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**Human rights situation that require the attention of the Council****Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran \* \*\****Summary*

The present report is submitted to the Human Rights Council pursuant to resolution 31/19. The report communicates developments in the human rights situation of the Islamic Republic of Iran that have transpired since the submission of the report of the former Special Rapporteur to the 71st session of the General Assembly in October 2016.

During its 33<sup>rd</sup> session, the Human Rights Council appointed Ms. Asma Jahangir as Special Rapporteur on the situation of human rights in the Islamic Republic of Iran.

The present report outlines the Special Rapporteur's activities since her appointment by the Human Rights Council, examines ongoing issues, and presents some of the most recent and pressing developments in the country's human rights situation.. It is envisaged that a number of important issues not covered in the present report will be addressed in the Special Rapporteur's future reports to the General Assembly and the Human Rights Council.

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\* The present report was submitted after the deadline as a result of consultations with the State concerned.

\*\* The annex to the present report is circulated in the language of submission only.

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## I. Introduction

1. The Human Rights Council appointed Ms. Asma Jahangir as Special Rapporteur on the situation of human rights in the Islamic Republic of Iran during its 33<sup>rd</sup> Session.

2. Since her appointment, the Special Rapporteur has received a high number of communications and held various consultations with civil society organizations including non-governmental organizations, intellectuals, lawyers and victims. With the view to ensuring continuity of the reporting on the situation of human rights in Iran, the Special Rapporteur has also taken into account the communications sent by her predecessor since the submission of his last report to the General Assembly. The present report therefore covers the period from June to December 2016. Comments were received from the Government of the Islamic Republic of Iran and some integrated which were related to factual information. The Special Rapporteur is grateful for this input and looks forward to future cooperation in this regard.

3. The Special Rapporteur takes note of the Iranian government's improved engagement with the special procedures through increased dialogue with her predecessor, and by way of invitations in 2015 to the Special Rapporteurs on the right to food and on the negative impact of unilateral and coercive measures on the enjoyment of human rights to visit the country.<sup>1</sup> She notes however that the Government has still not accepted the requests made since 2002 by the Special Rapporteurs on the independence of lawyers and judges; extrajudicial, summary or arbitrary executions; freedom of religion or belief; minority issues; and the protection of the right to freedom of opinion and expression; as well as requests from the Working Groups on the issue of discrimination against women in law and in practice, on Enforced or Involuntary Disappearances and on Arbitrary Detention.<sup>2</sup>

4. The Special Rapporteur regrets that her study of information she received does not reveal any notable improvement in the situation of human rights in the country. She notes that the situation in areas like independence of judiciary and lawyers, freedom of expression and use of arbitrary detentions continues to be a matter of serious concern. Some measures are underway but their implementation and effectiveness is yet to be assessed.

5. On 19 December 2016, President Hassan Rouhani signed and published the final version of the Citizens' Rights Charter and called on the Government to work towards its full implementation. The Charter contains 120 articles and covers a wide array of rights ranging from freedom of opinion, expression and press, access to information, judicial justice, minority and ethnic rights, fair trial and women's rights. According to the Charter, the president will appoint a special assistant for coordinating and pursuing appropriate measures to implement the Charter. He must also submit annual reports on progress towards implementation of the Charter.<sup>3</sup> The Special Rapporteur is encouraged by this policy and hopes that it will be implemented in a way that promote a genuine participation of all components of the Iranian civil society.

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<sup>1</sup> See OHCHR:

[http://spinternet.ohchr.org/\\_Layouts/SpecialProceduresInternet/ViewCountryVisits.aspx?Lang=en](http://spinternet.ohchr.org/_Layouts/SpecialProceduresInternet/ViewCountryVisits.aspx?Lang=en)

<sup>2</sup> Ibid.

<sup>3</sup> <http://dolat.ir/detail/286714>; <http://www.dailymail.co.uk/wires/afp/article-4047800/Trans-Rouhani-unveils-landmark-bill-rights.html>.

