas sobre una amplia diversidad de temas.

43. El proyecto de ley prohíbe que los partidos políticos realicen actividades a menos que cuenten con dos autorizaciones expedidas por una comisión integrada por nueve miembros<sup>34</sup>, de la que forman parte representantes del Gobierno, entre ellos funcionarios del Ministerio del Interior, el Ministerio de Inteligencia y el Parlamento, el Fiscal General y el presidente del poder judicial<sup>35</sup>.

44. Para obtener una autorización inicial, los solicitantes deberán presentar una lista de miembros propuestos, junto con el programa del partido, que incluirá su visión del mundo, sus fundamentos intelectuales e ideológicos, y sus objetivos y planes destinados a cumplirlos, además del enfoque general del partido respecto de las cuestiones culturales, económicas, sociales, políticas, administrativas y jurídicas del país<sup>36</sup>. En los estatutos de la asociación y el programa del solicitante deberá constar

<sup>32</sup> Fars News Agency, 1 de diciembre de 2014; [www.farsnews.com/newstext.php?nn=13930905000787](http://www.farsnews.com/newstext.php?nn=13930905000787).

<sup>33</sup> Sitio web oficial del Parlamento, [http://rc.majlis.ir/fa/legal\\_draft/state/814244](http://rc.majlis.ir/fa/legal_draft/state/814244).

<sup>34</sup> Club de Jóvenes Periodistas, 13 de julio de 2014, [www.yjc.ir/fa/print/4908729](http://www.yjc.ir/fa/print/4908729).

<sup>35</sup> Sitio web oficial del Parlamento, [http://rc.majlis.ir/fa/legal\\_draft/state/814244](http://rc.majlis.ir/fa/legal_draft/state/814244).

<sup>36</sup> Iranian Students' News Agency, 13 de julio de 2014, <http://isna.ir/fa/news/93042212597>.

expresamente la observancia de la Constitución y del principio de tutela ejercida por el jurisconsulto islámico [*velayat-e-faqih*]<sup>37</sup>.

45. El proyecto de ley prohíbe que personas vinculadas a grupos “contrarrevolucionarios” o condenadas por delitos contra la seguridad nacional y exterior establezcan partidos políticos. Se prohibirá la afiliación a partidos políticos o la creación de estos por antiguos miembros de partidos disueltos por orden judicial que gozaran de influencia en el momento de su disolución<sup>38</sup>. El 14 de diciembre de 2014, las autoridades anunciaron que el nuevo proyecto de ley se aprobaría antes de las elecciones parlamentarias de 2016.

## H. Libertad de religión o de creencias

46. De conformidad con la legislación del Irán, incumbe al Ministerio de Cultura y Orientación Islámica la responsabilidad de expedir autorizaciones para que las minorías reconocidas en la Constitución realicen actividades culturales, artísticas y de promoción<sup>39</sup>. En virtud de la Ley de Partidos del país, las minorías religiosas reconocidas en la Constitución pueden constituir sociedades de minorías religiosas, integradas por voluntarios de la misma religión, para trabajar sobre temas relacionados con la religión, la cultura y el bienestar en sus propias comunidades<sup>40</sup>. La Oficina de Minorías Religiosas tiene el cometido de coordinar y supervisar todas las ceremonias de las minorías religiosas, incluidas las actividades que se realicen durante la observancia de festividades religiosas. El Ministerio deberá autorizar las publicaciones, así como las visitas de misioneros extranjeros a la República Islámica del Irán a solicitud de iglesias y consejos religiosos<sup>41</sup>.

47. Pese a las afirmaciones de que el procedimiento que rige la expedición de autorizaciones a chiíes y suníes para construir mezquitas no es discriminatorio, los suníes señalan que no se les ha permitido construir una mezquita en Teherán desde 1979<sup>42</sup>, y las autoridades parecen haber restringido también la construcción de iglesias cristianas, incluidas las de asirios y armenios ortodoxos, durante los últimos 35 años<sup>43</sup>. Además, todavía se reciben denuncias de que el Gobierno prohíbe a iglesias cristianas officiar misas en persa<sup>44</sup>.

### 1. Bahais

48. Pese a las afirmaciones de altos funcionarios de que los bahais tienen derecho a solicitar la ciudadanía, continúan siendo víctimas de discriminación, detención y privación arbitraria de libertad por motivos relacionados con su religión. Se estima que, entre septiembre y diciembre de 2014, las fuerzas de seguridad detuvieron al menos a 24 bahais en las ciudades de Isfahán, Teherán, Shiraz, Hamedan, Karaj y Semnan, lo que elevaba a 100 el número total de bahais privados de libertad.

<sup>37</sup> *Ibid.*

<sup>38</sup> Tasnim News Agency (noticias semioficiales), 15 de julio de 2014, [www.tasnimnews.com/Home/Single/432095](http://www.tasnimnews.com/Home/Single/432095).

<sup>39</sup> Sitio web oficial del Ministerio de Cultura y Orientación Islámica, [www.farhang.gov.ir/fa/intro/duty](http://www.farhang.gov.ir/fa/intro/duty).

<sup>40</sup> Sitio web oficial del Parlamento, <http://rc.majlis.ir/fa/law/show/90226>.

<sup>41</sup> Tehran Jewish Committee, [www.iranjewish.com/Essay/Essay14.htm](http://www.iranjewish.com/Essay/Essay14.htm).

<sup>42</sup> Campaña Internacional a favor de los Derechos Humanos en el Irán, 17 de enero de 2012, [http://persian.iranhumanrights.org/1390/10/sunni\\_mps/](http://persian.iranhumanrights.org/1390/10/sunni_mps/).

<sup>43</sup> Campaña Internacional por los Derechos Humanos en el Irán, “Iran: the cost of faith: persecution of Christian Protestants and converts in Iran” (2013). Disponible en: [www.iranhumanrights.org/wp-content/uploads/Christians\\_report\\_Final\\_for-web.pdf](http://www.iranhumanrights.org/wp-content/uploads/Christians_report_Final_for-web.pdf).

<sup>44</sup> *Ibid.*



49. Han aumentado las restricciones discriminatorias respecto de la inhumación de bahais en cementerios en todo el país. Se han recibido informaciones de que las autoridades de la ciudad de Semnan han disuadido a las familias de que graben epitafios en las lápidas, en las que las inscripciones deben limitarse a consignar el nombre, el apellido y las fechas de nacimiento y defunción. Las autoridades también han restringido la construcción de nuevos edificios para acoger entierros en el cementerio bahai de Semnan. En al menos tres casos, las autoridades han demorado al parecer el enterramiento de bahais en las ciudades de Tabriz y Ahvaz<sup>45</sup>.

50. Según se informa, en el año académico 2014/15 los estudiantes bahais fueron objeto de discriminación en la admisión a instituciones de enseñanza superior. A Shadan Shirazi, estudiante bahai cuya calificación en el examen nacional de matemáticas lo situaba en el puesto 113º del casi 1 millón de estudiantes que lo tomaron, se le impidió matricularse en una universidad pública. El Relator Especial invita a que los estudiantes bahais denuncien las violaciones de sus derechos al Consejo Superior de Derechos Humanos.

51. La instigación contra los bahais parecía persistir en 2014. El 15 de diciembre de 2014, el ayatolá Bojnourdi, un alto clérigo que anteriormente fuera miembro del Consejo Judicial Supremo, afirmó lo siguiente: “Nunca dijimos que los bahais tuvieran derecho a la educación; los bahais ni siquiera tienen derechos de ciudadanía”<sup>46</sup>. Ante las reacciones negativas que suscitaron sus palabras, aclaró más adelante que los bahais que hubieran cooperado con Israel o atacado al islam no tenían derechos de ciudadanía<sup>47</sup>. Podían ejercer sus derechos humanos, pero no disfrutar de privilegios como ir a la universidad en la República Islámica del Irán<sup>48</sup>.

## 2. Cristianos

52. A fecha 1 de enero de 2015, al menos 92 cristianos permanecían encarcelados en el país, presuntamente debido a su fe y actividades cristianas<sup>49</sup>. Solo en 2014, se cree que 69 cristianos conversos fueron detenidos y reclusos durante al menos 24 horas en toda la República Islámica del Irán. Al parecer, las personas que están al frente de iglesias ubicadas en casas de particulares, y en general las que habían sido previamente musulmanas, seguían en el punto de mira de las autoridades. Los cristianos conversos al parecer también seguían sufriendo cortapisas en su observancia de festividades religiosas.

53. El 25 de diciembre de 2014, las autoridades iraníes registraron una iglesia ubicada en un domicilio en la ciudad de Rudehen y detuvieron a nueve personas que se habían congregado para celebrar la Navidad<sup>50</sup>. El 26 de diciembre, las autoridades también detuvieron al pastor Victor Bet Tamarz, quien fuera rector de la iglesia pentecostal asiria de Shahrara en Teherán, junto con otros dos cristianos conversos, mientras el pastor oficiaba una misa de Navidad. Al parecer, el pastor Tamarz ha sufrido presiones desde 2009 por officiar misas en persa<sup>51</sup>. El 19 de octubre de 2014, el Tribunal Revolucionario de la provincia de Alborz condenó a los pastores Behnam Irani, Reza Rabbani y Abdolreza (Mathias) Haghnejad a seis años de prisión, acusándolos de “atentar contra la seguridad nacional” y de “constituir grupos para derrocar al Gobierno”. Los pastores Irani y Rabbani están actualmente cumpliendo su

<sup>45</sup> Información remitida al Relator Especial por la comunidad bahai en diciembre de 2014.

<sup>46</sup> Campaña Internacional por los Derechos Humanos en el Irán, 18 de diciembre de 2014, <http://persian.iranhumanrights.org/1393/09/bojnoordi-bahais/>.

<sup>47</sup> Tasnim News Agency, 18 de diciembre de 2014, [www.tasnimnews.com/Home/Single/592485](http://www.tasnimnews.com/Home/Single/592485).

<sup>48</sup> *Ibid.*

<sup>49</sup> Información remitida al Relator Especial por la ONG Article 18.

<sup>50</sup> *The Voice of Iranian Christians*, <http://vocir.org>.

<sup>51</sup> Article 18, <http://articleeighteen.com/fa/breaking-news/victor-bet-tamraz-arrested/>.

pena. El Gobierno aclaró que el Tribunal de Apelación de la provincia de Alborz había absuelto al Sr. Haghnejad.

## **VI. Derechos económicos, sociales y culturales**

### **A. Derechos económicos**

#### **1. Derecho de sindicación y de negociación colectiva**

54. Si bien el Estado es parte en cinco de los ocho convenios fundamentales de la Organización Internacional del Trabajo (OIT), el Gobierno aún no ha firmado los dos convenios de la OIT que abordan específicamente el derecho a la libertad de expresión y de asociación: el Convenio núm. 87 sobre la libertad sindical y la protección del derecho de sindicación (1948), y el Convenio núm. 98 sobre el derecho de sindicación y de negociación colectiva (1949). El Gobierno mantiene que los derechos y las salvaguardias no se ven afectados por el hecho de que el Irán no se adhiera a esos tratados.

55. El Relator Especial observa con satisfacción que se ha permitido a numerosos grupos de trabajadores defender sus derechos, y cita a título de ejemplo las acciones que llevan actualmente a cabo cientos de trabajadores en la empresa cementera Stephan en Dizicheh, en la provincia de Isfahán, así como los trabajadores de la Yaz Khorramshahr Industry. No obstante, la observancia de las protecciones de los derechos de los activistas laborales continúa siendo arbitraria. La Ley del Trabajo del país, de 1990, recoge numerosas disposiciones progresistas sobre los derechos de los trabajadores, pero excluye de manera efectiva el derecho de los trabajadores a sindicarse sin supervisión o control del Gobierno. La Ley autoriza al Ministerio de Trabajo y Asuntos Sociales a que supervise la constitución, el alcance de las responsabilidades y las funciones de los grupos de trabajadores y de sus representantes. Esos requisitos y restricciones exponen a los trabajadores activistas pacíficos que no cuentan con la aprobación del Gobierno a detenciones y procesamientos por acusaciones de “delitos contra la seguridad nacional”.

56. En diciembre de 2014, al menos 3 miembros del Comité de Coordinación en apoyo a la constitución de organizaciones de trabajadores fueron detenidos durante una manifestación, y al menos 27 más permanecen recluidos por haber ejercido derechos amparados por la legislación internacional.

#### **2. El plan encaminado a proteger el *hiyab*, el recato y la segregación por sexos en el lugar de trabajo**

57. El 8 de octubre de 2014, 36 miembros del Parlamento presentaron un plan encaminado a proteger el *hiyab* y el recato<sup>52</sup>. El proyecto de ley parece imponer restricciones adicionales al derecho de las mujeres al trabajo. En el artículo 5 del proyecto de ley se limita la jornada laboral de las mujeres al horario comprendido entre las 7.00 y las 22.00 horas, y se solicita la separación por sexos en el lugar de trabajo. Algunas profesiones (por ejemplo el personal médico, el personal de enfermería y los auxiliares de vuelo) están exentas de las restricciones horarias previstas en el proyecto de ley, y se concederán exenciones respecto de las políticas de segregación a los lugares de trabajo en los que se requiera la presencia de mujeres. El proyecto de ley pretende asimismo regular los códigos de vestimenta, y autoriza que los empleados de los sectores público y privado que no cumplan con las normas de indumentaria que impone el islam sean sancionados con un recorte salarial de hasta un tercio del sueldo durante un período comprendido entre 1 y 12 meses.

<sup>52</sup> Sitio web oficial del Parlamento, [http://rc.majlis.ir/fa/legal\\_draft/show/907753](http://rc.majlis.ir/fa/legal_draft/show/907753).



58. El 30 de agosto de 2014, las autoridades anunciaron que se prohibía a las mujeres trabajar en las cafeterías y que las solicitantes de licencias comerciales de hostelería deberían designar a un hombre en calidad de supervisor<sup>53</sup>. Entre agosto y diciembre de 2014, varias actuaciones musicales fueron canceladas porque en ellas participaban mujeres. El 2 de septiembre de 2014, el diario *Shargh* informó de que las mujeres no podían participar en representaciones musicales en Isfahán y en otras 13 provincias del país. El Ministerio de Cultura y Orientación Islámica manifestó que “cuando mujeres que observan el *hiyab* islámico están presentes y trabajan con hombres en un contexto armonioso no existe motivo para prohibir la presencia de mujeres en los escenarios. No imponemos limitación alguna de carácter religioso a las actuaciones de mujeres”<sup>54</sup>.

## B. Derecho a la salud

### 1. La interferencia deliberada en la recepción de señales de televisión con antenas parabólicas y sus repercusiones sobre la salud

59. Las autoridades iraníes siguen al parecer procesando a personas por la tenencia y utilización de antenas parabólicas. En el curso de los últimos meses, funcionarios iraníes se han concienciado cada vez más sobre las preocupaciones que puede suscitar para la salud la interferencia deliberada en la recepción de señales de televisión con antenas parabólicas, a la que recurre el Gobierno para impedir el acceso público a determinados canales de televisión. En febrero de 2014, el Ministro de Salud, Dr. Seyyed Hassan Ghazizadeh, anunció la constitución de un comité especial, integrado por representantes del Ministerio de Salud, el Ministerio de Información y Tecnología y la Organización de Energía Atómica del Irán, para investigar las posibles repercusiones sobre la salud de la interferencia deliberada en la recepción de señales de televisión con antenas parabólicas<sup>55</sup>. El comité todavía no ha dado a conocer sus hallazgos. En octubre, Saeed Motassadi, del Departamento de Medio Ambiente, señaló que la relación entre la interferencia deliberada y el cáncer había sido objeto de estudio en numerosas ocasiones, y que existía alguna posibilidad de que las personas pudieran sufrir cáncer a resultas de los efectos de la interferencia deliberada en la recepción de señales de televisión<sup>56</sup>.

### 2. Nacionales iraníes transgénero

60. Durante el examen de la República Islámica del Irán en 2013, el Comité de Derechos Económicos, Sociales y Culturales manifestó su preocupación por la discriminación que sufren los miembros de la comunidad de lesbianas, gais, bisexuales y transgénero con respecto al acceso al empleo, la vivienda, la educación y la atención de la salud, así como la marginalización y la estigmatización social (véase E/C.12/IRN/CO/2, párr. 7).

61. El Relator Especial celebra que la legislación y la práctica del Irán den cabida a la posibilidad de que las personas transgénero se sometan a una cirugía de confirmación de género<sup>57</sup>. No obstante, la información recibida de las víctimas que se

<sup>53</sup> Tasnim News Agency, 30 de agosto de 2014, [www.tasnimnews.com/Home/Single/478110](http://www.tasnimnews.com/Home/Single/478110).

<sup>54</sup> Islamic News Agency, 17 de septiembre de 2014, [www.irna.ir/fa/News/81313979/](http://www.irna.ir/fa/News/81313979/).

<sup>55</sup> Campaña Internacional por los Derechos Humanos en el Irán, “Government committee to review satellite jamming signals’ effects on public health”, 5 de febrero de 2014. Disponible en: [www.iranhumanrights.org/2014/02/satellite-jamming/](http://www.iranhumanrights.org/2014/02/satellite-jamming/).

<sup>56</sup> AlMonitor, “Iran official says satellite jamming can cause cancer”, 2 de octubre de 2014.

Disponible en: [www.al-monitor.com/pulse/originals/2014/10/iran-satellite-jamming-cancer.html#](http://www.al-monitor.com/pulse/originals/2014/10/iran-satellite-jamming-cancer.html#).

<sup>57</sup> International Gay and Lesbian Human Rights Commission e Iranian Queer Organization: “Human rights violations of people in the Islamic Republic of Iran on the basis of their sexual orientation

sometieron a esas operaciones quirúrgicas indicaba que, en ocasiones, la calidad de la atención sanitaria no satisfacía en absoluto las normas mínimas ni era conforme con las normas profesionales y el derecho a un nivel adecuado y posible de salud consagrado en el Pacto Internacional de Derechos Civiles y Políticos y el Pacto Internacional de Derechos Económicos, Sociales y Culturales<sup>58</sup>. Las personas entrevistadas afirmaron que las cirugías de confirmación de género solían entrañar graves complicaciones, tales como hemorragias e infecciones graves, cicatrices, dolor crónico y fistulas rectovaginales. Varios nacionales iraníes transgénero afirmaron que sus operaciones habían tenido como resultado estenosis vaginal y anomalías en la forma o en la ubicación de los órganos sexuales.

62. Se tiene constancia de que algunos médicos facturaban tarifas reducidas por cirugías que, en último término, no se ajustaban a los procedimientos normalizados. Esas operaciones de bajo coste se realizaban supuestamente fuera de quirófano, con anestesia y atención postoperatoria limitadas, y a veces sin reconstrucción genital. Según varias personas transgénero entrevistadas, las operaciones quirúrgicas “rebajadas” eran atractivas porque resultaba difícil acceder a la onerosa atención quirúrgica, debido a la falta de subvenciones y al tedioso proceso burocrático previo a la cirugía. El Relator Especial toma nota de que las personas transgénero deben someterse a operaciones de confirmación de género para que este sea legalmente reconocido en la República Islámica del Irán, lo cual podría crear una presión indebida para que las personas se sometan a la cirugía.

## C. Minas terrestres

63. Durante el examen periódico universal del país de 2014, se manifestó inquietud por la situación de las minas terrestres en la República Islámica del Irán. Las informaciones señalan que ha concluido el proceso inicial de desminado y que se han impartido conocimientos sobre las minas terrestres y sus riesgos a 2 millones de residentes locales<sup>59</sup>. En abril de 2011, un militar afirmó que se había limpiado cerca del 85% de las zonas contaminadas y que se habían destruido millones de minas terrestres sin detonar, pero que las minas terrestres enterradas en los estratos inferiores del suelo que quedaban al descubierto con la lluvia y la erosión seguían constituyendo una amenaza<sup>60</sup>.

64. Desde 2013, se estima que 89 civiles han sufrido heridas por la explosión de minas terrestres; 12 de ellos eran menores de 15 años<sup>61</sup>. En 2013 y 2014, 11 y 9 personas respectivamente fallecieron por la detonación de minas terrestres y municiones sin estallar<sup>62</sup>. En octubre de 2013, el Gobernador de Marivan, en la provincia de Kurdistán, informó de que 7 niños de la aldea de Neshkash habían resultado heridos por la explosión de una mina terrestre en una zona desminada que seguía expuesta al riesgo de las minas terrestres que quedaban al descubierto en razón de la lluvia y los corrimientos de tierras.

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and gender identity” (2014). Disponible en: <http://iglhrc.org/sites/default/files/UPRSubmission.pdf>.

<sup>58</sup> E. Coleman y otros: “Standards of Care (SOC) for the Health of Transsexual, Transgender, and Gender Nonconforming People”, Version 7, *International Journal of Transgenderism*, vol. 13, (2011). Disponible en: [www.wpath.org/uploaded\\_files/140/files/IJT%20SOC,%20V7.pdf](http://www.wpath.org/uploaded_files/140/files/IJT%20SOC,%20V7.pdf).

<sup>59</sup> Mehr News Agency, 2 de noviembre de 2014, <http://mehrnews.com/news/2414195/>.

<sup>60</sup> Jamejam Online (noticias semioficiales), 17 de abril de 2014, <http://www1.jamejamonline.ir/papertext.aspx?newsnum=100841075238>.