## A. Methodology

6. The Special Rapporteur notes that any assessment of the human rights situation in any country requires an understanding of the effect of laws, policies, and practices on the enjoyment of human rights. In the current report, the Special Rapporteur therefore extensively refers to the existing legal and policy framework. She also makes reference to the recommendations made by the international human rights mechanisms.

7. Four treaty bodies, the Committee on the Elimination of Racial Discrimination, the Human Rights Committee, the Committee on Economic, Social and Cultural Rights and the Committee on the Rights of the Child have considered reports presented by the Government since 2010 and made specific recommendations to the Government. According to the Government, they received 291 recommendations; 131 were accepted, 59 were partially supported and 101 were rejected.<sup>4</sup>

8. The current report also presents information relayed by apparent victims of rights violations and civil society actors located inside and outside the country as well as information provided by the Iranian government. A total of 33 communications sent by the Special Rapporteur jointly with other special procedures mandate holders were addressed to the Government in 2016. Of these, five were sent by the new mandate holder. These communications addressed cases of torture and ill treatment, executions, violations of the guarantees for fair trials, arbitrary arrests and detention of journalists, lawyers and human rights activists, the persecution of religious minorities, and reprisals against individuals for their contact with United Nations human rights mechanisms. The Government responded to 21 of these communications.

9. In December, the Special Rapporteur held her first consultations with civil society representatives. She also met with representatives of the Government of the Islamic Republic of Iran in Geneva and expressed her willingness to visit the country in the framework of her mandate. A visit by the Special Rapporteur, particularly at this juncture where the citizens of Iran are under internal and external pressure would be mutually beneficial for all concerned parties..

## II. Civil and political rights

### A. The right to life

10. The Iranian Government received a total of 29 and 41 recommendations related to its use of capital punishment during the first and second cycles of its UPR in 2010 and 2014, respectively. Recommendations include calls on the Iranian Government to abolish the death penalty for juvenile offenders; establish a moratorium on the death penalty for crimes not considered “most serious” by international standards; establish a moratorium on the use of capital punishment; and ban stoning and public executions. None of these recommendations, to date, have received effective follow-up. Death penalty under the drug abuse laws are only executed after approval of the Chief Justice or the Attorney General.

11. Human rights organizations tracking executions in the Islamic Republic of Iran estimate that at least 530 executions took place in 2016. As in previous years, the majority of these executions were for not the “most serious” drug-related offences, .

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<sup>4</sup> It should be noted that the United Nations considers all recommendations that are not accepted in their entirety (i.e. “partial acceptances”) as rejections.

12. The Special Rapporteur takes note of her predecessor's concern regarding reports alleging that drug offenders are often deprived of basic due process and fair trial rights. This includes long periods of incommunicado and pretrial detention, lack of adequate access to a lawyer and/or to a proper defence, allegations that drug offenders are subjected to beatings and coerced confessions which are later used in revolutionary courts to secure their death sentences. She observes that the recently amended Criminal Procedure Code which mandates that all death sentences, including those for drug offences be reviewed by the Supreme Court does not seem to have led to any significant change in this respect.

13. The Special Rapporteur is also concerned about the continued practice of public execution, which has already been documented in several past reports of her predecessor as well as of the Secretary General. It is reported that some executions took place in public places in the presence of children, this has however been denied by the State Party. According to some non-governmental sources, most of the public executions are attended by large crowds, which include children. This shows that the serious concerns expressed by the Committee on the Rights of the Child about the impact on children of these executions have so far been disregarded.

14. Reportedly two executions took place in August 2016. In both instances, basic international human rights fair trial standards and due process guarantees were reportedly disregarded<sup>5</sup>.

15. The Islamic Republic of Iran has reportedly executed the highest number of juvenile offenders in the world during the past decade. Despite an absolute ban on the practice under international law, the penal code continues to explicitly retain the death penalty for boys of at least fifteen lunar years of age and girls of at least 9 lunar years for qisas (retribution in kind) or hudud crimes, like homicide, adultery or sodomy<sup>6</sup>. As a result of the 2013 amendments to the penal code, judges are now required to assess the mental capacity of juvenile offenders before issuing a death sentence to determine if they understood the consequences of their actions at the time they committed hudud-related crimes.<sup>7</sup> In January 2015, Iran's Supreme Court issued a ruling requiring that all courts retroactively apply the new amendment for cases adjudicated prior to 2013 if juvenile defendants petition for a retrial of their capital sentences.<sup>8</sup> Amendments to the penal code in 2013 also repeal capital punishment for juveniles found guilty of violating drug-related offences.

16. In the concluding observations it issued in January, the Committee on the Rights of the Child (CRC) expressed great concern about the ongoing execution of juveniles, and called on the Iranian government to rescind reservations that sanction judicial disregard of CRC provisions. It also called on the Government to define juveniles as anyone under the age of 18, in line with CRC standards, and to raise the age of criminal responsibility without discriminating between boys and girls.<sup>9</sup>

17. At least five young men who were below the age of 18 at the time of their alleged offence were executed in 2016, namely Hoshang Zare, Mehdi Rajaei, Khaled Kordi, Moslem Abarian, and Hasan Afshar. In December, three others, namely Mr. Salar Shadizadi, Mr. Vali Yousef Zehi and Mr. Himan Ouraminejad were reportedly at imminent risk of execution for crimes they allegedly committed while they were below the age of 18. Mr. Salar Shadizadi, had reportedly been granted a retrial in early 2016 after the authorities

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<sup>5</sup> See <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20425&LangID=E>.

<sup>6</sup> Articles 146-47 of the Islamic Penal Code.

<sup>7</sup> Article 91 of the Islamic Penal Code.

<sup>8</sup> <http://www.rrk.ir/Laws/ShowLaw.aspx?Code=2460>.

<sup>9</sup> CRC/C/IRN/CO/3-4 paras 28, 35, 36, 48 and 92.

halted his scheduled execution. However, he was later considered by a criminal court “mentally mature” at the time of the crime and reportedly resentenced to death. The Government of the Islamic Republic of Iran informed the Special Rapporteur that the death verdict against Himan Ouraminejad was cancelled following an agreement between the concerned families. According to the Government, others were commuted on compassionate grounds.

18. According to non-governmental sources, the vast majority of executions of persons convicted as juveniles are not officially reported by the Government.<sup>10</sup> The figures of convicted children are not known but there are definitely over 78 on death row as of December 2016. Some of them have been languishing for years under a death sentence..

19. Mr. Mohammad Reza Haddadi, who was convicted for a crime he allegedly committed when he was 15 and sentenced to death in 2004, has been on death row for the last 12 years and was spared execution a fourth time in May 2016. The Government informed the Special Rapporteur that that he was arrested and prosecuted on charges of kidnapping, intentional murdering, and hiding the body of the victim and sentenced to Qisas and 16 years of imprisonment.

20. As a result of the 2013 amendments to the penal code, judges are now required to assess the mental capacity of juvenile offenders before issuing a death sentence to determine if they understood the consequences of their actions at the time they committed hudud-related crimes. The Special Rapporteur was informed that the criteria used by courts to assess mental capacity vary widely and is inconsistently applied by courts throughout the country.<sup>11</sup> Fifteen children were sentenced to death for the first time under the revised juvenile sentencing guidelines of the 2013 Islamic Penal Code.

21. Mr. Alireza Tajiki was sentenced to death in 2013 after a criminal court convicted him for the murder and rape of a friend which he allegedly committed when he was 15 years old. Mr. Tajiki was reportedly placed in solitary confinement for 15 days, denied access to a lawyer and allegedly subjected to torture and other forms of ill treatment. In 2014, the Supreme Court quashed the conviction and sentence due to lack of evidence and ordered the trial court to determine Mr. Tajiki’s maturity. In November 2014, the trial court determined whether the defendant had the requisite “mental maturity” during the commission of the crime. In February 2015, the Supreme Court affirmed the lower court’s ruling. In May 2016, Mr. Tajiki, aged 19 years was at risk of execution. The Government informed the Special Rapporteur that the prosecutor had issued an order to suspend the retribution verdict until further notice and that efforts were being made to obtain the consent of the family of the murdered victim. They indicated that the process of fair trial had been completely observed, including effective access to private attorneys. No information was provided in response to the allegations that Mr. Tajiki was submitted to torture and ill treatment and at the time of writing this report, the situation of this young man was unknown.