<sup>61</sup> Asociación pro Derechos Humanos en el Kurdistán de Irán-Ginebra, informe relativo a las víctimas de las minas terrestres en el Kurdistán iraní, presentado a la oficina del Relator Especial, [www.kmmk-ge.org/?p=633&lang=en](http://www.kmmk-ge.org/?p=633&lang=en).

<sup>62</sup> *Ibid.*

65. Se ha denunciado la insuficiente educación sobre los riesgos, especialmente entre los niños, y las deficiencias de los programas de apoyo del Estado destinados a las víctimas de las minas terrestres. Algunas víctimas han calificado su experiencia en los programas de apoyo de “premiosa y arbitraria”, y han señalado que varias víctimas se habían visto privadas de medidas de apoyo a causa de los criterios imprecisos que regían el proceso de concesión de servicios<sup>63</sup>.

66. En octubre de 2014, un abogado que representaba a los niños víctimas de las minas terrestres en el caso de Neshkash informó a la Presidencia de la incapacidad de las anteriores autoridades locales para atender las preocupaciones de las víctimas de las minas terrestres, y solicitó que se adoptaran medidas adecuadas para lidiar con las amenazas persistentes y brindar apoyo y tratamiento a los heridos<sup>64</sup>. En noviembre de 2014, Omid Karimian, parlamentario de la provincia de Kurdistán, una de las cinco provincias supuestamente afectadas por las minas terrestres de la guerra entre la República Islámica del Irán y el Iraq, manifestó su preocupación por el acceso a la atención médica y a las pensiones por parte de las víctimas de las minas terrestres<sup>65</sup>. El Gobierno, en su respuesta al presente informe, sostuvo que el Parlamento había ratificado una ley en virtud de la cual se prestaba protección y apoyo a las familias de quienes, regresando a las zonas del país afectadas por la guerra, “fallecieron o resultasen heridos” por la explosión de minas terrestres o de otros artefactos sin estallar.

## VII. Igualdad de género y derechos de la mujer

67. Durante el examen periódico universal de 2014, se formularon 52 recomendaciones relativas a los derechos de las mujeres y las niñas que giraron en torno a la discriminación de género, el matrimonio precoz, el acceso a la salud y a la educación, la participación económica y social y la violencia doméstica. Varios Estados pidieron a la República Islámica del Irán que mejorase la condición general de la mujer en los ámbitos social, cultural, económico y político. Persisten las preocupaciones ya mencionadas sobre la desigualdad de género en la legislación y en la práctica. Las recientes iniciativas legislativas del Parlamento parecen restringir en mayor medida el derecho de las mujeres al disfrute pleno y en condiciones de igualdad de los derechos reconocidos internacionalmente.

### A. Legislación con particular incidencia en las mujeres

#### 1. Plan de Excelencia para la Población y la Familia

68. En octubre de 2014, se pospuso la votación sobre el proyecto de ley que introducía el Plan de Excelencia para la Población y la Familia, orientado a alentar a los jóvenes a contraer matrimonio y tener hijos<sup>66</sup>. El 21 de octubre de 2014, el Vicepresidente para Asuntos de la Mujeres y la Familia, Shahindokht Mowlaverdi, manifestó su oposición a una disposición del proyecto de ley que prohibiría la contratación de mujeres solteras en facultades universitarias, con el argumento de que

<sup>63</sup> Informes remitidos a la oficina del Relator Especial por el Centro de Defensores de los Derechos Humanos y la Asociación pro Derechos Humanos en el Kurdistán de Irán-Ginebra, el 3 de diciembre de 2014 y el 6 de febrero de 2015, respectivamente.

<sup>64</sup> Azad News Agency (noticias semioficiales), 6 de octubre de 2014, [www.ana.ir/Home/Single/109068](http://www.ana.ir/Home/Single/109068).

<sup>65</sup> Sitio web oficial de Omid Karimian, 3 de noviembre de 2014, [www.omidkarimian.ir/Default.aspx?NewsId=261](http://www.omidkarimian.ir/Default.aspx?NewsId=261).

<sup>66</sup> Shabestan News Agency (noticias semioficiales), 19 de noviembre de 2014, [www.shabestan.ir/detail/News/418119](http://www.shabestan.ir/detail/News/418119).

medidas como esa no fomentarían el matrimonio en la sociedad. Observó que la Comisión Parlamentaria de Salud ya había examinado el proyecto de ley y votado en contra de los artículos 9 y 10, con arreglo a los cuales se daría prioridad en la contratación en función del género y del estado civil y se prohibiría la contratación de mujeres solteras en las facultades<sup>67</sup>.

## 2. Proyecto de ley destinado a la protección de las mujeres contra la violencia

69. En su respuesta a las preocupaciones manifestadas por el Relator Especial en torno a la alta incidencia de la violencia contra la mujer en el país y las deficiencias en las leyes nacionales y el marco institucional para abordar el problema, recogidas en el informe que este presentó a la Asamblea General (A/69/356) en 2014, el Gobierno sostuvo que la violencia doméstica era un delito castigado con la pena capital y señaló que se estaba examinando legislación para definir jurídicamente todas las formas de ese tipo de violencia (*ibid.*, párr. 20). El 29 de noviembre de 2014, se anunció que el proyecto de legislación sobre la protección de la mujer contra la violencia se había sometido a consideración de la Comisión de Examen de Proyectos de Ley de la Administración. La Sra. Mowlaverdi afirmó que su oficina había recomendado que el poder judicial estableciera centros de acogida para mujeres maltratadas, en consonancia con las recomendaciones del Relator Especial.

70. Tras los ataques con ácido sufridos por mujeres en Isfahán, el Gobierno anunció su intención de cooperar con el poder judicial para endurecer el castigo aplicable en esos casos. No obstante, las autoridades prohibieron las manifestaciones contra los ataques y a favor de que se investiguen. El 24 de octubre de 2014, Abed Fatahi, parlamentario de Urumiah, defendió el derecho de los manifestantes<sup>68</sup>. Se detuvo a agentes de la sociedad civil, entre ellos Narsin Sotoudeh, Peyman Aref y Giti Pourfazel, que participaron en una manifestación delante del Ministerio del Interior en Teherán para protestar contra los ataques<sup>69</sup>.

71. En la ciudad de Jahrom, en la provincia de Fars, tuvieron lugar ataques similares en los que al menos seis mujeres, en su mayoría estudiantes universitarias, fueron apuñaladas por la espalda presuntamente por su indumentaria, considerada poco decorosa. El 28 de noviembre de 2014, el Gobernador de la ciudad de Jahrom anunció la detención de un sospechoso. El 5 de enero de 2015, el tribunal de primera instancia condenó al responsable a la pena de muerte por *moharebeh*, que suele traducirse como “enemistad contra Dios”<sup>70</sup>.

## B. La mujer y los presupuestos

72. El proyecto de presupuesto propuesto para el período comprendido entre marzo de 2015 y marzo de 2016 incrementa los recursos destinados al Departamento de Asuntos de la Mujer y de la Familia en un 87% (de 7.900 a 15.000 millones de toman)<sup>71</sup>. Se ha asignado un total de 15.000 millones de *toman* a la cobertura de las amas de casa, concediéndose prioridad a los hogares encabezados por una mujer<sup>72</sup>.

<sup>67</sup> Tasnim News Agency, 21 de octubre de 2014, [www.tasnimnews.com/home/single/534745](http://www.tasnimnews.com/home/single/534745).

<sup>68</sup> Aftab News, <http://aftabnews.ir/fa/news/267949/>.

<sup>69</sup> Deutsche Welle, 25 de octubre de 2014, <http://dw.de/p/1Dc56>.

<sup>70</sup> Bahar News (noticias semioficiales), 29 de noviembre de 2014, <http://baharnews.ir/vdcc44qe.2bqsx8laa2.html>.

<sup>71</sup> El presupuesto total propuesto para el período comprendido entre marzo de 2015 y marzo de 2016 asciende a 219.000 millones de toman. [Un *toman* son 10 riales (N. del T.).]

<sup>72</sup> Salamat News (noticias semioficiales), 30 de noviembre de 2014, [www.salamatnews.com/news/130757/](http://www.salamatnews.com/news/130757/).

## VIII. Respuesta de la República Islámica del Irán

73. En su respuesta al presente informe, el Gobierno de la República Islámica del Irán desestimó la mayor parte de las denuncias transmitidas al titular del mandato. Asimismo, el Gobierno se mostró en desacuerdo con el hecho de que el Relator Especial calificara de problemático el contenido de la legislación en curso de examen, en lo que describió como “una injerencia precipitada en las funciones soberanas del Gobierno”, “contraria” al Código de Conducta para los Titulares de Mandatos de los Procedimientos Especiales del Consejo de Derechos Humanos.

74. El Gobierno manifestó su apoyo a cerca del 65% de las recomendaciones recibidas durante el segundo examen periódico universal del Irán, muchas de las cuales ya consideraba aplicadas, total o parcialmente. El Gobierno comunicó asimismo su intención de responder a todas las comunicaciones pendientes y de proseguir sus reuniones con el Relator Especial, así como de invitar a dos relatores especiales a la República Islámica del Irán.

75. Además, el Gobierno calificó de defectuoso el enfoque adoptado por el Relator Especial en relación con la recopilación de datos, y afirmó que: “No creemos que limitarse a visitar diversos países europeos y redactar un documento provisto de largos anexos tras entrevistar a un número reducido de personas sea la forma adecuada de elaborar un informe fiable”.

76. El Relator Especial conviene en que el enfoque de las investigaciones dista de ser ideal, y reitera que ha solicitado efectuar él mismo una visita a la República Islámica del Irán. Entretanto, seguirá recopilando información a través de entrevistas con iraníes dentro y fuera del país. El Relator Especial espera con interés poder reunirse con las autoridades para examinar más a fondo todas las posibilidades de cooperación.

77. El Gobierno declaró que nadie había sido procesado “únicamente” por haber estado en contacto con los mecanismos de derechos humanos de las Naciones Unidas, “a menos que hubiera cometido un acto considerado contrario a la ley, como por ejemplo actos delictivos o delitos contra la seguridad”.

78. El Gobierno afirmó que la legislación del Irán preveía la condena a la pena de muerte en delitos como el tráfico de drogas ilícitas a gran escala, y añadió que las leyes del país eran “indulgentes” con los menores infractores, pues existía un sistema judicial distinto para los menores y se evaluaba su capacidad para entender los delitos que hubieran cometido.

79. Según el Gobierno, “nadie ha sido detenido por ejercer su derecho de participar en una reunión pacífica”, y el Código Penal Islámico no sancionaba en la actualidad los actos políticos. Sostuvo, en contra de lo concluido por el Grupo de Trabajo sobre la Detención Arbitraria, que nadie era víctima de detención arbitraria en la República Islámica del Irán, y que todos los acusados gozaban de las debidas garantías procesales y de un juicio imparcial de conformidad con la legislación nacional pertinente. A ese respecto, el Gobierno afirmó que las leyes relativas a la conducta de los jueces y al Colegio de Abogados garantizaban la independencia de la abogacía y la judicatura.

80. Asimismo, el Gobierno afirmó que “los presos disponían de niveles aceptables de acceso a atención médica tanto dentro como fuera de prisión”, e informó al Relator Especial de que las juntas de supervisión establecidas por el poder judicial efectuaban visitas periódicas a las prisiones para velar por el cumplimiento de las normas nacionales. También comunicó que el Gobierno estaba contemplando la posibilidad de adherirse a la Convención contra la Tortura y Otros Tratos o Penas Crueles, Inhumanos o Degradantes, un anuncio que fue bienvenido.

81. El Gobierno señaló que las leyes protegían el derecho de expresión “salvo cuando este menoscabase los principios fundamentales del Islam o los derechos de la población”. Alegó que los profesionales de los medios de comunicación encarcelados habían cometido delitos “graves” al propagar mentiras, “alterar la paz pública” y difundir contenidos que incitaban al odio étnico y religioso, al extremismo y a la violencia. Manifestó que los agentes de la sociedad civil tenían libertad y hacían gala de un “amplio dinamismo”, y añadió que “toda forma de actividad social” por parte de “partidos políticos, sociedades o asociaciones” requería autorización y la observancia de leyes y normativas.

82. En relación con la libertad religiosa, el Gobierno afirmó que el criterio más importante para construir nuevos lugares de culto era la cantidad de creyentes de cada fe, y que la proporción de iglesias cristianas era más que suficiente habida cuenta del número de creyentes de esa religión. En respuesta a las denuncias de que no se permitía a los musulmanes suníes construir nuevos lugares de culto, el Gobierno afirmó que no se les impedía acudir a mezquitas chiíes o viceversa, evitándose así la propagación del extremismo.

83. Según el Gobierno, las minas terrestres en las cinco provincias occidentales del país habían sido plantadas por el antiguo “régimen del Iraq” durante la guerra entre ambos países, y los responsables de ellas eran el Iraq y “los países que lo ayudaron a imponer una guerra a la República Islámica del Irán”. Afirmó que las operaciones de desminado exigían la cooperación con organizaciones internacionales y otros países, y que, pese al empeño del Gobierno del Irán, esta cooperación no había cristalizado. Además, el Gobierno describió otras dificultades, entre ellas la escasez de equipos especiales para el desminado, la dificultad general que plantea la localización de minas terrestres a más de 30 cm de profundidad, y las sanciones que habían “obstruido” el acceso del Gobierno a “determinada tecnología avanzada” en ese ámbito.

84. El Gobierno manifestó su rechazo absoluto a los “comportamientos homosexuales”, si bien mostró su apoyo a las personas transgénero. En respuesta a las secciones del informe relativas a las políticas de segregación por sexos, el Gobierno observó que “era preciso prestar la debida atención a los motivos culturales y sociales de ese fenómeno, y que la legislación iraní prescribía el uso del *hiyab* islámico”.

## IX. Conclusiones y recomendaciones

85. En su primer informe provisional a la Asamblea General (A/66/374), el Relator Especial puso de relieve que el documento final del examen periódico universal de la República Islámica del Irán había ofrecido una base sólida de colaboración entre su oficina y las autoridades iraníes, y manifestó su intención de contribuir a las medidas tomadas por el Gobierno para aplicar las 123 recomendaciones que este había aceptado (*ibíd.*, párr. 12). Los informes posteriores del Relator Especial se han centrado en los progresos del Gobierno en lo tocante a abordar las leyes, las políticas y las prácticas señaladas por los mecanismos internacionales de derechos humanos y durante el examen periódico universal de 2010, así como en la identificación de problemas que puedan estar surgiendo.

86. El Relator Especial admite que el Gobierno ha adoptado varias iniciativas para llevar a efecto los compromisos asumidos en el marco del examen periódico universal en 2010, pero lamenta que la mayoría de ellos sigan pendientes de cumplimiento en 2014, y que todavía no se hayan abordado las causas fundamentales de las violaciones que se pusieron de manifiesto durante el examen y en sus informes anuales y provisionales. Las preocupaciones planteadas durante



el examen periódico universal del país en 2014, así como los recurrentes llamamientos dirigidos por los mecanismos de derechos humanos de las Naciones Unidas para que se aborden las violaciones de los derechos civiles, políticos, económicos, sociales y culturales, reflejan dicha realidad.

87. El Relator Especial reitera su firme convicción de que el Gobierno podría mejorar considerablemente la situación de los derechos humanos en el país mediante la aplicación de las recomendaciones formuladas tanto en ambos ciclos del examen periódico universal como por el Secretario General, el Alto Comisionado para los Derechos Humanos, los órganos de tratados y los procedimientos especiales, entre otras cosas reconsiderando las recomendaciones, anteriormente rechazadas, de que se adhiera a la Convención contra la Tortura y Otros Tratos o Penas Crueles, Inhumanos o Degradantes, la Convención sobre la Eliminación de Todas las Formas de Discriminación contra la Mujer y los dos Convenios de la OIT relativos a la negociación colectiva y a la constitución de sindicatos.

88. Convendría conferir suma prioridad a la modificación de las leyes y políticas que socaven o violen derechos y normas internacionalmente reconocidos y que, por ende, mermen la capacidad del Gobierno para atender las preocupaciones señaladas en el curso del examen y en el presente informe y en otros elaborados por los mecanismos de derechos humanos. El Gobierno debería derogar las leyes que tipifican como delito la realización de actividades en las que se ejerzan derechos legítimos contemplados en la legislación internacional, incluida toda ley que restrinja la prensa, penalice la expresión, cercene el acceso a la información y desemboque en las actuales detenciones de agentes de la sociedad civil y miembros de grupos vulnerables, incluidas minorías étnicas y religiosas, así como leyes que sancionen con la pena de muerte delitos no considerados “los más graves” en el derecho internacional, tales como el tráfico de drogas. Además, la aplicación obligatoria de la pena de muerte es incompatible con las garantías de un juicio imparcial contempladas en el derecho internacional en lo que respecta a la aplicación de la pena capital<sup>73</sup>, y convendría replantearla.

89. Las autoridades deben conmutar inmediatamente las condenas a muerte de todos los presos políticos y de conciencia, entre ellos Soheil Arabi, cuyos presuntos actos no constituyen delitos graves de conformidad con el derecho internacional. El Gobierno debe asimismo tomar nota de que el derecho internacional y el consenso definen la ejecución de menores como aquella que se realiza en personas que tenían menos de 18 años en el momento de cometer el delito en cuestión y no cuando se ejecuta la sentencia. Reitera su llamamiento al Gobierno para que prohíba esa práctica oficialmente y para que ponga todas sus prácticas en consonancia con las obligaciones que le incumben en virtud del derecho internacional, y le insta nuevamente a que, entretanto, establezca una moratoria total sobre la pena de muerte. Estas medidas podrían reducir drásticamente las ejecuciones en los casos de delitos no punibles con la pena capital y garantizar en mayor medida la protección del derecho a la vida.

90. Asimismo, el Gobierno debe agilizar la remoción de minas terrestres y de explosivos que plantean una amenaza persistente a la vida y a la seguridad de las poblaciones en las inmediaciones, mejorar la prestación de educación pública, en particular para los niños en situaciones de riesgo, y velar por el acceso inmediato

<sup>73</sup> Véase el informe del Secretario General sobre la pena capital y la aplicación de las salvaguardias para garantizar la protección de los derechos de los condenados a la pena de muerte (E/2010/10 y Corr.1) si se desea un examen detenido de la jurisprudencia pertinente en materia de derechos humanos.

y no discriminatorio a tratamiento médico adecuado y planes de pensiones por parte de las víctimas y sus familias<sup>74</sup>.

91. El Relator Especial acoge favorablemente la puesta en libertad de presos políticos y de conciencia, pero continúa preocupado por el motivo que llevó originalmente a su enjuiciamiento. Suscribe la preocupación reiterada por el Relator Especial sobre la situación de los defensores de los derechos humanos en relación con la interpretación excesivamente lata que hace el Gobierno de la seguridad nacional y la propaganda contra el Estado (véase A/HRC/25/55/Add.3, párr. 2015). Exhorta también a las autoridades a que pongan en libertad a todas las personas que, a juicio del Grupo de Trabajo sobre la Detención Arbitraria, han sido objeto de detención arbitraria, así como a los presos políticos y de conciencia.

92. El Relator Especial lamenta la difícil situación en la que se encuentran las minorías religiosas reconocidas y no reconocidas, y las continuas denuncias de detenciones y procesamientos debidos al culto y a la participación en asuntos religiosos de la comunidad, inclusive en casas particulares. Insta a las autoridades a que reconozcan que la libertad de religión o de creencias entraña la libertad de elegirlos, y que las medidas que restringen las condiciones para percibir privilegios civiles, políticos, sociales o económicos, o la imposición de restricciones específicas al ejercicio o la manifestación de las creencias de otras confesiones conculcan la prohibición de la discriminación fundada en la religión o las convicciones y la garantía de igual protección de la ley dispuestas en el artículo 26 del Pacto Internacional de Derechos Civiles y Políticos<sup>75</sup>.

93. El Gobierno debe modificar leyes y políticas y reconsiderar proyectos de ley que infrinjan el derecho a la libertad de reunión pacífica y de asociación con grupos representativos o personas afines, así como el derecho a fomentar ideales y actividades pacíficos. Se debe permitir que todas las asociaciones, incluidas las no registradas, desarrollen sus funciones libremente, y que sus miembros realicen sus actividades en un entorno seguro y propicio<sup>76</sup>. El Relator Especial se hace eco de la recomendación formulada por el Relator Especial sobre los derechos a la libertad de reunión pacífica y de asociación en el sentido de que el establecimiento de asociaciones deba facilitarse por conducto de un proceso de notificación sencillo, de fácil acceso, no discriminatorio, no gravoso y gratuito<sup>77</sup>. Además, el ejercicio del derecho a la libertad de reunión pacífica no debe ser objeto de autorización previa por las autoridades, sino que a lo sumo se aplicará un procedimiento de notificación previa que no sea engorroso, y las reuniones espontáneas deberán ser reconocidas por el Gobierno y eximidas del procedimiento de notificación previa<sup>78</sup>.

94. El Relator Especial anticipa con interés la incidencia que tendrán las modificaciones al Código de Procedimiento Penal en la mejora del acceso a asistencia letrada, y alienta al Gobierno a que garantice este derecho a todos los acusados, independientemente de los cargos que se les imputen. Señala que el

<sup>74</sup> En las zonas en que las minas terrestres plantean una amenaza para la seguridad de los niños, deberá invertirse en asegurar la remoción completa de esas minas y de las bombas en racimo de todas las zonas afectadas. Véase la observación general núm. 17 (2013) del Comité de los Derechos del Niño sobre el derecho del niño al descanso, el esparcimiento, el juego, las actividades recreativas, la vida cultural y las artes, párr. 57 e).