22. The Special Rapporteur is aware that on 16 July 2016, the Government introduced legislation called the “Juveniles and Children’s Criminal Procedure Bill” to the parliament for review. According to Note No. 3 of Article 33 of this bill, the judiciary should consider an alternative punishment of two to eight years’ imprisonment in a juvenile correctional facility for juvenile offenders convicted of crimes that carry the death penalty or life imprisonment.<sup>12</sup> The Special Rapporteur welcomes this initiative but regrets that limited

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<sup>10</sup> <https://www.amnesty.org/en/documents/mde13/3112/2016/en/>.

<sup>11</sup> Ibid.

<sup>12</sup> [http://rc.majlis.ir/fa/legal\\_draft/show/981094](http://rc.majlis.ir/fa/legal_draft/show/981094)

developments towards the adoption of this law were observed during the second half of 2016.

23. International human rights standards ratified by Iran impose an absolute ban on the execution of persons who were under 18 at the time of their offence, regardless of the circumstances and nature of the crime committed. The Special Rapporteur urges the Government to establish an immediate moratorium on the executions of persons convicted while they were under the age of 18, to accelerate the adoption process of the Juveniles and Children's Criminal Procedure Bill and to commute all death sentences handed down on minors to sentences in line with international juvenile justice standards.

## **B. Right to be free from torture or cruel, inhuman or degrading treatment or punishment**

24. The Government accepted none of the 20 recommendations regarding torture and other forms of cruel, inhumane punishments submitted during the 2014 UPR circle.

25. The Special Rapporteur notes as positive the adoption of article 197 of the Code of Criminal Procedure, which explicitly acknowledges the right of the accused to remain silent during preliminary investigations, and of article 60, which explicitly prohibits the use of coercion, obscene/derogatory language, suggestive/deceptive or irrelevant questioning. However, she noticed that forms of torture are not defined in Iranian law and that the new code has not established the necessary procedures for investigating torture allegations.

26. Since her appointment, the Special Rapporteur has received numerous reports about the use of torture and other cruel, inhuman or degrading treatment or punishment. This includes the continued use of amputations,<sup>13</sup> blinding and floggings as a form of punishment,<sup>14</sup> reliance on physical and mental torture or ill-treatment to coerce confessions (mostly during pre-trial detention), use of prolonged period in solitary confinement and the denial of access to proper and necessary medical treatment for detainees. Rights groups have documented at least two amputations<sup>15</sup>, one blinding and several flogging sentences in 2016<sup>16</sup>.

27. According to official Iranian media, the Government carried out a blinding sentence in November in one of the prisons near Tehran. The same month, authorities reportedly blinded both eyes of a man from Kurdistan province identified as "Mohammad Reza" as punishment for throwing lime into the eyes of a child which blinded her<sup>17</sup>. In December, finger amputation sentences were carried out for two men detained in Orumieh Prison on charges of robbery. Seventy prisoners were allegedly forced to watch the sentence<sup>18</sup>. The Government has denied these allegations.

28. In November, Mr. Keywan Karimi, a prominent Kurdish filmmaker was orally summoned to present himself to receive a flogging sentence of 223 lashes. He had been sentenced in October 2015 to six years of imprisonment on the charge of "insulting Islamic sanctities" in connection with a music video clip the authorities found on his hard drive; and to 223 lashes on the charge of "illicit relations falling short of adultery" for "shaking hands" and "being under one roof" with a female friend "who had not covered her head and

<sup>13</sup> Articles 217-88 of the Islamic Penal Code.

<sup>14</sup> See A/71/418 para. 22.

<sup>15</sup> <https://hra-news.org/fa/uncategorized/a-5594>.

<sup>16</sup> <http://www.isna.ir/news/95030703729>.

<sup>17</sup> <https://iranhr.net/en/articles/2698/>.