<sup>75</sup> Véase la observación general núm. 22 (1993) del Comité de Derechos Humanos relativa al artículo 18, párr. 9.

<sup>76</sup> Véase el informe del Relator Especial sobre los derechos a la libertad de reunión pacífica y de asociación (A/HRC/20/27), párr. 96.

<sup>77</sup> *Ibid.*, párr. 95.

<sup>78</sup> *Ibid.*, párrs. 90 y 91.



Gobierno debería garantizar en mayor medida que la legislación nacional favorezca la independencia de los abogados, de conformidad con las normas internacionales, y ruega a la República Islámica del Irán que ponga en libertad a todos los abogados que han sido encarcelados presuntamente por actividades amparadas en el marco de la defensa de sus clientes, por ejemplo fomentar concienciación sobre las inquietudes relacionadas con la imparcialidad de los juicios<sup>79</sup>.

95. El Relator Especial acoge con satisfacción el procesamiento de Saeed Mortazavi por su papel de facilitador en casos de privación de libertad ilícita; no obstante, observa que las investigaciones y decisiones judiciales de ese tipo parecen ser excesivamente raras, especialmente si se comparan con la gran cantidad de denuncias similares sobre detención arbitraria, tortura y maltrato de reclusos que se formulan en el país. Insta a las autoridades a que enjuicien e impongan condenas adecuadas a todos los funcionarios que sean declarados culpables de tortura y maltrato de reclusos, de conformidad con el derecho internacional y la ley nacional. Alienta al Gobierno a que aborde las deficientes condiciones de reclusión señaladas en el presente informe del Relator Especial y en otros anteriores, o las que se hubieran podido constatar en auditorías internas. Ruega al Gobierno que vele por el acceso adecuado a tratamiento médico que se ajuste a los criterios internacionales.

96. El Relator Especial insta al Gobierno a que modifique las leyes que conculcan los derechos de las mujeres o que menoscaban el pleno disfrute por parte de estas de sus derechos civiles, políticos, sociales y económicos, con inclusión del derecho al trabajo y a la protección contra la discriminación, en particular en la educación y en el lugar de trabajo. Suscitan grave preocupación los proyectos de ley en curso de examen que, en apariencia, vulneran esos derechos, y convendría reconsiderarlos.

97. El Relator Especial alienta al Gobierno a que contemple la posibilidad de poner término a la interferencia deliberada en la recepción de señales de televisión con antenas parabólicas, habida cuenta de las repercusiones que tiene sobre la salud de sus ciudadanos y sobre el derecho de acceso a la información. Asimismo, solicita el fortalecimiento de las políticas que regulan las cirugías de confirmación de género de las personas transgénero, de manera que se garantice la protección del derecho a la salud de quienes podrían someterse a esos procedimientos.

98. El examen periódico universal de la República Islámica del Irán efectuado en 2014 brindó a todas las partes interesadas la oportunidad de reflexionar sobre las anteriores iniciativas destinadas a favorecer el respeto de los derechos humanos en el país y constituyó una plataforma desde la que analizar las posibilidades de mejorar la situación actual. El Relator Especial utilizará el documento final de ese examen como base para la colaboración entre él y las autoridades iraníes, y persistirá en su empeño por colaborar, mediante el diálogo y visitas al país, para evaluar mejor la situación. El Relator alienta al Gobierno a que considere la posibilidad de asumir el compromiso voluntario de elaborar un examen de mitad de período, que podría favorecer su capacidad para avanzar en relación con las promesas que puede asumir en marzo de 2015 en el marco de la aprobación del informe sobre el resultado del segundo examen periódico universal del Irán.

<sup>79</sup> Comité de Derechos Humanos, observación general núm. 32 (2007) sobre el derecho a un juicio imparcial y a la igualdad ante los tribunales y cortes de justicia.

## Anexo I

*[Inglés únicamente]*

### **Supplementary and additional information**

#### **I. Introduction**

1. The Islamic Republic of Iran will provide responses to recently proposed Universal Periodic Review (UPR) recommendations during the 28th Session of the Human Rights Council in March 2015.
2. In its Reply to the Draft of the present Report, the Government noted its participation in — and support for — the 20th Session of the UPR in October 2014. The Government also suggested its support for about 65 per cent of all new recommendations received, including many which it considers already implemented, either in all or in part.
3. In its Reply, the Government also claimed that the quantity of recommendations it accepts is a “sovereign” issue, and that analysis of such by the Special Rapporteur in the present Report is a “deviation” from his Code of Conduct.

#### **II. Methodology**

4. In its Reply, the Government reiterated its belief that the existence of the mandate of the Special Rapporteur is politically motivated and illegitimate.
5. The Government also repeated its belief that the Special Rapporteur’s reports have failed to properly reflect the Government’s responses and communications, and criticized the Special Rapporteur’s reports as containing “holistic and vague allegations,” and using “general and cliché phrases.”
6. It also criticized the relatively short amount of time allotted by the UN for its responses to Draft Reports.
7. Moreover, the Government criticized the present Report for considering proposed legislation prior to its adoption as law.

#### **III. Cooperation with the mandate holder**

8. Despite its rejection of the basis of the mandate, the Government, in its reply, pledged to continue meeting with the Special Rapporteur in New York and Geneva, and repeated a past announcement that there are plans to invite two Special Procedures mandate holders to Iran.

#### **IV. Reprisals against activists (cases reported since June 2014)**

9. On 2 June 2014, Mr. Saeed Shirzad, a child rights activist, was reportedly detained and sent to Ward 209 of Evin Prison without access to a lawyer or contact with family. While no public or formal indictment has been issued against Mr. Shirzad, in August 2014 he was reportedly verbally informed of his charges, which include “assembly and collusion” and “propaganda against the system.” Authorities have allegedly justified these charges, in part, by claiming that Mr. Shirzad was in contact with the Special Rapporteur.

10. In September 2014 Mr. Mohammad Reza Pourjashari, who was originally released on 23 August 2014 after completing a four-year sentence for “propaganda against the system” and “insulting the Supreme Leader,” was re-arrested. Authorities allegedly accused him of attempting to illegally cross the border and of maintaining “contact” with foreign nationals. Mr. Pourjashari was reportedly also accused of contact with the Special Procedures during his arrest and subsequent investigation. Reports indicate that members of his family have since been summoned for questioning by authorities. On 7 February 2015, Mr. Pourjashari reportedly embarked on a hunger strike to protest the lack of clarity surrounding his detention.

11. On 21 September 2014, Ms. Atena Daemi, a human rights activist who has worked on children’s issues, was reportedly arrested by the IRGC (Revolutionary Guards), and has since been detained in Ward 209 of Evin Prison.. Although official charges — if any — against her remain unclear, she is reportedly facing charges of “propaganda against the system,” “acting against national security,” and maintaining “illegal contact with foreigners.” She has reportedly been specifically accused by investigating authorities of communicating with the Special Rapporteur.

12. On 25 October 2014, Mr. Mohammad Ali Taheri, a spiritual leader, proponent of alternative methods of healing, and the founder of the *Erfan e-Halgheh* (inter-universalism) movement, embarked on a hunger strike to protest his detention conditions and the impending addition of the capital charge of *efsad fel-arz* (“corruption on Earth”) to his case file. Mr. Taheri is currently serving a five-year prison sentence for “blasphemy” and was also convicted of “improperly touching [the wrists]” of female patients, “interfering in the medical sciences,” earning illegitimate funds, distributing audio-visual materials, and improperly using medical titles. Mr. Taheri’s new charge is reportedly related, in part, to authorities’ claim that he has attempted contact with the Special Rapporteur. Mr. Taheri is reportedly in poor health, due in part to his recent hunger strikes. He was apparently moved to a slightly improved cell in late November, after which point he shifted to a partial hunger strike, but authorities continue to hold him in solitary confinement, as they have since his initial detention in 2011. Mr. Taheri’s trial is scheduled for 25 February 2015 at Branch 26 of Tehran’s Revolutionary court based on the charge of *efsad fel-arz* (“corruption on Earth”). According to Mr. Alizadeh Tabataba’ei, Mr. Taheri’s lawyer, “Mr. Taheri was initially charged with “corruption on Earth” during his first trial in 2011, but the court changed the charge to “blasphemy” and sent [the original charge] back to the Office of Prosecutor for further investigation. Recently, [that charge] has been returned to the court.”<sup>1</sup>

13. Mr. Behnam Ebrahimzadeh, a child and labor rights activist who was originally arrested in connection with his activities in June 2010, was reportedly forcibly taken to court on 3 December 2014 (after having previously refused to attend his court session) and accused by authorities of contacting the Special Procedures of the Human Rights Council as well as an opposition group. Mr. Ebrahimzadeh was sentenced to an additional 9.5 years in prison on several charges, including “assembly and collusion against the system” and “propaganda against the system.” He was already serving the fourth of a five-year sentence for “assembly, collusion, and propaganda against the system.” He was then transferred to Section 2 of Raja’i Shahr Prison, which reportedly houses violent criminals, and was forced to sleep on the floor. Mr. Ebrahimzadeh has also reportedly embarked on multiple hunger strikes, including one in December 2014, to protest prison conditions as well as his inability to obtain furlough to attend to the medical needs of his son Nima, who has leukemia.

14. Mr. Hadi Esmaeilzadeh, a former member of the Defenders of Human Rights Centre (DHRC) who was reportedly convicted in July 2014 for “propaganda against the system” through membership in an “illegal organization” and “assembly and collusion against the

<sup>1</sup> <http://www.tasnimnews.com/Home/Single/647556>.

system.” Apparently he was recently accused by authorities for communicating with the UN Human Rights Council.<sup>2</sup>

15. In its reply to the Draft of this Report, the Government of Iran denied that individuals are prosecuted “solely” for relations with UN human rights mechanisms, “unless he/she commits an act that is regarded as a violation of law such as commission of criminal acts or security offenses.”

## V. Overview of civil and political rights

### A. Right to life

16. On 24 September 2014, authorities confirmed the execution of Mr. Mohsen Amir Aslani, who was originally convicted in 2007 on charges including “heresy,” “immoral acts,” and insulting Jonah, an Islamic prophet. Mr. Aslani, a psychologist and religious teacher by background, had apparently implied in one of his classes that it may not have been physically possible for Jonah to have been eaten by a whale and then to have escaped from the belly of that same whale, as certain religious traditions hold. Iranian authorities claim that Mr. Aslani was hanged for committing rape,<sup>3</sup> and not for insulting this religious figure. In an open letter family members have disputed the bases of this charge, highlighting potential discrepancies in timing and inconsistencies in evidence offered by authorities.

17. On 25 October 2014, authorities executed Ms. Reyhaneh Jabbari, despite repeated calls for the stay of her execution<sup>4</sup> by international human rights organizations, including UN human rights mechanisms. Ms. Jabbari was convicted of murdering a man she claimed had tried to sexually assault her prior to the incident in question. Concerns were raised about due process and fair trial violations in the case. Under Iranian law, the family of the victim of a murder is entitled to retaliatory action (“*qisas*”). The family of the murdered individual in this case refused to pardon Ms. Jabbari, and officials did not override this decision. Judicial authorities have claimed that Ms. Jabbari was granted a fair trial, as evidenced by the length of time of her appeals process; and that they attempted in good faith, but without success, to convince the “heirs of the blood” to pardon her.

18. In its reply to the Draft Report, the Government reiterated its achievements in combating drug trafficking, and also claimed that it consistently seeks to minimize the implementation of the death penalty. The Government highlighted what it describes as a lack of “international consensus” regarding the abolition the death penalty, but did not directly address the fact that neither executions for drug trafficking nor juvenile executions are permissible by international consensus.

19. On or around 20 February 2015, Mr. Saman Naseem, a juvenile offender, was seemingly executed, although authorities have not yet confirmed this.<sup>5</sup> Mr. Nasim was arrested on 17 July 2011 at the age of seventeen for allegedly engaging in an armed conflict that led to the death of a member of Iran’s Revolutionary Guard. While detained by the Intelligence Ministry, he was reportedly tortured and forced to sign a confession while wearing a blindfold. It was reported that interrogators pulled out 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 (sometimes translated as “enmity with God” and sometimes as “drawing a weapon to the populace with intent to instill fear”) and efsad fel-arz (“corruption on earth”). The Supreme Court overturned the conviction stating the Revolutionary Court lacked

<sup>2</sup> <https://www.fidh.org/International-Federation-for-Human-Rights/asia/iran/15703-iran-sentencing-of-mr-hadi-esmaeilzadeh-to-a-total-of-four-years-of>.

<sup>3</sup> <http://iranhr.net/2014/09/mohsen-amir-aslani-executed-this-morning/>.

<sup>4</sup> <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15224&LangID=E>.

<sup>5</sup> <http://iranhr.net/2015/02/saman-naseem-was-executed-yesterday/>.

jurisdiction to try Mr. Naseem as he was less than 18 years old at the time of the alleged offense. A retrial was held in April 2013 where Branch Two of the Criminal Court of the West Azerbaijan Province sentenced Mr. Naseem to death without reference to the Supreme Court holding. In December 2013, the Supreme Court reportedly upheld Mr. Naseem's execution sentence.<sup>6</sup> In its reply to the Draft Report, the Government confirmed that Mr. Naseem was tried at Branch 2 of the Criminal Court based on charges of "armed action against the Islamic Republic of Iran country by membership in banned PJAK terrorist group and taking part in an armed terrorist attack against military forces that caused the death and injury of a number of military personnel." The Government stated there were five judges presiding over the trial, and it was after hearing "defense arguments by him and his lawyers and exhaustion of all legal remedies" that Mr. Naseem was sentenced to death. In November 2014, head of the Judiciary Mr. Sadegh Amoli Larijani defended the practice of executing juvenile offenders once they come of age: "[The allegation of] the execution of juveniles [in Iran] under the age of 18 [is] completely false. We, however, don't have a reason to ignore the heirs to the blood right of qisas [retribution in kind] when a person that was 17.5 years old at the time of the crime turns 25."<sup>7</sup>

20. In December 2014, in addition to Mr. Naseem, authorities had allegedly threatened nine other prisoners awaiting execution in Urumia Prison with expediting the implementation of their sentences in retaliation for participating in the hunger strike: Messrs. Ali Afshari, Habib Afshari, Behrouz Alkhani, Mohammad Abdollahi, Sayed Sami Hosseini, Sayed Jamal Mohammadi, Sirvan Nejavi, Ebrahim Rezapour, and Ali Ahmad Soleiman.<sup>8</sup>

21. On 18 February 2015, Messrs. Younes Aghayan, Habibollah Afshari, Ali Afshari, Sirwan Najavi, and Ebrahim Shapouri were reportedly transferred from Urumia Prison to an unknown location.<sup>9</sup>

22. Messrs. Ali and Habib Afshari had been arrested in December 2010 in the West Azerbaijan Province and transferred to Mahabad and Urumia Detention Centers, where they were allegedly held incommunicado for four months, interrogated, and tortured.<sup>10</sup> Ali and Habib Afshari were reportedly charged with moharebeh (sometimes translated as "enmity with God" and sometimes as "drawing a weapon to the populace with intent to instill fear") through "propaganda" activities and membership in a State opposition party.<sup>11</sup> On 5 December 2011, they were tried at the Mahabad Revolutionary Court, and were reportedly informed on 16 January 2012 that they had been sentenced to death. The Supreme Court has since upheld the sentence.<sup>12</sup> On 22 April 2014, their execution sentences were reportedly communicated to Urumia Prison's Office for the Implementation of Sentences.<sup>13</sup> Throughout the entire judicial process they were allegedly not allowed to choose their lawyer and instead were assigned court-appointed representation.<sup>14</sup>

<sup>6</sup> <http://www.amnesty.org/en/for-media/press-releases/iran-alleged-juvenile-offender-among-10-hunger-strikers-threatened-immediat>.

<sup>7</sup> Statement – November 2014.

<sup>8</sup> Amnesty International's press release submitted to the office of the Special Rapporteur on 16 December 2014.

<sup>9</sup> Iran Human Rights submission to the office of the Special Rapporteur on 20 February 2015, <http://iranhr.net/2015/02/unofficial-report-saman-naseem-was-executed-yesterday/>.

<sup>10</sup> <http://www.iranhumanrights.org/2012/02/kurdish-brothers/>.

<sup>11</sup> Human Rights Organization of Kurdistan submission to the office of the Special Rapporteur on 23 April 2014, <http://hro-kurd.net/Article.aspx?fld=fa/Scout&id=430>.

<sup>12</sup> <http://www.iranhumanrights.org/2012/02/kurdish-brothers/>

<sup>13</sup> Human Rights Organization of Kurdistan submission to the office of the Special Rapporteur on 23 April 2014, <http://hro-kurd.net/Article.aspx?fld=fa/Scout&id=430>.

<sup>14</sup> Human Rights Organization of Kurdistan submission to the office of the Special Rapporteur on 23 April 2014, <http://hro-kurd.net/Article.aspx?fld=fa/Scout&id=430>.

## B. Fair trial standards

23. In its Reply, the Government maintained that all accused individuals are granted the full right to a fair trial, due to the existence of — and in accordance with — due process laws.

24. On 4 January 2015, Iranian authorities reportedly arrested 33 Baluchi residents of Sarbaz Village (Sistan and Baluchistan Province), in relation to recent incidents in the area. These incidents include the reported deaths of Messrs. Issa Shahraki and Adham Sabouri on 1 January 2015, which some officials described as criminal or terrorist acts. On 21 February 2015, the families of Messrs. Edris Baladehee, Amin Raeesi, Omid Bahram-zehi, Bashir Baladehee, Abu Bakr Molazehi, Sattar Bahram-zehi, Amin, Youssef Bahram-zehi, Amer Gahram-zehi, and Davoud Bahram-zehi wrote a letter to the UN Secretary General and the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran stating their family members were detained incommunicado over the previous few months. In their letter, they rejected authorities' allegations and expressed concern regarding the detainees' alleged lack of access to lawyers and fair trials. The family members pointed out the contradictions in the "official" account of events and provided an alibi for each person and demanded their release. Relatives and friends of Messrs. Mosayeb Vatankhah and Farhad Bahram-zehi, who were also reportedly amongst the group initially arrested, have voiced similar concerns to authorities and UN officials.

## C. Freedom from arbitrary detention

25. Between 2012 and 2014, the Working Group on Arbitrary Detention (WGAD) issued ten opinions regarding the detention of 13 Iranians. They include the aforementioned opposition leaders along with several journalists, lawyers, a Christian pastor, and a student activist. The Government only responded to three of the WGAD's ten communications. In its Opinions, the WGAD concluded that all individuals appear to have been detained for exercising their rights to freedom of expression, opinion, religion, belief, or association, and encouraged the government to immediately release individuals charged with peacefully exercising fundamental freedoms and to compensate them for their arbitrary detention. Ms. Nasrin Soutodeh, was released prior to the expiration of her sentence, and Mr. Bahman Ahmadi Amouee and Mr. Kiarash Kamrani were released following the completion of their sentences. None of the other individuals has been release or compensated, as recommended by the WGAD.

26. Green Movement leaders and former presidential candidates Mr. Mehdi Karoubi and Mr. Mir Hossein Mousavi, along with Ms. Zahra Rahnavard, Mr. Mousavi's wife, have been under house arrest since February 2011. On 29 August 2012, the United Nations Working Group on Arbitrary Detention (WGAD) issued an Opinion concerning the case and stated that the Iranian government did not only violate "international human rights laws, but also Iranian laws on the subject" by detaining them. The WGAD judged the deprivation of their liberty to be arbitrary and requested that the Government release them and accord them with "an enforceable right to compensation."<sup>15</sup> In February 2013, the Special Rapporteur joined the Chair of the Working Group on Arbitrary Detention and the Special Rapporteur on the rights to freedom of peaceful assembly and of association in a statement calling for their immediate and unconditional release.<sup>16</sup>

27. Messrs. Karoubi and Mousavi and Ms. Rahvanard have called on authorities to grant them a public trial by a competent court, in accordance with the Constitution.<sup>17</sup> Parliamentarian Mr. Ali Motahari has also repeatedly called on Government officials to address the house arrest.<sup>18</sup> On 7 October 2014, Mr. Motahari declared the house arrest to be without judicial warrant and unconstitutional. In addition, he criticized the comments of officials who predicted, prior to due

<sup>15</sup> [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/HRC/WGAD/2012/30](http://www.un.org/en/ga/search/view_doc.asp?symbol=A/HRC/WGAD/2012/30).

<sup>16</sup> <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12981&LangID=E>.

<sup>17</sup> <http://www.kaleme.com/1393/10/06/klm-205874/> ; <http://sahamnews.org/1393/09/271227/>.

<sup>18</sup> <http://alimotahari.com/?p=2358>.



process of law, that the sentence would be heavy, or possibly execution.<sup>19</sup> 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.<sup>20</sup> An administration spokesperson responded by stating that it is “not indifferent” toward this issue, but no action has yet been taken.<sup>21</sup>

28. On 31 December 2014, the head of Judiciary, Mr. Sadegh Larijani, declared the house arrest to be constitutional and in accordance with the Supreme National Security Council Act. According to Mr. Larijani, the Judiciary has two considerations in deciding whether to hold a trial in this case: a Supreme National Security Council Act regarding the house arrest of “seditionists” (a term used by some officials to describe the post-2009 presidential election protesters) leaders and “the explicit comments of some seditionist agents stating that they do not care about the outcome of any trial, and just want a platform to have their say.”<sup>22</sup> Family members are reportedly concerned regarding the conditions of the house arrest and the lack of medical care available to the individuals.<sup>23</sup>

29. Reports surfaced that the Prosecutor’s Office allegedly pledged the furlough of Mr. Abdolfattah Soltani if his family posted bail of one-billion toman. The family attempted to post the bail in August 2014, yet the Prosecutor’s Office failed to grant the furlough. On 19 November 2012, the WGAD adopted an Opinion concerning Mr. Abdolfattah Soltani, human rights lawyer and co-founder of the Defenders of Human Rights Centre (DHRC), deeming the deprivation of his liberty to be “arbitrary” and encouraged the Government to “take necessary steps to remedy the situation, which include his immediate release.”<sup>24</sup> Mr. Soltani was reportedly arrested on 10 September 2011, and on 4 March 2012 the Revolutionary Court sentenced him to 18 years in prison and a 20-year ban from practicing law on charges of “forming or running a group or association outside or inside the country which seeks to undermine the security of the country,” “assembly and collusion against national security,” “propaganda against the system,” and “earning illegitimate assets.” On appeal the sentence was reduced to 13 years imprisonment. Mr. Soltani is currently serving his sentence. He has reportedly contracted numerous illnesses and suffers from heart complications. Despite his ongoing medical issues, to date, he has been deprived of furlough or access to specialized health care outside prison.

30. In September 2014, Ayatollah Kazemeyni-Boroujerdi was reportedly threatened with execution if he continued to author letters while detained. Mr. Boroujerdi’s physical health is reportedly deteriorating and he suffers from diabetes, asthma, Parkinson’s disease, kidney and heart problems, and collapses frequently. In February 2014, prison medical staff reportedly said he required hospitalization outside of the prison. During his eight years in prison, Ayatollah Boroujerdi has been hospitalized on three occasions. Mr. Boroujerdi, a dissident Shi’a cleric and was arrested in 2006 due to his advocacy of the separation of religion and state. In 2007 he was given the death sentence by a Special Clerical Court. The death sentence was later reduced to an 11 year prison sentence.<sup>25</sup>

31. Student activist Mr. Arash Sadeghi was reportedly arrested at his office on 6 September 2014 and has since been held in Ward 2A of Evin Prison. Mr. Sadeghi was previously released from prison in 2013 after serving time for “propaganda against the system” and “assembly and collusion against the state.”

<sup>19</sup> <http://alimotahari.com/?p=2358> ; [www.isna.ir/fa/news/93072614099/](http://www.isna.ir/fa/news/93072614099/) ; <http://sahamnews.org/1393/09/271030/>.

<sup>20</sup> <http://alimotahari.com/?p=2358>.

<sup>21</sup> [www.isna.ir/fa/news/93071609462/](http://www.isna.ir/fa/news/93071609462/).

<sup>22</sup> [www.mehrnews.com/news/2453608/](http://www.mehrnews.com/news/2453608/).

<sup>23</sup> <http://sahamnews.org/1393/09/271326/> ; <http://www.rahesabz.net/story/87831/>.

<sup>24</sup> [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/HRC/WGAD/2012/54](http://www.un.org/en/ga/search/view_doc.asp?symbol=A/HRC/WGAD/2012/54).

<sup>25</sup> <http://iranhr.net/2014/10/fear-of-execution-dissident-cleric-ayatollah-kazemeyni-boroujerdi-transferred-to-an-unknown-location/>.

32. In December 2014, Mr. Amir Hekmati, in an open letter, appealed to the head of the Judiciary and the Intelligence Minister regarding “lack of progress” on his case and threatened to embark on hunger strike in protest.<sup>26</sup> On 23 December 2014, Mr. Hekmati temporarily suspended the hunger strike that he began on 18 December after Evin Prison officials agreed to take measures with the “appropriate Iranian government authorities” to revisit the case.<sup>27</sup> Mr. Amir Hekmati, who was reportedly arrested in August 2011 when visiting relatives in Iran from the United States, was initially sentenced to death by the Revolutionary Court on charges of “cooperation with an enemy State,” “membership in the CIA,” *moharebeh* (sometimes translated as “enmity with God” and sometimes as “drawing a weapon to the populace with intent to instill fear”), and *mofsed fel-arz* (“corruption on earth”) in January 2012. The sentence was overturned by the Supreme Court in March 2012 and the case was ordered to retrial.<sup>28</sup> Mr. Hekmati has maintained the charges to be based “solely on confessions obtained by force, threats, miserable prison conditions, and prolonged periods of solitary confinement.”<sup>29</sup> In April 2014, Mr. Hekmati was reportedly sentenced to 10 years in prison, a sentence which is currently being appealed.<sup>30</sup> In 2013, the Working Group on Arbitrary Detention (WGAD) deemed Mr. Hekmati’s detention arbitrary and called for his immediate release.

33. In October 2014, Branch 36 of the Iranian Supreme Court accepted a request for the retrial of academic and scientist Mr. Omid Kokabee. Mr. Kokabee was a post-doctoral student at the University of Texas at Austin in the United States at the time of his arrest in January 2011. He initially was charged and sentenced for “cooperating with enemy state[s].” The Supreme Court overturned this conviction on the basis that the Islamic Republic of Iran is not officially at war with any other country. The Special Rapporteur welcomed the Supreme Court decision and echoed the hope of dozens of Nobel Laureates, expressed in an open letter dated September 2014, advocating for Mr. Kokabee’s immediate and unconditional release. In December 2014, 161 Iranian academics also signed a petition calling for urgent medical attention and judicial review of Mr. Kokabee’s case. In January 2015, Branch 54 of the Tehran Appeals Court re-confirmed his original sentence, disregarding the Supreme Court’s prior ruling, and, according to Mr. Kokabee’s lawyer, contravening established procedures regarding cases, overturned by the Supreme Court. Advocates for Mr. Kokabee claim that his detention is based, partially on his refusal to work for an organization within the Iranian security apparatus.

34. In February 2015, Azerbaijani rights activist Mr. Ali Reza’i was arrested. At the time of this writing, his whereabouts or charges — if any — were unknown.<sup>31</sup>

## D. Independence of lawyers

35. In October 2010, human rights defender and cofounder of the Defenders of Human Rights Center (DHRC), Mr. Mohammad Seifzadeh was sentenced by the Revolutionary Court to nine years in prison and banned him from practicing law for ten years for “acting against national security through establishing the Defenders of Human Rights Center.” Mr. Seifzadeh was also reportedly arrested in April 2011 in Urmia (West Azerbaijan Province) for allegedly attempting to exit the country illegally, apparently leading to a second case against him. It was reported that an Appeals Court eventually reduced his 2010 sentence from nine-years to two-years. Mr. Seifzadeh served his two-year sentence until 25 March 2013<sup>32</sup> where prior to the completion of his sentence, a third case was brought against him. In March 2013, Mr. Seifzadeh was charged with “assembly and collusion against the system” for reportedly “writing critical letters to former President Khatami and for signing several group statements while in prison.” It is

<sup>26</sup> <http://en.iranwire.com/features/6204/>.

<sup>27</sup> <http://www.nytimes.com/aponline/2014/12/23/us/ap-us-iran-american-detained.html>.

<sup>28</sup> <http://www.iranhumanrights.org/2014/08/amir-hekmati-3/>.

<sup>29</sup> <http://www.theguardian.com/world/2013/sep/11/american-accused-spying-iranian-amir-hekmat>.

<sup>30</sup> <http://www.iranhumanrights.org/2014/08/amir-hekmati-3/>.

<sup>31</sup> <https://hra-news.org/en/information-ali-rezaei-20-days-detention>.

<sup>32</sup> [http://www.iranhumanrights.org/2013/04/seifzadeh\\_reversal/](http://www.iranhumanrights.org/2013/04/seifzadeh_reversal/).



claimed that his letter included allegations of rights violations within the judicial system. The additional six-year sentence was reportedly confirmed in October 2013. On 8 January 2015, Ms. Fatemeh Golzar, Mr. Seifzadeh's wife, reported that he is in need of urgent medical care. Physicians at the Rajae'i Shahr Prison Infirmary have reportedly confirmed that he requires an ultrasound to investigate complaints of kidney pain. To date he has not been granted access to appropriate medical treatment.

36. On 6 August 2014, it was reported that Mr. Massoud Shafiee, a human rights lawyer who represented three American hikers that were detained in Iran in 2009 on charges of "espionage" and "illegal entry" into the country, currently faces a foreign travel ban and pressure by authorities. Six days after the release of two of the hikers on 21 September 2011, security forces conducted a search of Mr. Shafiee's home and detained him in Evin Prison where he was allegedly interrogated for several hours regarding representation of the hikers and another case involving union activists Mr. Reza Shahabi and Mr. Rasoul Bodaghi. Mr. Shafiee reportedly attempted to leave the country the following week. His passport was allegedly confiscated at the airport and he was informed of a foreign travel ban placed against him. His potential clients also reportedly face pressure by authorities to cancel agreements retaining him as their attorney.<sup>33</sup>

37. On 18 October 2014, Branch 2 of the Lawyers' Disciplinary Court at the Iranian Bar Association, allegedly under pressure from Intelligence agencies, banned Ms. Nasrin Sotoudeh from practicing law for three years. Ms. Sotoudeh began an indefinite sit-in on 21 October 2014 at the Bar Association in Tehran to protest the ruling, and in protest of the general state of legal representation in Iran. She was arrested and detained for a few hours on 25 October and again on 10 December 2014.<sup>34</sup> Ms. Sotoudeh was originally sentenced to six years in prison on charges of spreading "propaganda against the system" and "acting against national security" in September 2010 and was released without formal pardon or furlough on 18 September 2013.

38. In September 2010 Ms. Sotoudeh was charged and sentenced to six years in prison for spreading "propaganda against the system" and "acting against national security." She was released without formal pardon or furlough on 18 September 2013. Allegedly, under pressure from intelligence agencies, on October 18 2014, Branch 2 of the Lawyers Disciplinary Court at the Iranian Bar Association sentenced Ms. Sotoudeh to a three-year ban from practicing law. On 21 October 2014 Ms. Sotoudeh began a sit-in in protest of her sentence and the general state of the Iranian legal profession. She was arrested and detained for a few hours on both 25 October 2014 and 10 December 2014.<sup>35</sup>

## E. Detention conditions and treatment of prisoners

### **Inadequate segregation and access to medical treatment: Urumia, Minab Evin, Tabriz Rajae'i Shahr, Karoun, Dezful, Yasouj, and Evin Prisons**

39. Ward 8 of Evin Prison is reportedly overcrowded and prisoners allegedly suffer from unsanitary conditions and poor nutrition. The maximum prisoner capacity for Ward 8 is 500, but at least 800 individuals are reportedly detained there. The lack of space forces many prisoners to sleep on the floor and in the hallways.

40. Many prisoners are reportedly deprived of their right to receive proper medical treatment in medical clinics and hospitals outside the prison despite urgently needing medical care. In 2013 the Supreme Leader endorsed *Eid Al-Fetr* ("Amnesty Pledge") which was drafted by the Head of the Judiciary. The Pledge stated that the remaining sentences of prisoners diagnosed by the Medical Examiner Office's Commission as suffering from serious chronic diseases would be

<sup>33</sup> <http://www.iranhumanrights.org/2014/08/shafiee/>.

<sup>34</sup> <http://www.pen-international.org/newsitems/iran-prominent-human-rights-lawyer-nasrin-sotoudeh-arrested/>.

<sup>35</sup> <http://www.pen-international.org/newsitems/iran-prominent-human-rights-lawyer-nasrin-sotoudeh-arrested/>.

pardoned.<sup>36</sup> However, despite the Pledge, many prisoners diagnosed as suffering from serious chronic diseases remain incarcerated.

41. In November 2014, prisoners at Minab (Hormozgan Province) and Urmia (West Azerbaijan Province) Prisons embarked on hunger strikes, calling for immediate access to medical care, and for the separation of prisoners by crimes committed. Prisoners were also reportedly protesting alleged threats to expedite the implementation of the execution sentences of several protesters — including the death sentence of convicted juvenile offender Mr. Saman Nasim — as well as threats of “prison-in-exile” transfers and sentences, threats to add new charges to case files, and threats to arrest family members.<sup>37</sup>

42. On 20 November 2014, at least 24 Kurdish prisoners in Ward 12 of Urmia Central Prison (in the West Azerbaijan Province) reportedly began a hunger strike protesting the insufficient segregation of prisoners that committed civil crimes from those that committed violent ones. Reportedly, prisoners who participated in the hunger strike were summoned to the Intelligence Office and threatened with new charges, transfer to solitary confinement, and with having family members arrested. On 9 December 2014, the Prison’s special guard forces allegedly surrounded Ward 12 and threatened to attack the prisoners if they continued the hunger strike.

43. As of 16 December 2014, 27 prisoners at Urmia Prison were reportedly on hunger strike. On 22 December 2014, 26 of the prisoners reportedly ended their hunger strike after prison authorities committee to address their demands, including separating prisoners according to crime committed and to stop harassing prisoners’ family members. Mr. Masoud Shamsinejad, a Kurdish human rights lawyer, had joined the strike on 10 December 2014. In its response to the Draft Report, the Government maintained Mr. Shamsinejad’s sentence was in accordance with provisions of the Islamic Penal Code dealing with “propaganda,” “activities against the Government” (Articles 19 and 211). In addition, the Government stated that denial of Mr. Shamsinejad’s petition for appeal was in compliance with the Penal code (Article 500). Thus, there was no infringement upon his due process rights.

44. Two of the prisoners on hunger strike, Mr. Jafar Mirzaei and Mr. Arafat Asghari, were reportedly also released from prison upon completion their six-month sentences. Mr. Mansour Arvand, a Kurdish prisoner awaiting execution, was reportedly transferred to Mahabad Prison.

45. Mr. Reza Rasouli, reportedly began a hunger strike on 11 November 2014 protesting Urmia Prison’s insufficient medical care. He remained on hunger strike for 49 days. Mr. Rasouli’s health is deteriorating and he is in critical condition. He suffers from bronchitis, a pelvic tumor, osteoporosis, bruised legs, and a lung infection. Prison authorities reportedly agreed to transfer him to a hospital.

46. The health condition of Mr. Afshin Sohrabzadeh, a Kurdish prisoner from the Kermanshah province imprisoned in exile at Minab Prison (Hormozgan Province), is also reportedly in critical condition. Prison physicians have reportedly diagnosed Mr. Sohrabzadeh with cancer requiring urgent care. On 9 November 2014, Mr. Sohrabzadeh was reportedly found unconscious and taken to a hospital in Minab. His physician requested Mr. Sohrabzadeh’s immediate transfer to a properly equipped hospital in Bandar Abbas. Prison officials at the Minab Prosecutor’s Office allegedly rejected the request, compelled the hospital to release him, and denied him medical furlough. It was reported that Mr. Sohrabzadeh went on hunger strike to protest the officials’ conduct and the denial of his medical care upon his return to prison. On the fifth day of his hunger strike, he reportedly was put in solitary confinement at Minab Prison and asked to end his hunger strike. Although Mr. Sohrabzadeh reportedly ended his strike on 12 December 2014, concern remains over his health condition and access to medical care. It is also noted that on 3 July 2013, Mr. Sohrabzadeh reportedly attempted suicide in protest of his transfer from the Sanandaj Central Prison to exile in Minab Prison.

<sup>36</sup> <http://isna.ir/fa/news/92051709891>.

<sup>37</sup> <http://www.amnesty.org/en/for-media/press-releases/iran-alleged-juvenile-offender-among-10-hunger-strikers-threatened-immediat>.

47. Mr. Ali Moradi, another Kurdish prisoner-in-exile at Minab Prison, suffers from heart disease. Mr. Moradi objected to the delay in Mr. Sohrabzadeh's medical treatment. In response, prison authorities allegedly beat Mr. Moradi and place him in solitary confinement, where he was reportedly kept for 22 days.

48. Authorities allegedly also threatened Messrs. Ali Afshari, Mohammad Abdollahi, and Saman Nasim, who were all awaiting execution, that they would expedite the implementation of their sentences if they continued with their hunger strike. On 10 December, Intelligence officials allegedly requested Saman Nasim's family to demand he end his hunger strike, or else have his execution sentence immediately imminently implemented.<sup>38</sup>

49. Ms. Bahareh Hedayat, a former member of the Central Council and Spokesperson for the nationwide student organization *Daftar-e Tahkim-e Vahdat*, was sentenced to ten years in prison (she received 9.5 years in July 2010 and an additional 6 months in November 2011)<sup>39</sup> on charges of "insulting the Supreme Leader," "insulting the President," and "acting against national security and publishing falsehoods." Ms. Hedayat is currently serving her sentence in the women's ward of Evin Prison. She reportedly suffers from serious gynecological medical conditions. Doctors reportedly believe that if her treatment is delayed, she may become infertile. Ms. Hedayat reportedly underwent surgery related to these issues during her last medical furlough, on 27 July 2014. However, due to alleged refusal by the Office of Prosecutor to extend her furlough, Ms. Hedayat was forced to return to prison on the same day, immediately following her surgery, without receiving necessary post-surgical care.

50. On 20 August 2012, Judge Salavati sentenced the group "Human Rights Activists in Iran" to five years and six months in prison on charges of "assembly and collusion against the system" and "membership in the illegal group Human Rights Activists in Iran." A member of the group sentenced, Mr. Yousef Pour Seifi, has been serving his sentence in Ward 350 of Evin Prison since 8 September 2012.<sup>40</sup> Mr. Seifi suffers from pre-existing medical conditions including chronic high blood pressure and severe heart arrhythmia (one artery is clogged 60 percent and the other 30 percent), Mr. Seifi also suffers from retina disorder and is reportedly losing vision in his left eye.

51. Ms. Nasim Ashrafi, a Baha'i citizen, was sentenced on 19 October 2013 to one year in prison on charges of "propaganda against the system" for organizing Baha'ism classes. Ms. Ashrafi is currently serving her one-year prison sentence in the women's ward of Evin Prison. She has suffered in the past from anaphylactic shock, and there are concerns that she could face the same issue again if not treated properly. Mrs. Ashrafi recently received temporary suspension of her sentence on medical grounds. However, she was re-arrested by security forces allegedly interrupting her treatment. Mrs. Ashrafi's disease and the lack of medical care while imprisoned have led the Medical Examiner's Office to issue an opinion stating Mrs. Ashrafi's imprisonment is physically "intolerable."

52. Ms. Shamis Mohair, a Baha'i reportedly imprisoned for organizing group prayers, is serving her one-year sentence for "propaganda against the system" in the women's ward of Evin Prison. When Ms. Mohajer reported to prison, she was undergoing a medical evaluation to determine if she had uterine cancer. The Prison health facility reportedly does not have a gynecologist on staff, and authorities have allegedly refused to transfer Ms. Mohajer to a hospital for medical care. She reportedly also suffers from chronic uterine bleeding, fatigue, and weight loss. It was recently reported that authorities agreed to a transfer her to a hospital for a surgical biopsy, but no date for such transfer has been set.

53. Ms. Motahareh Bahrami, the wife of Mr. Daneshpour Moghadam, was arrested on 27 December 2009 and sentenced to 15 years in prison for allegedly supporting the *Mojahedin-e-*

<sup>38</sup> <http://www.amnesty.org/en/for-media/press-releases/iran-alleged-juvenile-offender-among-10-hunger-strikers-threatened-immediat>.

<sup>39</sup> <https://tavaana.org/en/content/bahareh-hedayat-womens-rights-defender>.

<sup>40</sup> <https://hra-news.org/fa/thought-and-expression/1-12201>.

*Khalq* Organization. Mrs. Bahrami is serving her sentence in the women's ward of Evin Prison and suffers from advanced rheumatoid arthritis, which has reportedly contributed to severe difficulty with mobility.<sup>41</sup>

54. Mr. Amanollah Mostaghim is serving a five-year sentence at Rajae'i Shahr Prison for collaborating with the Baha'i Institute for Higher Education.<sup>42</sup> He was allowed medical furlough to address issues related to his heart disease but was reportedly returned to prison in August 2014. His physician objected and reportedly stated that Mr. Mostaghim was physically unable to endure his sentence.

55. Mr. Latif Hassani, an Azerbaijani minority political activist and Secretary of the *Yeni Gamoh* Party, was reportedly arrested on 22 January 2013 in Karaj (Alborz Province) and transferred to the Tabriz Intelligence Office. On 29 April 2013, Branch 3 of the Revolutionary Court of Tabriz sentenced him, alongside Messrs. Mahmoud Fazli, Ayat Mehrali Beiglou, Shahram Radmehr, and Behboud Gholizadeh to nine-years imprisonment on charges of establishing an illegal group and "propaganda against the system." He reportedly suffers from heart disease and is in immediate need of medical attention. Mr. Hassani was transferred from Tabriz Prison (East Azerbaijan Province) to Evin Prison (Tehran Province) and then to Rajae'i Shahr Prison on 26 June 2014, after 52 days of hunger strike. During interrogations at the Tabriz Intelligence Office, Mr. Radmehr reportedly fell unconscious due to psychological pressure and was hospitalized for three days. In 2011, he reportedly suffered a heart attack, allegedly due to torture and physical pressure experienced while in detention in 2010. His long-term hunger strike has reportedly weakened his physical condition. Officials at both Tabriz Prison and Rajae'i Shahr Prison (Alborz Province) allegedly prevented his medical furlough.

56. Azeri political activist, Mr. Shahram Radmehr held in Tabriz Prison (East Azerbaijan Province), was recently granted medical furlough. However, he is reportedly being prevented from leaving the prison. Mr. Radmehr reportedly suffers from medical issues including arthritis, severe headaches, and stomach ulcers. In August 2014, Mr. Radmehr was transferred from Tabriz Prison to Meshkin Shahr Prison (Ardebil Province). Before his transfer, the Tabriz Medical Examiner's Office reportedly confirmed that he was in urgent need of medical treatment and should be provided medical furlough. Prison officials, allegedly opposed Mr. Radmehr's medical furlough and instead transferred him to Meshkin Shahr Prison. After two months, and despite his family's persistent pursuit of furlough in accordance with procedure, judicial officials of Meshkin Shahr Prison have not facilitated adequate access to medical care.

57. Mr. Mohsen Daneshpour Moghadam was arrested on 27 December 2009 and sentenced to execution for allegedly supporting the *Mojahedin-e-Khalq* Organization. Mr. Moghadam, currently serving his sentence in Ward 350 of Evin Prison, suffers from Alzheimer's disease. He reportedly also suffers from atherosclerosis, which has apparently also contributed to the deterioration of his condition.

58. Mr. Rasoul Mazraeh, from Ahwaz, is currently suffering from prostate cancer and kidney pain. Prison officials have allegedly refused to grant his transfer to a hospital for treatment. Mr. Mazraeh was allegedly arrested in Syria. He was sentenced to 15 years at Yasouj Prison (Kohgiluyeh and Boyer-Ahmad Province) by Branch 1 of the Revolutionary Court of Ahwaz for acting against national security.

59. Mr. Jaber Sakhravi, reportedly imprisoned at the Karoun Prison in the Khuzestan Province, is suffering from a brain tumor and needs surgery immediately, as his health condition is deteriorating. Mr. Sakhravi's eyesight and physical health have reportedly suffered from alleged torture he has endured while in prison.

<sup>41</sup> <https://hra-news.org/fa/prisoners/1-14804>.

<sup>42</sup> <http://news.bahai.org/human-rights/iran/education/profiles>.

60. Mr. Golam Abbas Saki, imprisoned at Dezfoul Prison (Khuzestan Province), is reportedly suffering from prostate cancer and kidney problems. He has allegedly been deprived of adequate medical care. Mr. Saki is also reportedly suffering from both high blood pressure and cholesterol. Mr. Saki was reportedly arrested in Syria and transferred to Iran in 2006. He spent 4.5 years in solitary confinement under the custody of the Intelligence services, and three months at Evin Prison. Branch 4 of the Revolutionary Court of Ahwaz then reportedly sentenced him to five years in prison for acting against national security. The Revolutionary Court of Ahwaz, however, reportedly did not consider the time he had already spent at the Intelligence Center to be time served for his current sentence. He is still incarcerated in Dezfoul Prison.

61. In its reply to the Draft Report, the Government stated “prisoners have acceptable levels to access to medical care both inside and outside of the prison.” It also claimed that supervisory boards, established by the Judiciary, visit the prisons regularly to ensure compliance.

62. The Special Rapporteur warmly welcomes the Government’s announcement, in its reply to the Draft Report, that “the Islamic Republic of Iran is currently considering accession to [the] UN Convention Against Torture.”

## **F. Freedom of expression and access to information**

### **1. Newly arrested, imprisoned or prosecuted journalists, netizens and bloggers (cases reported since May 2014)**

63. Journalists arrested or prosecuted are often accused of contact with foreign media and are seemingly targeted due to their criticism of Government leaders or for discussing sensitive policy issues. This appears to be the result of an overly broad application of national security provisions and stipulations of the 1986 Press Law (which define 17 instances of impermissible content.) For example, impermissible content is defined as, inter alia, that which causes damage to “the foundation of the Islamic Republic”; insults “Islam and its sanctities” or “the Leader of the Revolution and recognized religious authorities”; or creates “discord between and among social walks of life specifically by raising ethnic and racial issues.” Moreover, because the majority of cases against journalists are considered involving “national security”, they are tried in Revolutionary Courts. Thus, negating Press Law which stipulates journalists be tried by the Press Court in the presence of a jury. In its reply, the Government noted that the Constitution provides for freedom of expression “except when it is detrimental to the fundamental principles of Islam or the rights of the public.” It argued that imprisoned members of the media have committed “serious” offenses, including “satellite networks... insistence on propagating lies and perturbing public peace of mind, and disseminating contents that foment ethnic and religious hatred, extremism and violence.”

64. At least 29 journalists, bloggers, and netizens have reportedly been detained, imprisoned or prosecuted since May 2014. (Mr. Serajeddin Miramadi; Ms. Mahnaz Mohammadi; Mr. Ali Asghar Ghavari; Mr. Jason Rezaian; Mr. Mohammad Reza Pourjashari; Mr. Ali Ghazali; Ms. Sajedah Arabsjorkhi; Ms. Zahra Ka’abi, Mr. Hamid Hekmati, Mr. Ismael Izadi, Mr. Farid Saremi, Mr. Farjad Salehi, Mr. Ali Chinisaz; Mr. Hamed Taghipour; Mr. Masoud Behnam; Ms. Yeganeh Salehi; Mr. Amar Kalantari; Ms. Yaghma Fashkhami; Mr. Saeed Pourheydar; Ms. Reyhaneh Tabataba’ei; Mr. Arash Honarvar Shoja’ei; Ms. Zahra Khandan; Mr. Mohammed Ghoochani; Ms. Abbas Salimi Namin; and five journalists from ISNA, including Mr. Arya Jafari.)

65. Mr. Serajeddin Miramadi, a well-known journalist and relative of the Supreme Leader of the Islamic Republic of Iran, was arrested in May 2014 after returning from working abroad as a journalist following the inauguration of President Rouhani. He was convicted in July 2014 of “propaganda against the system” and “conspiracy against national security” and was reportedly sentenced to six years in prison. His sentence was reduced to three years on appeal.



66. On 4 June 2014, Ms. Mahnaz Mohammadi was summoned to begin serving a five-year prison sentence for “propaganda against the system” and “assembly and collusion against the system.” She was accused of working for foreign media during the run-up to and aftermath of the 2009 presidential election.

67. *Washington Post* correspondent Mr. Jason Rezaian, who was arrested and detained on 22 July 2014, apparently did not have access to a lawyer during his six months of detention. Authorities would not initially disclose charges against Mr. Rezaian, and while reports now indicate that he may have been charged with espionage in December 2014 or January 2015, official charges — if any — remain unclear.

68. In July 2014, Ms. Sajedeh Arabsorkhi, a journalist and the daughter of a prominent political dissident, began serving a one-year sentence at Evin Prison for “propaganda against the system.”<sup>43</sup>

69. In August 2014, netizens Ms. Zahra Ka’abi, Mr. Hamid Hekmati, Mr. Ismael Izadi, Mr. Farid Saremi, Mr. Farjad Salehi, and Mr. Ali Chinisaz were arrested. In addition, two directors of privately-owned religious television stations Mr. Hamed Taghipour and Mr. Masoud Behnam, were also arrested.<sup>44</sup>

70. Mr. Ali Asghar Ghavari of the *Bahar* publication (which was closed in 2013, granted authority to re-open in 2014, and then closed again in 2015) was apparently summoned in September 2014 to serve the remainder of a prior prison sentence for publishing articles “contrary to Islamic criteria,” “spreading falsehoods,” and publishing articles “against the Constitution,” to which he was convicted by a Press Court. Mr. Ghavari is 73-years-old and apparently in poor health. (Mr. Saeed Pour Aziz of *Bahar* was also originally sentenced along with Mr. Ghavari, to 91 days in prison and an additional two-year suspended sentence).<sup>45</sup>

71. Mr. Amar Kalantari of the Free University News Agency was arrested in September 2014, apparently to begin serving a four-year prison sentence from 2009 for “insulting” Government officials.<sup>46</sup>

72. In October 2014, Mr. Arya Jafari and four other ISNA journalists were arrested for covering protests following the October 2014 acid attacks on several women in Esfahan. The four journalists were released within hours but Mr. Jafari was reportedly detained for a week.<sup>47</sup>

73. On 29 November 2014, Mr. Ali Ghazali, a journalist who had covered potential cases of corruption involving high-ranking officials, was re-arrested, apparently after a businessman related to a story he covered filed a complaint against him.<sup>48</sup>

74. On 30 November 2014, Ms. Reyhaneh Tabataba’ei was convicted and sentenced to one year in prison and a two-year ban on journalistic and political activities. She was charged with “propaganda against the system” for an interview she reportedly conducted in 2013 with a leader of the Sunni minority in Iran, which authorities claimed was penned with the intent of “dividing the nation along ethnic and religious lines.”

75. On 24 December 2014, Ms. Yaghma Fashkhami, a political reporter for the *Roozan* publication, was apparently arrested at her home for unknown reasons.<sup>49</sup>

76. Mr. Arash Honarvar Shoja’ei, a cleric and blogger, was already serving a separate four-year sentence at Evin Prison for “insulting (former Iranian Supreme Leader) Imam Khomeini,” “cooperating with foreign embassies,” espionage, and acting against national security, when he

<sup>43</sup> <http://www.kaleme.com/1393/09/27/klm-205325/>.

<sup>44</sup> <http://en.rsfs.org/press-freedom-violations-recounted-23-01-2014,45705.html>.

<sup>45</sup> Ibid.

<sup>46</sup> Ibid.

<sup>47</sup> <https://cpj.org/2014/10/iran-arrests-journalist-covering-acid-attacks-on-w.php>.

<sup>48</sup> <http://en.iranwire.com/features/6158/>.

<sup>49</sup> <https://cpj.org/2015/01/with-new-round-of-journalist-detentions-prosecutio.php>.

was apparently sentenced to an additional four years in prison and 50 lashes in December 2014. His new charges are not yet clear.<sup>50</sup>

77. Mr. Saeed Pourheydar, a journalist and rights activist who had fled the country in 2011 following the receipt of a five-year prison sentence for “propaganda against the system,” “insulting the President,” and “questioning Islamic principles,” was reportedly arrested on 4 January 2015 after returning to Iran.<sup>51</sup>

78. On 19 January 2015, apparently IRGC Intelligence Officers dressed in civilian clothes arrested Ms. Zahra Khandan at her home. She was a former journalist with several reformist publications. The reason for her arrest is not clear.

79. On 26 January 2015, Mr. Mohammed Ghoochani, the editor of the *Mardom Emrooz* publication, was charged with “insulting Islam” for publishing a front-page photograph of actor George Clooney wearing an “I am Charlie Hebdo” lapel pin.

80. In January or February 2015, former journalist and the current head of an Iranian History Society, Mr. Abbas Salimi Namin, was sentenced to six months in prison for “insulting” former President Mahmoud Ahmadinejad in 2011, when he publicly criticized what he perceived as presidential corruption. Mr. Salimi was also sentenced to 74 lashes for insulting judicial officials and officials at University of Tehran.<sup>52</sup>

81. On 20 February 2015, Mr. Masoud Bastani, a journalist who was arrested in connection to the post-2009 election unrest and sentenced for “propaganda against the system,” “assembly and collusion with the intent to disrupt national security,” and “publishing falsehoods,” apparently had a heart attack while in prison. His health remains precarious.<sup>53</sup>

82. On 23 February 2015, Mr. Ali Maghami, was arrested to begin serving a four-month prison sentence. He had received that sentence, along with a four-month suspended sentence, in January 2014.<sup>54</sup>

## 2. Recently closed publications

83. In its reply to the Draft Report, the Government claimed that *Bahar* (which was closed for six months and since re-opened) printed an article, which “seriously hurt feeling of the public.” Following the publication of the article *Bahar* “voluntarily” closed for a period of six months.

84. Iranian authorities continue to close publications deemed subversive by certain elements the political establishment. On 23 December 2014, the *Roozan* publication was closed by order of the Tehran Prosecutor; seemingly in relation to an article it had published marking the five-year anniversary of the death of Ayatollah Hossein Ali Montazeri.<sup>55</sup>

85. In August 2014, five privately-owned religious stations — *Imam Hossein*, *Abolfazal Abass*, *Alghaem*, *Alzahra* and *Almehdi* — were closed after being accused by the Intelligence Ministry of “working illegally for satellite TV stations based in the United States and Great Britain,” “provoking sectarian tension within Islam,” “showing a degrading image of Shi’ism” and “insulting the holy figures of Islam.”

86. On 12 January 2015, reformist weekly publication *Setareh Sobh* was closed after publishing an open letter by Parliamentarian Ali Motahari, in which he called for the trial of jailed opposition leaders Mr. Mir Hossein Mousavi and Mr. Mehdi Karoubi, along with Mousavi’s wife Ms. Zahra Rahnavard. The Tehran Media Court which ordered the closure claimed it that it did so to “prevent the occurrence of crime.”

<sup>50</sup> <https://cpj.org/2015/01/with-new-round-of-journalist-detentions-prosecutio.php>.

<sup>51</sup> Ibid.

<sup>52</sup> <http://en.rsf.org/iran-press-freedom-violations-recounted-21-01-2015,47521.html>.

<sup>53</sup> <http://www.iranhumanrights.org/2015/02/masoud-bastani/>.

<sup>54</sup> Ibid.

<sup>55</sup> Ibid.

87. On 17 January 2015, reformist daily *Mardom Emroz* was closed, following its front-page publication of an image of actor George Clooney wearing an “I am Charlie Hebdo” lapel pin.

88. On 3 February 2015, a Tehran Culture and Media Court ordered the closure of the online publication *HMA* (“Supporters of [Former President] Mahmoud Ahmadinejad”). The Court who ordered the closure claimed that it was “to prevent the occurrence of a crime.”

89. Around 27 February 2015, authorities ordered the blocking of the *Bahar* website (which had previously been closed and re-opened) along with the *Jamاران* site (an official website of the late Ayatollah Ruhollah Khomeini).<sup>56</sup>

### 3. Censorship / access to information

90. Authorities continue to censor or ban many forms of cultural and artistic expression. For example, in December 2014, apparently under pressure by the Parliament’s Cultural Commission, the Ministry of Culture and Islamic Guidance banned the film “Paternal House” by director Kianioush Ayyari.<sup>57</sup>

91. In November, the Working Group on Determining Instances of Criminal Content confirmed that the Information and Technology Ministry would continue to filter access to some data on Instagram.<sup>58</sup> In December, FarsNews reported that “immoral” pages on Instagram had been blocked.<sup>59</sup> In January 2015 it reported that authorities were attempting to block access to *Whatsapp* and *Tango*, in addition to sites similar to *Facebook*, which are already blocked.<sup>60</sup>

92. On 26 January 2015, a Contents Working Group was established by the Ministry of Islamic Guidance and Culture, in order to, *inter alia*, monitor SMS messages.<sup>61</sup>

93. In February 2015, various outlets reported that references to former President Mohammad Khatami were banned.

## G. Freedom of peaceful assembly and association

### 1. Non-Governmental Organization Bill

94. A draft Non-Governmental Organizations Bill presented by the Interior Ministry to the Parliament on 9 November 2014<sup>62</sup> appears to further threaten the independence of civil society. The Bill envisions councils at the national, provincial, and city levels that will, in part, be responsible for the issuance of activity licenses to non-governmental organizations (NGOs) pursuing “social, cultural, artistic, health, environmental, cultural heritage, human rights, ethnic, and development” issues, and whose activities are not currently subject to other laws that govern professional organizations or political entities, such as political parties.<sup>63</sup> According to the Bill, Councils would also be responsible for the supervision and support of NGOs and for addressing potential misconduct. NGOs would only be able to officially pursue organizational activities upon receiving establishment permits, activity licenses, and registrations.<sup>64</sup> Procedures introduced by the Bill to establish an association appear particularly burdensome and would

<sup>56</sup> Ibid.

<sup>57</sup> <http://www.entekhab.ir/fa/news/183188>.

<sup>58</sup> <http://isna.ir/fa/news/93082010296/کنترل-برای-ارتباطات-وزارت-به-دوماه-مهلت>.

<sup>59</sup> <http://www.radiofarda.com/content/f2-iran-instagram-immoral-pages-filtered-censorship-culture-ministry/26760241.html>.

<sup>60</sup> <http://www.farsnews.com/newstext.php?nn=13931017001370>.

<sup>61</sup> [dolat.ir/nsite/fullstory/news/?serv=12&id=257927](http://dolat.ir/nsite/fullstory/news/?serv=12&id=257927).

<sup>62</sup> <http://www.farsnews.com/newstext.php?nn=13930905000787>;  
<http://saman.moi.ir/Portal/Home/ShowPage.aspx?Object=NEWS&CategoryID=a8d0de91-2cf9-4078-911c-6f9aa6b96500&WebPartID=a2f25aaa-9bd2-4312-a121-65e1e4fea74e&ID=4031c61e-2ef1-4d28-8a30-36f65c996901>.

<sup>63</sup> Articles 2 and 4.

<sup>64</sup> Article 21.



subject NGOs to administrative supervision which could then be used as a means to quell dissenting views or beliefs, in violation of international norms and standards.

## 2. Relevant provisions of the Bill

95. **Councils:** The National Council would consist of 32 officials, including 16 government officials and 16 elected representatives from NGOs.<sup>65</sup> Provincial and City Councils will be headed by Governors, City Governors, four NGO representatives, and at least five government officials. Councils will be supported by secretariats responsible for reviewing applications to establish NGOs, for pursuing the implementation of programs and policies that facilitate research activities adopted by the National Council, for cooperating with other executive and supervisory agencies to monitor NGOs, and to review and present reports of misconduct to the National Council.<sup>66</sup>

96. **The process of obtaining activity licenses:** NGO's would be required to submit meeting minutes on the establishment of their organization, including an organogram, organization objectives, a list of activities, expansion plans and procedures, and procedures for the selection of representatives and their duties.<sup>67</sup> Authorities, whose representatives will also have the right to participate in organizational meetings as observers, must approve these documents.<sup>68</sup> The Bill requires that the Intelligence Ministry, police, and other specialized agencies be consulted on the legality of the objectives and activities proposed by the NGO.<sup>69</sup> Government agencies must act within a week of receiving establishment requests for permits.<sup>70</sup>

97. **Restrictions on NGO activities:** Under the draft, assemblies, publications, online activities, and educational materials would require permits.<sup>71</sup> Annual performance and financial reports must also be submitted to authorities that issue activity licenses.<sup>72</sup> NGOs are required to provide onsite access to their information and documents in the presence of an NGO representative. Removing documents from NGO possession will require a court order.<sup>73</sup>

98. **Restrictions on international cooperation:** All cooperation and membership with international organizations, such as signing agreements and contracts, would require National Council permission,<sup>74</sup> and the Council must also be notified of organizations' participation in conferences and training courses outside of the country.

99. **Disciplinary mechanism:** Compliance would be monitored by either the secretariat or specialized agencies.<sup>75</sup> Disciplinary steps can include a written warning with a deadline to correct breaches of the law, suspension of activity licenses for a maximum of three months, or the dissolution of the organization through the court.<sup>76</sup> If adopted, the law would be retroactive and therefore applicable to all existing NGOs.<sup>77</sup>

100. In its Reply, the Government maintained that "the civil society comprising political parties, trade unions and professional and religious association are freely and extensively active," adding that "any form of social activity" by "political party, society or association" requires observing laws and regulations and receiving a "permit from Article 10 Commission."

<sup>65</sup> Articles 2 and 9.

<sup>66</sup> Article 11.

<sup>67</sup> Article 24.

<sup>68</sup> Article 18.

<sup>69</sup> Article 18.

<sup>70</sup> Article 18.

<sup>71</sup> Article 26.

<sup>72</sup> Article 28.

<sup>73</sup> Article 31.

<sup>74</sup> Article 32.

<sup>75</sup> Article 34.

<sup>76</sup> Article 34.

<sup>77</sup> Article 37.

## H. Freedom of religion or belief

### 1. Dervishes

101. On September 2011, the Ministry of Intelligence arrested seven members of the Gonabadi Dervish community (Sufi Muslims) in the cities of Shiraz and Tehran. On 13 July 2013, the Revolutionary Court sentenced them to prison terms ranging from seven to ten years. On 31 August 2014, they embarked on a hunger strike to protest that their due process rights had been infringed upon. The police interrupted the demonstrations subsequently organized by their families in front of the Office of the Prosecutor in Tehran and arrested multiple people.<sup>78</sup> In late February, reports surfaced that some of these individuals' sentences may have been reduced or converted to time on probation.<sup>79</sup>

102. On 27 December 2014, Mr. Hojatoleslam Younesi, the President's Special Assistant on Religious and Ethnic Minorities, admitted in an interview that the treatment of the Dervishes was "arbitrary" and outside the scope of the Islamic Republic's states policies. He also added that harsh treatment of the community that occurred in the past was contrary to the country's interest, and that it has not been repeated.

103. On 25 February, plainclothes forces, without a warrant, apparently arrested Mr. Saleh Moradi, a Gonabadi Dervish, possibly to serve a prior sentence.<sup>80</sup>

### 2. Baha'is

104. Despite statements from high-ranking officials that Baha'is are entitled to citizenship rights, they continue to face discrimination, arrest, and arbitrary detention in connection with their religion. Between September and December 2014, security forces in the cities of Esfahan, Tehran, Shiraz, Hamedan, Karaj, and Semnan reportedly arrested at least 20 Baha'is. In February 2015, it was reported that four of these 20 individuals had been summoned to serve sentences (including Ms. Fariba Ashtari,<sup>81</sup> bringing the total number of imprisoned Baha'is to over 100.

105. Discriminatory restrictions increased with regard to the burial of Baha'is in cemeteries across the country. Authorities in the city of Semnan have reportedly discouraged families from inscribing epitaphs on tombstones, allowing inscriptions to only include first and last names, and dates of birth and death. Authorities have also restricted the construction of additional buildings to accommodate burials in the Baha'i cemetery there. In at least three cases, Iranian authorities have also delayed the burial of Baha'is in the cities of Tabriz and Ahvaz.<sup>82</sup>

106. Baha'i students also faced discrimination in the 2014-2015 national entrance exam for institutions of higher education. Mr. Shadan Shirazi, a Bahá'í student who took the national mathematics exam and placed 113<sup>th</sup> out of an estimated million students, was reportedly barred from registering at the public university. The Special Rapporteur welcomes statements by officials inviting Baha'i students to submit complaints of violations of their rights to the High Council for Human Rights.<sup>83</sup>

107. Incitement against Baha'is also continued this past year. On 15 December 2014, Ayatollah Bojnourdi, a high-ranking cleric and a former member of Supreme Judicial Council, stated that "we never say that Baha'is have the right to education; Baha'is don't even have citizenship

<sup>78</sup> <http://www.kaleme.com/1393/06/29/klm-198183/?theme=fast>.

<sup>79</sup> <http://www.majzooban.org/en/sufi-news/6585-half-of-the-sentences-of-jailed-gonabadi-dervishes-on-probation.html>.

<sup>80</sup> <http://www.majzooban.org/en/sufi-news/6589-saleh-moradi,-a-gonabadi-dervish-of-shiraz,-arrested.html>.

<sup>81</sup> <https://hra-news.org/en/fariba-ashtari-begins-2-year-sentence-yazd-prison>.

<sup>82</sup> Information submitted to the Special Rapporteur by the Baha'i Community in December 2014.

<sup>83</sup> <http://www.ilna.ir/news/news.cfm?id=157330>.

rights.”<sup>84</sup> After negative reactions, he later clarified that only Baha’is “who cooperate with Israel” or “advocate against Islam” are not entitled to citizenship rights, and that they still have human rights even though they cannot take advantage of “privileges,” such as going to university in Iran.<sup>85</sup>

108. In 2011, Mr. Behnam Roghani, a shop-owner in Esfahan’s bazaar, converted to the Bahai faith and began distributing DVDs and pamphlets about his faith. He reportedly received threatening mail from unknown individuals, which led to his decision to leave the country on 26 June 2012. In 2013, he produced a documentary about violations of the rights of Baha’is in Iran. He has also worked on various campaigns to address the persecution of the Baha’is in Iran. In July 2014, Mr. Roghani claims he received a copy of a threatening religious Fatwa from Iran, declaring him *Mahdor-Al-Dam* (meaning he is not entitled to *Diyah* “blood money” in case he is the victim of a violent crime).<sup>86</sup>

109. In September 2014, an appeals court apparently confirmed the one-year sentence of Mr. Adnan Rahmat Panah, a Baha’i citizen from Shiraz. Mr. Rahmat Panah, who was originally arrested in December 2012 and held for 186 days at an Intelligence Detention Center in Shiraz, was summoned to begin serving that sentence on 6 November 2015. Credible sources have indicated that evidence used to convict Mr. Rahmat Panah of “propaganda against the system” included pictures on Facebook in which he had been “tagged” by others, as well as emails he allegedly sent — without receiving replies — to foreign news media organizations.

### 3. Christians

110. In December 2014, authorities allegedly arrested four individuals (Ms. Sara Rahiminejad, Mr. Majid Sheidaee, Mr. Mostafa Nadri, and Mr. George Issaian) at a Christmas Eve celebration in Fardis village in Karaj. The four individuals were converts from Islam. Plainclothes officers allegedly searched their belongings, beat and insulted them and then arrested them. Five Additional Christian converts (Mr. Ahmad Bazayr, Ms. Faegheh Nasrollahi, Ms. Mastaneh Rastegari, Mr. Amir Hossein Nematollahi, and a man identified as “Mr. Hosseini”) were also arrested at a house church in eastern Tehran on Christmas Day. Some reports indicate that many more individuals were arrested and quickly released.<sup>87</sup>

111. Branch 1 of the Karaj Revolutionary Court apparently sentenced Mr. Hossein (“Stephan”) Saketi Aramsari, another Christian convert, to prison. He has been imprisoned since the summer of 2013.

112. Christian leaders (including Pastor Farshid Fathi) continue to serve prison time apparently solely for exercising their internationally protected rights to freedom of belief, association, and expression.

### 4. Erfan Halgheh

113. On 6 February 2015, Fars News Agency reported that 16 instructors from the *Erfan Halgheh* (“Inter-Universalism”) spiritual movement were sentenced to a total of 37 years in prison and fined 130 million toman, on charges including blasphemy and obtaining illicit wealth.<sup>88</sup> (See “Reprisals” section for information on Mr. Mohammad Ali Taheri).

### 5. Sunni Muslims

114. (See section on prison conditions and access to medical care for case details on various Sunni [including ethnic Kurdish and ethnic Arab] individuals).

<sup>84</sup> <http://www.ilna.ir/news/news.cfm?id=157330>.

<sup>85</sup> <http://www.tasnimnews.com/Home/Single/592485>.

<sup>86</sup> Interview Submitted to the Office of the Special Rapporteur, 19 December 2015.

<sup>87</sup> [http://mohabatnews.com/index.php?option=com\\_content&view=article&id=806:iran-rounds-up-christians-in-crackdown&catid=36:iranian-christians&itemid=279](http://mohabatnews.com/index.php?option=com_content&view=article&id=806:iran-rounds-up-christians-in-crackdown&catid=36:iranian-christians&itemid=279).

<sup>88</sup> <http://www.farsnews.com/newstext.php?nn=13931115001752>.

## VI. Economic, social, and cultural rights

### A. Economic rights

#### 1. Right to organize and collectively bargain

115. In August 2014, hundreds of workers from the Bafgh Iron Ore Mine protested the arrest of nine of their colleagues, following strikes, which had begun in May 2014 over a Government plan to privatize the mines.<sup>89</sup>

116. In December 2014, at least three members of the Coordinating Committee to help form Workers' Organizations in Iran were arrested.

117. Other trade unionists and labor rights leaders imprisoned in Iran for protected activities include: Messrs. Reza Shahabi; Sharokh Zamani; Yousef Ab-Kharabat; Vahed Seyedeh; Afshin Nadimi; Mahmood Bagheri; Abdolreza Ghabari; and Rasoul Bodaghi. The following four trade unionists and labor rights activists have been convicted for exercising protected rights but are awaiting the outcomes of appeals: Messrs. Khaled Hossein; Ali-Akbar Baghani; Mahmood Beheshti-Langaroudi; and Alireza Hashemi. Finally, at least six labor rights leaders have been sentenced to prison terms for protected activities and are at immediate risk of arrest to serve those terms: Messrs. Hassan Rassoulnejad; Jamal Minashiri; Hadi Tanoumand; Ghassem Mostafapour; Ebrahim Mostafapour; and Mr. Mohammad Karimi.<sup>90</sup>

118. In its reply to the Draft Report, the Government of Iran claims that no labor leaders have been arrested for their defense of labor rights, and that the country's failure to accede to the two ILO conventions dealing with freedom of association has no negative impact on policy.

#### 2. Labor actions permitted by authorities

119. Some labor groups have been permitted to advocate for their rights, including through ongoing actions by hundreds of workers at places like the Stephan Cement Company in Dizicheh, Esfahan Province, and by *Yaz Khorramshahr Industry* workers.

120. In August 2014, the head of administrative affairs at the security office of the *Iran-Shahr* Steam Power Plant claimed that the plant discriminated against members of the Balouch minority group. According to Mr. Mohammad Anvar Amiri, less than 40 of 400 employees there of the Balouch minority group, and more than 85% of plant supervisors were non-Balouch.<sup>91</sup> Balouch people largely inhabit the region the plant is in.

121. In December 2014, around 700 nurses protested outside of the President's residence in Tehran against massive disparities in pay between doctors and nurses, the Government's failure to define nurse's pay in accordance with the law, and to draw awareness to the dwindling number of nurses in the country.<sup>92</sup>

122. Also in December, around 900 workers from the Pars Wagon Factory went on strike to protest the dismissal by authorities of their workers' representative.<sup>93</sup>

#### 3. Public statements

123. In November 2014, the Secretary of the Mandazarin Province's Labor Council, Mr. Nabid Rasouli, criticized what he viewed as the Central Bank's and the Government's inadequate response to rising inflation rates. Mr. Rasouli stated "Unfortunately, there is a great gap between

<sup>89</sup> <http://www.iranhumanrights.org/2014/08/bafgh-workers-strike/>.

<sup>90</sup> <https://www.fidh.org/International-Federation-for-Human-Rights/asia/iran/16851-iran-imprisoned-unionists-face-new-unfair-trials-and-extended-prison-terms>.

<sup>91</sup> <http://www.ilna.ir/news/news.cfm?id=195781>.

<sup>92</sup> [http://www.bbc.co.uk/persian/iran/2014/12/141214\\_nm\\_protest\\_nurse\\_hospital](http://www.bbc.co.uk/persian/iran/2014/12/141214_nm_protest_nurse_hospital).

<sup>93</sup> <http://ilna.ir/news/news.cfm?id=237971>.

the Central Bank's inflation rate and the minimum necessities for securing the livelihood of workers' families... The situation has put the most pressure on the workers' community; while the administration and parliament, as officials responsible for the current state of the economy, are debating political and elections discussions, the workers are getting poorer day by day for not being able to secure their livelihoods."<sup>94</sup>

124. In November 2014, MP Nader Ghazipour suggested that in order to keep pace with inflation, the minimum wage should be at least 2.5 million toman.<sup>95</sup>

125. In August 2014, the head of the workers' faction in Iran's Parliament claimed the 90% of workers in Iran were living below the poverty line, and that many others weren't far from it.<sup>96</sup> According to Iran's Labor Minister, in a recent effort to make insurance more widely available they have provided of insurance booklets to 4.8 million people.<sup>97</sup>

#### 4. Workplace safety

126. According to the National Medical Examiner's Office, there were 657 work-related deaths in the first four months of the current Iranian calendar year. This is an increase from 632 recorded over the same period last year. Falls from heights, injuries from blunt objects, and electrocution remained the top three causes of workplace deaths. During the same period, the Medical Examiner's office received reports of 10,109 cases of workplace accidents.<sup>98</sup> In August, an unnamed official suggested that the Social Security Organization insured only 10% of workers killed during the previous year.<sup>99</sup>

127. According to Tehran's Medical Examiner, there were 297 annual work-related deaths in the province by 1 November 2014. This is an increase from the previous year (the same time period was 282).<sup>100</sup>

128. In October 2014, Iran's Minister of Labor suggested that the incidence of on-site accidents in small workshops (housing 50 or less workers) could be reduced by employing in-house inspectors, rather than solely relying upon periodic and possibly infrequent inspections.<sup>101</sup>

129. On 7 December 2014, Iran's Parliament passed an amendment to Article 5 of the Social Insurance of Construction Workers Law. The amendment (an addition of new fees on employers and employees) was apparently intended to facilitate the extension of insurance to the uninsured.<sup>102</sup>

### B. The plan to protect hijab and modesty and gender segregation in the workplace

(See Report for details of Bill).

### C. Right to health

#### 1. Satellite jamming and its health impacts

130. Iranian authorities reportedly continue to prosecute individuals for the possession and use of satellite dishes. In September 2014, police reportedly attempted to enter the home of 65-

<sup>94</sup> <http://www.ilna.ir/news/news.cfm?id=219524>.

<sup>95</sup> <http://isna.ir/fa/news/93082714499/حداقل-2-به-کارگران-حقوق>.

<sup>96</sup> <http://ilna.ir/news/news.cfm?id=192832>.

<sup>97</sup> <http://ilna.ir/news/news.cfm?id=194078>.

<sup>98</sup> <http://www.tasnimnews.com/Home/Single/499224>.

<sup>99</sup> <http://ilna.ir/news/news.cfm?id=193999>.

<sup>100</sup> <http://www.ilna.ir/news/news.cfm?id=235136>.

<sup>101</sup> Ibid.

<sup>102</sup> <http://www.isna.ir/fa/news/93091609587/-کشور-ساختمانی-کارگران-کلیه-مجلس-تصویب-با->

year-old Tehran resident Mr. Mohammad Ali Kouei. Mr. Kouei requested the produce comply with Iranian law and produce proper identification. The police apparently failed to produce identification and proceeded to search the rooftop for satellite dishes. Due to the stressful nature of the event, Mr. Kouei, a war veteran, apparently suffered a fatal heart attack, which was witnessed by neighbors.<sup>103</sup>

131. In February 2014, Minister of Health, Dr. Seyyed Hassan Ghazizadeh, announced the formation of a special committee. The committee consists of representatives from the Ministry of Health, the Ministry of Information and Technology, and Iran's Atomic Energy Organization with the purpose to investigate the potential health effects of satellite jamming.<sup>104</sup> The committee has yet to announce its findings. In October, Mr. Saeed Motassadi of the Department of the Environment also noted that "the topic of jamming causing cancer [has been] studied many times, and the possibility exists of this illness coming about in individuals as a result from the effects of jamming."<sup>105</sup>

## 2. LGBT (supplemental to the "Transgender Iranians" section of the Report)

132. In its reply to the Draft Report, the Government noted its support for the transgender community, and suggested that it was formulating policies to provide for increased health and financial assistance to members of that community. The Government stated its total rejection of "homosexual behaviors."

133. Mr. Ahmad Farzanpour was detained twice in Tehran; once in 2006 by authorities for confronting officials in a local mosque about the volume of the call-to-prayer, which he felt was contributing to his mother's seizures, and once in 2011, after he returned to Iran from abroad, in connection with alleged participation in political protests while outside of the country. In 2006, Mr. Farzanpour was beaten while in detention in part because authorities had found videos on his mobile phone indicating that he is a member of the LGBT community. While detained in 2011, Mr. Farzanpour was held incommunicado without access to a lawyer or contact with family and was reportedly psychically and psychologically abused. He was released informally and fled the country. He continues to suffer from medical conditions reportedly related to beatings while in detention.

## D. Land mines

134. In October 2013 the City Governor of Marivan, in the Kurdistan province, reported that seven children from the Neshkash village in Marivan were injured due to a land mine explosion.<sup>106</sup> The children were reportedly unfamiliar with the risks of land mines and were playing with the object at an abandoned military base.<sup>107</sup> As a result of the explosion, Garshin, an 11-year-old, lost her right leg; Ala, a six-year old, suffered an eye injury; Behnoush, a nine-year-old, suffered injury to both hands, feet, and abdomen; Sima, a five-year-old, suffered injury to the face, body, and feet; Zana, a 13-year-old suffered injury to the ear, head, and body; Khebat's right eye was injured; and Matin, an eight-year old boy, was also injured.<sup>108</sup>

135. A year after the incident, in October 2014, a lawyer representing the children reported their ongoing need for adequate medical care. The lawyer stated "The girl [Garshin] who lost her leg in this incident does not have the means to purchase a prosthesis from the Red Crescent. Some of these families don't even have the money to pay for a taxi service to visit the hospital or lawyer, or to even pursue the legal process after this incident [...] They don't have money for the surgery to have the land mine fragments removed from their frail bodies." He maintained

<sup>103</sup> [http://persian.iranhumanrights.org/1393/07/khoiee\\_mahvareh/](http://persian.iranhumanrights.org/1393/07/khoiee_mahvareh/).

<sup>104</sup> <http://www.iranhumanrights.org/2014/02/satellite-jamming/>.

<sup>105</sup> <http://www.al-monitor.com/pulse/originals/2014/10/iran-satellite-jamming-cancer.html#>.

<sup>106</sup> <http://old.etemadnewspaper.ir/Released/92-07-28/97.htm#255499>.

<sup>107</sup> <http://www.farsnews.com/newstext.php?nn=13920727000291>.

<sup>108</sup> <http://www.ana.ir/Home/Single/109068>.



that the land mines surround abandoned military bases and that sometimes heavy rains cause the movement of mines into municipal settlements, children's playgrounds, and agricultural lands, and therefore continue to pose a "serious threat to the health and security of citizens in these areas."<sup>109</sup>

136. A few days later, the Kurdistan Governor, in a meeting with the child land mine victims of Neshkash, reportedly apologized and noted that the Government had agreed to pay all treatment costs for the children. The Governor reiterated that the clearing of Kurdistan's border areas of land mines remained a priority for the administration. He admitted that the clearing of contaminated areas was not 100% achieved, and highlighted the relevant difficulties by noting that there are still places in the world, which were cleaned after World War I but still experience explosions.<sup>110</sup>

137. In its Reply, the Government points out that the land mines in the five western provinces of the country were planted by the former regime of Iraq during Iran-Iraq war and it holds Iraq and "those countries that supported her in imposing war on Iran" responsible for them. The Government also points out that the former ICRC chief in Tehran, the UN Resident Coordinator, a UNDP representative in Iran, and the Director General of Genève International Center for Demining praised the post-war demining of contaminated areas. Moreover, despite apparent Government requests for assistance for its Iran Mine Action Center, the international community has not provided any aid.

## VII. Gender equality and women's rights

### A. The plan to promote virtue and prevent vice

138. On 3 January 2015, the Guardian Council ruled the plan which would have encouraged vigilante justice by individuals and members of the *basij* and IRGC based on their interpretations of religious law, unconstitutional.

### B. Violence against women

#### 1. Acid attacks

139. On 16 October 2014, the *Iranian Students' News Agency* (ISNA) published a report on at least four incidents<sup>111</sup> of acid attacks where women who were driving in the city of Esfahan were severely injured by acid thrown on them by unknown individuals. Rumors immediately spread on social media that the individuals might have been targeted on the basis of their clothing, and that the number of victims was higher than four. *Farhikhtegan* Newspaper reported on the attack of Ms. Soheila Jorkesh on 20 October 2014. The article stated that "families of the Esfahan victims have claimed that before throwing acid on the victims, the perpetrators exclaimed: 'We confront women with poor *hijab*.'"<sup>112</sup>

140. On 20 October 2014, Iran's police chief, Mr. Esmail Ahmadi-Moghaddam, acknowledged, "around seven to eight people had been targeted in Esfahan." He also said a number of suspects had been detained but that the motives behind the attacks were still unknown.<sup>113</sup>

141. On 20 October 2014, the Judiciary's Spokesperson, Mt. Gholamhossein Mohseni Ejei, rejected any connection between the acid attacks and Islamic *hijab* stating "[c]ontrary to

<sup>109</sup> *Ibid.*

<sup>110</sup> <http://www.shabestan.ir/detail/News/408631>.

<sup>111</sup> <http://www.isna.ir/fa/news/93072614051>.

<sup>112</sup> <http://www.iranhumanrights.org/2014/10/sotoudeh-on-acid-attacks/>.

<sup>113</sup> <http://www.tabnak.ir/fa/news/443897>.

allegations made by certain websites, such claims have not yet been confirmed.”<sup>114</sup> He added that the cases would be processed under rules for expedited judicial procedure. On 22 October 2014, the Security Deputy of the Interior Ministry denied allegations that the attacks were planned and/or conducted by a group stating “we are confident the attacks were carried out by one individual.”<sup>115</sup> Iranian officials strongly reject speculation that the women might have been targeted for what was perceived as improper clothing according to Islamic principles. On 23 October 2014 the Head of the Office of the Deputy Commander in Chief of the Police, Mr. Adbolah Mahmoudzadeh, announced that individuals accused of conducting acid attacks had been arrested by the police and that the incident was not related to improper clothing.<sup>116</sup>

142. On 13 November 2014, Mr. Ismaeli Moghadam, the Chief-of-Police, admitted that the perpetrator had not yet been arrested. He also announced that 380 acid attacks had been committed against both individuals and private property over the past year.<sup>117</sup>

143. Following the Esfahan attacks, the administration announced its intent to work with the Judiciary to intensify punishment for such attacks. Authorities, however, prohibited protests against the attacks and in support of investigations. Although, on 24 October 2014, MP Abed Fatahi from Urumiah defended the rights of protestors. Civil society actors, including Ms. Nasrin Sotoudeh, Mr. Peyman Aref and Ms. Giti Pourfazel, who participated in a demonstration to protest the attacks in front of the Interior Ministry in Tehran, were arrested.

144. In response to the present report, the Government notes that Iranian authorities consistently and strongly condemn these grave actions. The government admits that the perpetrators have not yet been arrested.

145. In its response to concerns raised by the Special Rapporteur in his 2014 Report to the General Assembly about the prevalence of violence against women in the country, and on shortcomings in national laws and institutional frameworks for addressing the problem, the Iranian Government maintained that domestic violence was a capital offence and noted that legislation to legally define all forms of domestic violence was being considered. The Vice President for Women and Family Affairs announced on 29 November 2014 that the draft legislation to “Protect Women Against Violence” has been submitted to the Administration’s Bills’ Commission, and said that her office had recommended that the Judiciary establish safe houses for abused women.

## 2. Freedom of assembly for protestors of acid attacks

146. On 22 October, over 2,000 protestors gathered in front of the Esfahan Justice Department calling on authorities to investigate the attacks. On the same day in Tehran, dozens of people demonstrated in solidarity with the victims in Esfahan, staging a gathering in front of the Iranian parliament and calling for investigations of the attacks and the provision of security for women in society.<sup>118</sup>

147. In the days following the demonstrations of 22 October, the Governor of Esfahan stated “any assembly on the matter is illegal,”<sup>119</sup> and the Chief of Police of Iran suggested “all [protestors] have a common source, and they want to influence society [and] spread a climate of insecurity; fortunately none of their calls have been widely welcomed.”<sup>120</sup> He also claimed that individuals and media advocating such demonstrations aim to “disseminate terror” in Iranian society.<sup>121</sup>

<sup>114</sup> <http://www.isna.ir/fa/news/93072815861>.

<sup>115</sup> <http://www.farsnews.com/newstext.php?nn=13930730001715>.

<sup>116</sup> <http://www.irna.ir/fa/News/81360499/>.

<sup>117</sup> <http://www.donya-e-eqtasad.com/news/840843/>.

<sup>118</sup> <http://www.tabnak.ir/fa/news/443827>.

<sup>119</sup> [http://www.bbc.co.uk/persian/iran/2014/10/141028\\_103\\_acid\\_attacks\\_isfahan](http://www.bbc.co.uk/persian/iran/2014/10/141028_103_acid_attacks_isfahan).

<sup>120</sup> <http://mehrnews.com/news/2411458/> - اجازه برگزاری - های - تجمع - برگزاری - اجازه -

<sup>121</sup> <http://www.ilna.ir/news/news.cfm?id=218142>.

148. On 24 October 2014, Parliamentarians Mr. Abed Fatahi, an Urumiah (the only Members of Parliament to visit the protestors) disagreed with negative views towards protests stating, “women have the right to protest. Even if they sit in all the city squares as a sign of protest, they still have the right because the peace and comfort of women in our society has been negated; this is not a good thing. I’m sorry that some of the Members of Parliament are still trying to reduce the tragic story of acid attacks to [a story of] ‘love revenge.’ In my mind, there was something else behind the acid attacks, which I hope is not proven by the police investigation.”<sup>122</sup>

149. On 25 October 2014, several society activists (Ms. Nasrin Sotoudeh, Mr. Peyman Aref and Ms. Giti Pourfazel) who had participated in a demonstration in protest of the attacks in front of the Interior Ministry of Tehran were arrested for a few hours.<sup>123</sup>

### C. Women’s rights activists

150. A British-Iranian woman, Ms. Ghoncheh Ghavami, was arrested along with ten other women who attempted to enter Azadi Stadium for a volleyball match between Iran and Italy’s national teams on 20 June 2014, with intention to protest laws that prohibit women from sports arenas. Ms. Ghavami was arrested again on 30 June, allegedly due to content on her mobile phone, including text messages and photos. She was charged with “propaganda against the system,” and tried before Branch 26 of the Revolutionary Court on 14 October 2014. She was detained in solitary confinement for 41 days and transferred to Gharchak Varamin Prison on 5 November 2014. On 2 November 2014, Ms. Ghavami’s lawyer announced that he had been shown court documents stating that Ms. Ghavami was found guilty and had been sentenced to one year in prison. Ms. Ghavami was released on bail on 23 November 2014.

151. Ms. Mahdiah Golroo, a student and women rights activist who had previously served 30 months in prison on charges of “assembly and collusion with the intent to disrupt national security” and “propaganda against the system” following the 2009 protest, was arrested by the IRGC on 26 October 2014, and transferred to Ward 2A of Evin Prison. Ms. Golroo was detained for a total of months. She was not informed of the charges against her nor allowed access to legal counsel. Ms. Golroo was released on 27 January on bail and expected to return on her trial date.

152. Ms. Akram Neghabi (the mother of Mr. Saeed Zeynali, who has been missing since his arrest in 1999 by security forces,) has been arrested on several occasions for pursuing and speaking out against the disappearance of her son. Ms. Neghabi has been detained and put in solitary confinement for 63 days. She is currently not detained yet; she still faces the risk of arrest and prosecution. Ms. Neghabi’s son, Mr. Zeynali, is a 23-year-old student, who was arrested at his home in 1999 by plainclothes security forces. Mr. Zeynali was not involved in any serious political activity, except for protests to push then-President Khatami to follow up on campaign promises and to put an end to the “chain” serial killings. After months of searching, family members learned that Mr. Zeynali had been arrested by Revolutionary Guards and taken to an unknown location. Since then he has been missing, with no information about his whereabouts and/or fate forthcoming.

153. Ms. Atena Farghdani, an artist and child rights activist was arrested in August 2014 and detained for 2.5 months in Ward 2A of Evin Prison. On 10 January 2015 she was transferred to Gharchak prison after being sentenced by Branch 15 of the Revolutionary Court on charges of “propaganda against the system,” “assembly and collusion against the system,” “insulting” Members of Parliament, and “insulting members” of the IRGC and three branches of Government during her interrogation. The guards at the Revolutionary Court allegedly beat

<sup>122</sup> <http://aftabnews.ir/fa/news/267949/>.

<sup>123</sup> Rezan Khandan’s Facebook page, <https://www.facebook.com/reza.khandan.5/posts/868813436462339>.

Ms. Farghdani when she requested to visit her mother before being transferred to prison.<sup>124</sup> After her release from Ward 21, Ms. Farghdani wrote in an open letter to the President's and the Supreme Leader's offices informing them that women's restrooms in Ward 2A of Evin prison are allegedly being monitored by security cameras. Ms. Farghdani emphasized that she had previously filed a complaint about the security cameras and mistreatment by prison authorities, but that neither were investigated. Ms. Farghdani began a hunger strike protesting Gharchak prison conditions on 9 February 2015. She is reportedly in very poor health as a result of her hunger strike, and has possibly been transferred to a hospital. On 2 March 2015 it was reported that authorities might have agreed to transfer her to Evin Prison on the condition that she end her hunger strike.

154. On 2 March 2015, Ms. Negar Haeri was released on bail from Gharchak Prison. She had apparently been detained without charges against her in July 2014. Ms. Haeri, a lawyer, appears to have been targeted by authorities on multiple occasions due to family members' affiliation with the MKO organization.<sup>125</sup>

155. Ms. Nazafarin Sabouri, advocates for her brother Mr. Alireza Sabouri, who was shot near a *basij* station while attending the "silent march" on 15 June 2009, following the 2009 presidential election. According to Ms. Sabouri, one of the bullets fired from the station ricocheted and passed through his forehead. Protestors reportedly helped Mr. Sabouri to a hospital, where he was in a coma for about a month during which time his family was searching for him. Mr. Sabouri's medical record allegedly states that Mr. Sabouri endured blunt force trauma from a baton used to strike him at least three dozen times. Mr. Sabouri reportedly suffered loss of speech, urinary incontinence, and required a feeding-tube upon regaining consciousness. He was discharged from the hospital approximately a month after the incident, and reportedly suffered from amnesia and numbness in his hands and feet, and required additional surgery to remove four remaining bullet fragments from his head. He has since left the country for Turkey and ultimately the United States, but prior to his departure Mr. Sabouri reportedly underwent eight months of speech and physiotherapy at home. He passed away on 17 November 2011 in the United States.

<sup>124</sup> <http://persian.iranhumanrights.org/1393/10/atenah-farghdani/>.

<sup>125</sup> <http://www.majzooban.org/en/news-and-exclusive-content/6591-prisoner-of-conscience-released-after-nine-months-of-%E2%80%9Ctemporary-detention%E2%80%9D-at-deplorable-facility.html>.

## Anexo II

[Inglés únicamente]

### List of detained Baha'is and student activists

5 Detained Iranians from the Baha'i Community

Chart and contents provided by: Baha'i International Community (BIC)

*Note:* This list is not exhaustive; it does not include individuals for whom specific charges are not yet known.

<i>Name</i>	<i>Arrest date</i>	<i>Prison</i>	<i>Date of trial/ court order issued</i>	<i>Sentence</i>	<i>Charge</i>
Mrs. Mahvash Shahriari Sabet	May 25, 2005 Mar 5, 2008	Evin Prison Mashhad; Evin-Prison- 26 May 2008; Rajaieshahr 9-Aug-10; Qarchak Prison; Evin 18-May-11; Currently: Tehran (Evin)	Without trial Trial ended 14-Jun-10	Released on bail 20 years' imprisonment	Participation in the training institute 1). Engaging in propaganda against the regime of the Islamic Republic of Iran; 2) espionage in support of the tyrannical, fabricated and occupying regime of Israel; 3) Forming and managing illegal groups and gatherings to for the purpose of disruption to the national security of Iran; 4) Collaboration with the tyrannical, fabricated, hostile and occupying regime of Israel against the Islamic Republic of Iran; 5) Conspiracy and assembly for the purpose of action against the internal and external security of Iran and to tarnish the reputation of the Islamic Republic of Iran in the international arena; 6) Participation in collecting classified documents and providing them to foreigners with the purpose of disruption the national security
Mrs. Fariba Kamalabadi Taefi	May 25, 2005 May 14, 2008	Evin Prison Evin 14-05-08; Rajaieshahr 9-Aug-10; Qarchak Prison Evin 18-May-11; Currently: Tehran (Evin)	Without trial Trial ended 14-Jun-10	Released on bail 20 years' imprisonment	Participation in the training institute 1) Engaging in propaganda against the regime of the Islamic Republic of Iran; 2) espionage in support of the tyrannical, fabricated and occupying regime of Israel; 3) Forming and managing illegal groups and gatherings to for the purpose of disruption to the national security of Iran; 4) Collaboration with the tyrannical, fabricated, hostile and occupying regime of Israel against the Islamic Republic of Iran; 5) Conspiracy and assembly for the purpose of action against the

<i>Name</i>	<i>Arrest date</i>	<i>Prison</i>	<i>Date of trial/ court order issued</i>	<i>Sentence</i>	<i>Charge</i>
Mr. Afif Naimi	May 14, 2008	Evin 14-05-08; Rajaieshahr 9-Aug-10	Trial ended 14-Jun-10	20 years' imprisonment	internal and external security of Iran and to tarnish the reputation of the Islamic Republic of Iran in the international arena; 6) Participation in collecting classified documents and providing them to foreigners with the purpose of disruption the national security  1) Engaging in propaganda against the regime of the Islamic Republic of Iran; 2) espionage in support of the tyrannical, fabricated and occupying regime of Israel; 3) Forming and managing illegal groups and gatherings to for the purpose of disruption to the national security of Iran; 4) Collaboration with the tyrannical, fabricated, hostile and occupying regime of Israel against the Islamic Republic of Iran; 5) Conspiracy and assembly for the purpose of action against the internal and external security of Iran and to tarnish the reputation of the Islamic Republic of Iran in the international arena; 6) Participation in collecting classified documents and providing them to foreigners with the purpose of disruption the national security
Mr. Saeid Rezaie Tazangi	May 25, 2005	Evin 14-05-08; Rajaieshahr 9-Aug-10; Qarchak Prison Evin 18-May-11; Currently: Tehran (Evin)	Was not tried	Released on bail	N/A
	May 14, 2008	Evin 14-05-08; Rajaieshahr 9-Aug-10	Trial ended 14-Jun-10	20 years' imprisonment	1) Engaging in propaganda against the regime of the Islamic Republic of Iran; 2) espionage in support of the tyrannical, fabricated and occupying regime of Israel; 3) Forming and managing illegal groups and gatherings to for the purpose of disruption to the national security of Iran; 4) Collaboration with the tyrannical, fabricated, hostile and occupying regime of Israel against the Islamic Republic of Iran; 5) Conspiracy and assembly for the purpose of action against the internal and external security of Iran and to tarnish the reputation of the Islamic Republic of Iran in the international arena; 6) Participation in collecting classified documents and providing them to foreigners with the purpose of disruption the national security



<i>Name</i>	<i>Arrest date</i>	<i>Prison</i>	<i>Date of trial/ court order issued</i>	<i>Sentence</i>	<i>Charge</i>
Mr. Behrouz Azizi Tavakkoli	Jul 26, 2005	Mashhad; Transferred to Tehran	Without trial	Released on bail	Membership of Yaran (group managing the affairs of the Bahá'í community in Iran) and involvement in teaching the [Bahá'í Faith]
	May 14, 2008	Evin 14-May-08; Rajaieshahr 9-Aug-10	Trial ended 14-Jun-10	20 years' imprisonment	1) Engaging in propaganda against the regime of the Islamic Republic of Iran; 2) espionage in support of the tyrannical, fabricated and occupying regime of Israel; 3) Forming and managing illegal groups and gatherings to for the purpose of disruption to the national security of Iran; 4) Collaboration with the tyrannical, fabricated, hostile and occupying regime of Israel against the Islamic Republic of Iran; 5) Conspiracy and assembly for the purpose of action against the internal and external security of Iran and to tarnish the reputation of the Islamic Republic of Iran in the international arena; 6) Participation in collecting classified documents and providing them to foreigners with the purpose of disruption the national security
Mr. Vahid Tizfahm	May 14, 2008	Evin 14-05-08; Rajaieshahr 9-Aug-10	Trial ended 14-Jun-10	20 years' imprisonment	1) Engaging in propaganda against the regime of the Islamic Republic of Iran; 2) espionage in support of the tyrannical, fabricated and occupying regime of Israel; 3) Forming and managing illegal groups and gatherings to for the purpose of disruption to the national security of Iran; 4) Collaboration with the tyrannical, fabricated, hostile and occupying regime of Israel against the Islamic Republic of Iran; 5) Conspiracy and assembly for the purpose of action against the internal and external security of Iran and to tarnish the reputation of the Islamic Republic of Iran in the international arena; 6) Participation in collecting classified documents and providing them to foreigners with the purpose of disruption the national security
Mr. Davar Nabilzadeh	04/05 August- 05	Mashhad	89/1/16 - 89/3	5 years imprisonment and 10 year ban on leaving the country	Activities against national security, propaganda against the regime and membership in the unlawful Bahaism administration

<i>Name</i>	<i>Arrest date</i>	<i>Prison</i>	<i>Date of trial/ court order issued</i>	<i>Sentence</i>	<i>Charge</i>
	15-Jul-10- began serving sentence (see additional information tab)	Mashhad	None	None	None
Mr. Jalayer Vahdat	Aug 4, 2005	Mashhad	5-Apr-10	Unknown	Activities against national security, propaganda against the regime and membership in the unlawful Bahai administration
	Jan 26, 2009	Mashhad	May-10	5 years imprisonment and 10 year ban on leaving the country	Charges unknown
	24-Oct-10 - started serving sentence	Mashhad	First court on 15/16- Aug-09. Then: 25- Oct-09 (sentence was appealed)	Sentence of 5 years imprisonment and 10 years not leaving the country was changed to 5 years imprisonment	Teaching against the regime, taking action against national security, and illegal dissemination of CDs, teaching the Faith, and insulting religious sanctities
Mrs. Sima Eshraghi (Aghdaszadeh)	Aug 6, 2005	Vakilabad, Mashhad	Unknown	Unknown	Propaganda in favour of Bahaism
	Jan 26, 2009	Vakilabad, Mashhad	05-April-10, 24-Oct- 10	5 years	Activities against national security, propaganda against the regime and membership in the unlawful Bahaism administration
Mr. Afshin Safaieyan	Feb 27, 2011	Unknown	Unknown	Unknown	Proselytizing
Mr. Kamran Mortezaie	May 22, 2011	Evin; Gohardasht	25-Sep-11, verdict issued on 17-Oct-11	5 years' imprisonment	Membership of the deviant Bahaist sect, with the goal of taking action against the security of the country, in order to further the aims of the deviant sect and those of organizations outside the country
Ms. Noushin Khadem	May 22, 2011	Evin	27-09-2011; verdict issued on 17-Oct-11	4 years' imprisonment	Membership of the deviant Bahaist sect, with the goal of taking action against the security of the country, in order to further the aims of the deviant sect and those of organizations outside the country
Mr. Mahmoud Badavam	May 22, 2011	Evin; Transferred to Gohardasht	27-09-2011; verdict issued on 17-Oct-11	4 years' imprisonment	Membership of the deviant Bahaist sect, with the goal of taking action against the security of the country, in order to further the aims of the deviant sect and those of organizations outside the country

<i>Name</i>	<i>Arrest date</i>	<i>Prison</i>	<i>Date of trial/ court order issued</i>	<i>Sentence</i>	<i>Charge</i>
Mr. Farhad Sedghi	May 22, 2011	Evin; Gohardasht	20-09-2011; verdict issued on 17-Oct-11	4 years' imprisonment	Membership of the deviant Bahaist sect, with the goal of taking action against the security of the country, in order to further the aims of the deviant sect and those of organizations outside the country
Mr. Riaz Sobhani	Jun 14, 2011	Evin; Gohardasht	1 -Oct-11; Verdict issued on 17-Oct-11	4 years' imprisonment	Assembly and conspiracy and activity against national security
Behfar Khanjani	Was not arrested or imprisoned, only sentenced	Semnan	Trial held in absentia	On 22 January 2007, sentenced to four months' imprisonment in absentia . Sentence suspended for four years. He will only be asked to serve if he commits an offence. If no offence is committed within the next four years, sentence will automatically be revoked.	Propaganda against the government by way of distributing the letter from the Bahá'í community addressed to the Esteemed President of the Islamic Republic of Iran
	Jan 6, 2010	Semnan Prison	Was not tried	Released on bail	Propaganda against the regime and activity against national security
	21 June 2011 - began serving sentence	Semnan Prison	Trial held on 17 April 2010. Court order issued on 4 May 2010. Appeal hearing was held on 9 January 2011 in the Court of Appeal of province of Semnan. Appeal was denied on 6 February 2011.	4 years imprisonment	1) Forming groups, and membership in assemblies and groups as described in the indictment, [to wit,] formation of groups and membership in groups and assemblies such as 19-Day Feasts; youth committees; the Ruhi program; language groups; professional [development] groups; devotional gatherings; news sharing gatherings; athletic, arts, and education committees, etc., with the intention of disturbing the national security; 2) Activities against national security through propaganda against the regime, as described in the indictment, [to wit,] through espionage for the enemies, and making efforts to develop and expand the perverse sect of Bahaism, as well as penetrating the financial, governmental, and civil cores and disseminating perverse information against Islám and exploiting the religious sanctities [of Muslims]; 3) Use, possession and distribution of

<i>Name</i>	<i>Arrest date</i>	<i>Prison</i>	<i>Date of trial/ court order issued</i>	<i>Sentence</i>	<i>Charge</i>
Mr. Afshin Heyratian	Jun 3, 2010	Evin		4 years imprisonment	63 illegal compact discs containing appalling and offensive material as described in the indictment.
	Aug 20, 2011	Evin; transferred to Gohardasht	6-Nov-10	4 years imprisonment (sentence was appealed)	Charged with activities related to human rights issues and writing articles Assembly and conspiracy, with criminal intent, against national security and membership in the perverse sect of Bahaism.
Mr. Kamran Rahimian	Sep 13, 2011	Transferred to Gohardasht in December	Sentence issued on 01 February 2012	4 years imprisonment	1) Conspiracy and assembly with the intention to act against the national security by membership in perverse Bahaist sect as the primary director of the Department of Psychology at the illegal Bahaist university under the direction of the House of Justice; 2) Earning illegal income in the sum of 750,000,000 rial (This charge was withdrawn)
Mr. Hasan-Gholi) Delavarmanesh	Sep 4, 2011	Transferred to Yasouj on 22 May 2012			Creating public nuisance, non-compliance with the judgement of confiscation of property, and forcible entry and detainer of others' property
Mr. Afshin Ighani	May 16, 2005	Semnan	Verdict issued on 12-April 2006; Appeals court verdict issued on 21 September 2006	91 days imprisonment, suspended for four years; Sentence upheld in appeals court	1) Creating anxiety in the minds of the public and those of the Iranian officials; 2) propaganda against the government of the Islamic Republic of Iran
	Jan 5, 2010	Semnan	Tried on 04 April 2010; 05-May-2010	4 years' , 3 months' and 1 day' s imprisonment; Sentence upheld in appeals court	1) Formation of a group and membership in illegal groups and assemblies with the intention of disturbing national security; 2) Actions against national security through propaganda against the regime, i.e., propaganda for the perverse sect of Bahaism.
Mrs. Sousan Badavam (Farhangi)	23/24-Oct-11				
Ms. Shiva Kashaninejad (Samiian)	23/24-Oct-11	Unknown	Unknown	Unknown	Propaganda against the regime and activity against national security
Mr. Shahrokh Taef	Mar 6, 2005	Evin	Unknown	Unknown	Collaboration with the Yaran on financial matters
	Jan 14, 2009 17-Jan-12 - began serving his sentence	Evin Evin; Rajaishar (Karaj)	Unknown 13-Feb-11; 16-Jan-12 appeal	4 years' imprisonment sentence upheld in appeals court	Collaboration with the Yaran on financial matters Illegal membership in anti-security group and perverse Bahaism with purpose of taking action against national security

<i>Name</i>	<i>Arrest date</i>	<i>Prison</i>	<i>Date of trial/ court order issued</i>	<i>Sentence</i>	<i>Charge</i>
Mr. Foad Khanjani	Apr 27, 2010	Evin		Release on bail	Participating in the demonstrations on the Day of Ashura.
	17-Jan-12 - began serving his sentence	Evin;Gohardasht (Karaj)	Unknown	4 years' imprisonment sentence upheld in appeals court	Propaganda against the regime and participating in demonstration
Mr. Payam Taslimi	Feb 3, 2012	Ministry of Intelligence detention centre to Adelabad prison 20-Mar-2012	Jun-14	20 months imprisonment	Participation in illegal groups for the purpose of disrupting national security
Ms. Semitra Momtazian	Feb 5, 2012	Ministry of Intelligence detention centre to Adelabad prison 20-Mar-2012	Jun-14	20 months imprisonment; sentence has been suspended for 3 years	Participation in illegal groups for the purpose of disrupting national security
Mr. Shahram Chiniyan Miandoab	December/ January 2008	Evin prison	24-May-08		Membership in Bahá'í groups and engagement in propaganda against the regime
	February-2012 - began serving sentence	Evin prison; later transferred to Rajaieshahr prison	Tried 27 June 2011; Sentenced on 2 July 2011	8 years imprisonment and a fine of 3,000,000 rial.	Membership in Bahaism with the purpose of disturbing the security of state, insulting Islamic sanctities, and keeping equipment for receiving satellite
Ms. Negar Malekzadeh	Apr 2, 2012	Mashhad	Verdict issued on 24-10-2013	6 months' imprisonment	Organizing art exhibit for youth
Mr. Ighan Shahidi	Mar 3, 2010	Rajaishahr		Release on bail	Propaganda against the regime and activity against national security
	Apr 1, 2012	Reported to Tehran' s Evin prison from Kermanshah; transferred to Gohardasht on 11 April 2012	28-Jun-11	5 years' imprisonment	Collaboration with human rights activists
Mrs. Atiyeh Anvari	May 20, 2012	Esfahan			Teaching activities and forming junior youth groups
Mr. Mohammad Hosein Nakhaei	May 13, 2012	(Mohammadiyeh) Birjand Central Prison	Unknown	3 years	Teaching Bahaism and disseminating pamphlets
Mr. Faran Khan Yaghma	Jun 9, 2012				
Mr. Azizollah Samandari	Jan 14, 2009	Evin	Unknown	Release on bail	Activities against National Security, association with hostile countries, teaching the Faith
	Jul 7, 2012	Karaj; transferred to Rajaieshahr 04 October 2012	Unknown	4 years	Collaboration with the Yaran (group managing the affairs of the Bahá' í community in Iran) providing information technology support

<i>Name</i>	<i>Arrest date</i>	<i>Prison</i>	<i>Date of trial/ court order issued</i>	<i>Sentence</i>	<i>Charge</i>
Mr. Adel Naimi	Jul 10, 2012	Evin; Transferred to Karaj (Gohardasht), 2-Feb-2013	Date tried: 24-April-2013	Initially 11 years imprisonment, changed to 10 years.	Initially announced: a. Activity against national security; b. Espionage; c. Participating in the clandestine organization of Bahaism. In court document: Organizing the Bahaist sect, teaching; holding [self-defense] spray; engaging in propaganda against the regime of the Islamic Republic of Iran
Mr. Shayan Tafazzoli	Feb 17, 2012	Vakilabad	Unknown	6 months imprisonment	Holding an Art Exhibition, organising youth programmes
	Jun 2, 2014	Vakilabad	Court hearing has not taken place	Unknown	Propaganda against the regime through the Bahá'í administration
Mr. Sina Aghdasizadeh	Jul 11, 2012	Tabriz	23-Feb-13 / 26-Feb-2013	4 months imprisonment; sentence suspended for 3 years	Formation of an illegal group with intent to harm the national security of the state of the Islamic Republic - propaganda against the regime of the Islamic Republic
Mr. Rahman Vafaie	Jul 14, 2012	Temporary detention; transferred to Adelabad Prison 20-Sep-12	Summoned to court on 09 January 2013, told his case would be reviewed on 19 February 2013	2 years' imprisonment	Membership in illegal groups in opposition to regime, Propaganda against the regime in the interest of groups in opposition to regime
Mr. Hamid Eslami	Jul 14, 2012	Temporary detention; transferred to Adelabad Prison 20-Sep-12	Unknown	Unknown	Membership in illegal groups in opposition to regime, Propaganda against the regime in the interest of groups in opposition to regime
Mrs. Faran Hesami (Rahimian)	Sep 14, 2011	Evin	14-Sep-11	4 years imprisonment	Using falsely obtained degrees, illegal counselling, running illegal classes, defrauding the public, and spreading prostitution
	Jul 15, 2012	Evin	Court order issued: 21 January 2012; appeals order issued 09 May 2012.	4 years' imprisonment	a. Conspiracy and assembly with the intention to act against the national security by membership in perverse Bahaist sect as the primary director of the Department of Psychology at the illegal Bahaist university under the direction of the House of Justice; b. Earning illegal income in the sum of 7,000,000 tuman. (dismissed)
Mr. Vahed Kholousi	Aug 23, 2011	Evin		Release on bail	Collaboration with human rights activists
	Aug 22, 2012	Unknown	Unknown	Unknown	Initially: "involvement in subversive political activities against the regime through providing assistance to the earthquake victims"; Changed to: "distributing contaminated food"



<i>Name</i>	<i>Arrest date</i>	<i>Prison</i>	<i>Date of trial/ court order issued</i>	<i>Sentence</i>	<i>Charge</i>
Mr. Navid Khanjani	Mar 2, 2010	Nikbakht detention center in Esfahan; Flown to Tehran on 3-Mar-10 (Evin)	Unknown	Unknown	Collaboration with human rights activists
	Aug 22, 2012	Tabriz; Later transferred to Gohardasht 10 September 2012	Court of appeal upheld verdict 10-Aug-11	12 years' imprisonment + 5 million rial (~US\$500) fine	Engaging in human rights activities, illegal assembly (in support of university students deprived of higher education), and disturbance of the general public's opinion
Mr. Shayan Vahdati	Aug 22, 2012	Tabriz	Unknown	Acquitted	Initially: "involvement in subversive political activities against the regime through providing assistance to the earthquake victims"; Changed to "distributing contaminated food"
Mr. Kayvan Rahimian	Summoned 28 July 2011	Evin	27-Feb-12	Release on bail	Using falsely obtained degrees, illegal counselling, running illegal classes, defrauding the public
	Sep 30, 2012	Evin; Rjai Shahr (4-Oct-2012)	12-Jun-12	5 years' imprisonment + 97,877,000 rial fine (~US\$8,000)	Assembly and collusion with intent to commit acts of crime against national security, membership in the perverse sect of Bahaism, and earning illegal income
Mrs. Zohreh Nikayin (Tebyania) and infant child	Mar 12, 2011	Semnan		Release on bail	Propaganda against the regime
	Sep 22, 2012	Semnan	Was interrogated for 4 hours on 16 April 2011 (almost two weeks after her release). Trial held on 7 August 2011 in absentia. Sentence issued on 8 December 2011	Initially: 7 years imprisonment as well as confiscation of materials and documents related to the illegal organization of Bahaism; This sentence was reduced to: 23 months imprisonment by the appeals court	1) Forming illegal administrative groups known as moral education classes with intent to attract Muslims and to promote the ideologies of the perverse sect of Bahaism, and being present among Muslims; 2) Membership in groups and illegal organizations, including the Ruhi institute, organizing gatherings, science and technology [sic], and Nineteen Day Feasts for the purpose of propaganda [against] the sacred regime of the Islamic Republic of Iran and in the interest of Bahaism; 3) Propaganda against the sacred regime of the Islamic Republic of Iran in the interest of anti-regime groups through receiving messages and instructions issued by the House of Justice, and "implementation of such instructions"
Ms. Taraneh Torabi (Ehsani) and infant child	Mar 12, 2011	Semnan	Unknown	Release on bail	Propaganda against regime
Mr. Farhad Fahandej	Oct 17, 2012	Gorgan; Rajaieshahr	Unknown	10 years imprisonment	Collaboration with hostile governments, disturbing national security, propaganda against the regime, formation of hostile groups

<i>Name</i>	<i>Arrest date</i>	<i>Prison</i>	<i>Date of trial/ court order issued</i>	<i>Sentence</i>	<i>Charge</i>
Mr. Farahmand Sanaie	Oct 17, 2012	Gorgan; Evin 22-Nov-12; Rajaieshahr	Unknown	5 years imprisonment	Collaboration with hostile governments, disturbing national security, propaganda against the regime, formation of hostile groups
Mr. Kamal Kashani	Oct 17, 2012	Gorgan; Evin 22-Nov-12; Rajaieshahr	Unknown	5 years imprisonment	Collaboration with hostile governments, disturbing national security, propaganda against the regime, formation of hostile groups
Ms. Shahnam Jazbani	Oct 17, 2012	Gunbad Prison/Gunbad Ministry of Intelligence detention center	Was not announced	Unknown	Propaganda against the regime and Islam through teaching the Bahá' í Faith
Mr. Siamak Sadri	Nov 18, 2012	Gorgan; Evin 22-Nov-12; Rajaieshahr.	Sentenced May 2013	5 years imprisonment	Collaboration with hostile governments, disturbing national security, propaganda against the regime, formation of hostile groups
Mr. Payam Markazi	Nov 18, 2012	Gorgan; Evin 22-Nov-12; Rajaieshahr.	Sentenced May 2013	5 years imprisonment	Collaboration with hostile governments, disturbing national security, propaganda against the regime, formation of hostile groups
Mr. Foad Fahandej	Nov 18, 2012	Gorgan; Evin 22-Nov-12; Rajaieshahr	Sentenced May 2013	5 years imprisonment	Collaboration with hostile governments, disturbing national security, propaganda against the regime, formation of hostile groups
Mr. Kourosh Ziari	Nov 20, 2012	Transferred to Gorgan; Evin 23-Nov-12; Rajaieshahr	Court hearing: 24 April 2013, Issuance of verdict: 21 May 2013	5 years imprisonment	Managing an illegal group for [the purpose] of disturbing [national] security
Mr. Adnan Rahmatpanah	Dec 12, 2012	Shiraz	Unknown	Unknown	Propaganda against the regime and activity against national security
Mr. Shahin Negari Namaghi	22-May-11	Rajaieshahr (Gohardasht)	Unknown	Release on bail	Collaboration with Bahá' í Institute for Higher Education
	13-January-2013 - began serving sentence	Rajaishahr (Gohardasht)	Unknown	4 years' imprisonment	Collaboration with Bahá' í Institute for Higher Education
Dr. Foad Moghaddam	May 22, 2011	Dastgerd; Transferred to Evin 24-May-11	Without trial	Release on bail	Collaboration with Bahá' í Institute for Higher Education
	January-2012 - began serving sentence	Gohardasht	Tried 30 June 2012; Sentence issued 09 July 2012; Appealed verdict without result.	5 years' imprisonment under Ta' zir law	Collaboration with Bahá' í Institute for Higher Education
Mr. Vousagh Sanaie	Jan 20, 2013	Gohardasht			Attempt to form the unlawful Bahá' í administration
Mr. Sahand Masoumian	Mar 6, 2013	Unknown	Unknown	Unknown	Unknown
Mr. Pooya Tebyanian	Mar 8, 2009	Semnan	Tried 15 April 2009; Verdict issued 31	18 months imprisonment	Propaganda against the regime

<i>Name</i>	<i>Arrest date</i>	<i>Prison</i>	<i>Date of trial/ court order issued</i>	<i>Sentence</i>	<i>Charge</i>
			May 2009; Appeal court verdict 29-April-2010		
	Mar 12, 2011	Semnan	Tried on 16-Apr-12; Appeals verdict issued 12 August 2012	6.5 years' imprisonment	Propaganda against the regime of the Islamic Republic of Iran and membership in and organizing illegal groups and assemblies
Mr. Shamim Ettehad	Aug 26, 2011	Yazd	Tried on 18-April-2012; Verdict issued on 23 April 2012	91 days' imprisonment, suspended for 3 years	Engaging in propaganda against the regime of the Islamic Republic of Iran by forming gatherings and collaboration with the Bahaist sect
	Mar 19, 2013	Yazd	Court hearing: 24 May 2013, Issuance of verdict: 15 June 2013	5 years imprisonment under ta'zir law+ 75 lashes and 2 million tuman cash fine. Appealed sentence.	Collaboration with satellite networking
Mr. Babak Zeinali	Apr 13, 2015	Bandar-Abbas	Unknown	Unknown	Unknown
Mr. Amanollah Mostaghim	May 22, 2011	Shiraz; Evin		Release on bail	Collaboration with the Bahá'í Institute for Higher Education
Ms. Nika Kholousi	Sep 26, 2012	Mashhad	25-Dec-12	Release on bail	Activity against national security and propaganda against the regime
	Mar 30, 2013	Mashhad	6-May-13	6 years imprisonment - verdict appealed	Activity against national security and propaganda against the regime
Ms. Nava Kholousi	Sep 26, 2012	Mashhad	24-Jan-13	Release on bail	Propaganda against the regime and activity against national security
	Mar 30, 2014	Mashhad	15-Apr-13	4.5 years imprisonment - verdict appealed	Propaganda against the regime and activity against national security
Mr. Afrasiyab Sobhani	May 14, 2012	Semnan	Without trial	Release on bail	Propaganda against the regime
	11-June-2013 - began serving sentence	Semnan	Tried 17 June 2012 - sentence issued 23 June 2012	1 year imprisonment	1) Forming and managing some groups and gatherings affiliated with Bahá'í; 2) Membership in some other groups and committees; 3) Propaganda activities against the regime and in support of the Bahá'í community

<i>Name</i>	<i>Arrest date</i>	<i>Prison</i>	<i>Date of trial/ court order issued</i>	<i>Sentence</i>	<i>Charge</i>
Ms. Rozita Vaseghi	Summoned twice on 04 April 2009 and 15 May 2009 and was released after interrogations	Mashhad - Transferred to Vakilabad Prison on 26 September 2010	Summoned to court 15/16 August 2009; Final hearing 25-October-2009; Sentenced upheld in court of appeal; Again tried on 20-Dec-2010	Five year imprisonment - verdict appealed.	Activity against national security, propaganda against the regime, membership in the unlawful Bahá' í administration
Mr. Vahid Tondrow Taghvajou	Sep 10, 2013	Marvdasht; transferred to Vakilabad in Shiraz	Unknown	Unknown	Unknown
Ms. Nasim Ashrafi	Aug 5, 2005		5-Sep-05	10 months of imprisonment	Opposition to the Islamic Republic of Iran
	Jul 10, 2012	Unknown	Unknown	Three years imprisonment under Ta' azir law reduced to one year in the appeals court.	Propaganda against the regime and activity against national security
Mr. Sarang Ettehadí	06 May 2014 - began serving sentence	Transferred to Evin	Unknown	Unknown	Unknown
	Jul 10, 2012	Evin	Without trial	Release on bail	Propaganda against the regime and activity against national security
		Evin; Transferred to Gohardasht	12 January 2014 (trial occurred in absentia)	5 years imprisonment under Ta' zir law. Sentence appealed.	Propaganda against the regime and activity against national security through membership in the Baha' í administration.
Ms. Yekta Fahandej	Feb 3, 2012	Shiraz		Release on bail	Propaganda against the regime and activity against national security
	Mar 16, 2014	Detention center; transferred to Adelabad prison	Unknown	Unknown	1) Holding a gathering with the intention of disturbing the security of the country. 2) Propaganda against the regime. 3) Aggressive behaviour towards the agents when she was in detention
Mr. Shamim Naimi	Jul 23, 2012	Evin		Release on bail	Propaganda against the regime and activity against national security
	28-April-2014 - began serving sentence	Evin; transferred to Gohardasht on 14 May 2014	10-Nov-2012; 18 February 2013;	3 years imprisonment (appealed sentence)	Propaganda against the regime and activity against national security

<i>Name</i>	<i>Arrest date</i>	<i>Prison</i>	<i>Date of trial/ court order issued</i>	<i>Sentence</i>	<i>Charge</i>
Ms. Elham Farahani Naimi	Jul 10, 2012	Evin		Release on bail	Propaganda against the regime and activity national security
	28-April-2014 - began serving sentence	Evin	4-Feb-13	4 years imprisonment (appealed sentence)	Unknown
Mr. Fardin Aghsani	01-Dec-2014 - began serving sentence		Court order: issued: 19 June 2014, Court of appeals order issued: 26 July 2014	6 year imprisonment Reduced to 3 years in appeals court	1) Membership in an assembly related to the perverse sect of Bahaism in connection with the House of Justice located in the occupied Palestine, 2) Propaganda activity for the benefit of the perverse sect of Bahaism

Table 1  
Imprisoned student activists

<i>No.</i>	<i>Name</i>	<i>Surname</i>	<i>Sentence</i>	<i>Arrest date</i>	<i>Charges</i>
1	Majid	Asadi	4 Years	5-Oct-2011	Acting against national security
2	Hasan	Asadi Zeidabadi	5 years	22-Aug-2010	Assembly and collusion with the intention to disrupt national security, propaganda against the system, insulting the president, participating in illegal demonstration and disturbing public minds
3	Majid	Tavakoli	8 years	7-Dec-2009	Assembly and collusion with the intention to disrupt national security, propaganda against the system, insulting the president, participating in illegal demonstration and disturbing public minds
4	Davar	Hosseini Vojdan	3 years and 6 months	5-Dec-2011	Assembly and collusion with the intention to disrupt national security, propaganda against the system
5	Mehdi	Khodayee	7 years	2-Mar-2010	Acting against national security by organizing illegal demonstration and propaganda against the system
6	Yashar	Daroshafa	5 years and 6 months	5-Nov-2011	Assembly and collusion with the intention to disrupt national security, insulting the president
7	Mohsen	Rahmani	7 years	17-Dec-2014	Assembly and collusion with the intention to disrupt national security, insulting the Supreme Leader, acting against national security and having contacts with foreigners
8	Khezr	Rasool Morovat	5 years	25-Feb-2013	
9	Maryam	Shafipoor	7 years	27-Jul-2013	Assembly and collusion with the intention to disrupt national security, propaganda against the system
10	Iqan	Shahidi	5 years	9-Apr-2012	Membership in illegal groups of defending the right to education and Baha'is, propaganda against the system
11	Dana	Lenj Abadi	2 years	25-Jan-2014	Propaganda against the system
12	Mostafa	Mehdi Zadeh	6 months	23-Sep-2014	Insulting the Supreme Leader
13	Zia	Nabavi	10 years	15-Jun-2009	Having contact with MEK
14	Bahare	Hedayat	10 years	31-Dec-2009	Assembly and collusion with the intention to disrupt national security, insulting the president, insulting the Supreme Leader, acting against national security, propaganda against the system
15	AmirHooshang	Navayi	1 year	16-Feb-2011	Propaganda against the system



Table 2  
**Imprisoned students**

<i>No.</i>	<i>Name</i>	<i>Surname</i>	<i>Sentence</i>	<i>Arrest date</i>	<i>Charges</i>
1	Vahid	Asghari	18 years	8-May-2008	Propaganda against the system, publishing lies, establishing and administrating websites against the state
2	Hamid	Babai	6 years	27-July-2013	Espionage and having contact with the enemy state
3	Hamed	Roohi Nezhad	10 years	4-May-2009	Cooperating with “Iran’s Royal Assembly”
4	Jamal	Ghader Nezhad	5 years	13-Jun-2012	Membership in Kurdish parties (Kurdish parties)
5	Omid	Kokabi	10 years	30-Jan-2011	Having contact with enemy state and acquiring illicit funds
6	Habib	Latifi	Death	23-Oct-2007	Acting against national security, enmity against God ( Moharebeh), arrested in Sanandaj
7	Misagh	Yazdan Nezhad	10 years	10-Sep-2007	Enmity against God arrested in anniversary of 80s executions

Table 3  
**Recently arrested students**

<i>No</i>	<i>Name</i>	<i>Surname</i>	<i>Arrest date</i>	<i>Detention/Released</i>
1	Amir	Amirgholi	1-Dec-2014	Temporary detention
2	Ali	Badrkhani	25-Dec-14	Temporary detention
3	Zahra	Khandan	19-Jan-2014	Released
4	Fereshte	Toosi	8-Jan-2015	Released
5	Ribvar	Kamranipoor	10-Dec-2014	Temporary detention
6	Saha	Mortezayee	20-Jan-2015	Released
7	Parastoo	Biranvand	Sep 2014	Released
8	Masoomeh	Gholizadeh	10-Apr-2014	Released
9	Mahdie	Golroo	26-Oct-2014	Released
10	Sobhan	Rahimi	Nov 2014	Unknown
11	Vahid	Ranjbar	Jul 2014	Unknown
12	Jahangir	Salimi	Nov 2014	Unknown
13	Behrooz	Abdollahi	Sep 2014	Unknown
14	Farzin	Farzad	31-May-2014	Unknown
15	Vahid	Forudi	Nov 2014	Unknown