<sup>18</sup> <https://www.hra-news.org/2016/hranews/a-9009/> - (Human Rights Activists in Iran – Dec. 26, 2016).

neck”. In its response, the Government indicates that Mr. Karimi was charged with insult against sanctities, sentenced to 5 years of imprisonment on the basis of article 513 of the Islamic Penal Code.

29. As highlighted in past reports, the Government rejects the notion that amputations and floggings amount to torture and maintained that they are effective deterrents to criminal activity. It also reported that 4,332 complaints alleging rights violations were submitted in the past four years, including torture and ill treatment, and that “only a small percentage” warranted action. No specific information was however provided regarding prosecutions or convictions of individuals alleged to be involved in the torture or ill treatment of detainees.

30. The Special Rapporteur, as her predecessor, also received numerous documented cases of persons allegedly subjected to torture and ill treatment with the view to extracting confessions from them. The practice of prolonged period in solitary confinement was documented in various reports of the Special Rapporteur’s predecessor. There are also numerous reports and instances where prisoners were deprived of family visits and/or of medical care.

31. In a report it published in July 2016, a non-governmental source highlighted 18 cases of denial of medical treatment<sup>19</sup> and indicated that the objective of this practice was to intimidate and punish political prisoners and prisoners of conscience. More than a half of the 16 communications sent by the Special Rapporteur to the Iranian authorities during the second half of 2016, include allegations of denial of medical treatment.

32. In the case of Ms. Akbari Monfared, who was serving a 15 years in prison in relation to her membership in the banned opposition group known as the People’s Mojahedin Organization of Iran (PMOI), the denial of medical treatment reportedly took place after she published a letter demanding justice for her brothers and sisters who were reportedly executed in 1988. The Government responded to most of these cases indicating that prisoners were in good health condition and that they were benefiting from proper health and medical facilities.

33. In June, Ms. Narges Mohammadi, a prominent human rights activist went on her hunger strike for 20 days to regain access to her children. According to the Government, she was sentenced to one year in prison for propaganda against the system, five years in prison for assembly and colluding against the national security, and ten years for establishing and running an unlicensed and illegal group. Based on Article 134 of Islamic Penal Code , the sentences run concurrently, and thus she is serving ten years’ imprisonment. In December, Ms. Nazanin Ratcliffe a British-Iranian charity worker whose detention was considered as arbitrary by the United Nations Working Group on Arbitrary Detention<sup>20</sup>, was reportedly pressured to choose between moving her two-year-old daughter into prison or signing a document renouncing all her rights regarding her child<sup>21</sup>.

### **C. The independence of the legal profession and the judiciary**

34. The Special Rapporteur notes that international standards recognize that lawyers shall be entitled to form and join self-governing professional associations to represent their interests” and that these associations shall exercise their functions without external

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<sup>19</sup> [http://www.amnestyusa.org/sites/default/files/mde\\_13.4196.2016\\_health\\_taken\\_hostage\\_-\\_cruel\\_denial\\_of\\_medical\\_care\\_in\\_irans\\_prisons\\_final.pdf](http://www.amnestyusa.org/sites/default/files/mde_13.4196.2016_health_taken_hostage_-_cruel_denial_of_medical_care_in_irans_prisons_final.pdf).

<sup>20</sup> <http://www.ohchr.org/Documents/Issues/Detention/Opinions/Session76/28-2016.pdf>.

<sup>21</sup> <http://www.amnestyusa.org/get-involved/take-action-now/urgent-action-update-prisoner-of-conscience-not-allowed-visits-from-daughter-iran-ua-11716-0>.



interference.<sup>22</sup> Independence of lawyers and the legal profession is essential for the promotion and protection of human rights and a fair administration of justice.

35. On 13 July 2016, the Government introduced a bill called the Bill of Formal Attorney ship that has been under consideration by the Parliament for several years and could severely compromise the independence of the Iranian Bar Association.<sup>23</sup> In once again 2012, the International Bar Association and the Special Rapporteur's predecessor expressed concern over the content of this bill.

36. The legal profession is not independent as the Law on attorney qualifications enacted in 1997 gives the judiciary the authority to vet and exclude candidates from holding a post in the bar associations. Reportedly dozens of prominent lawyers have been rejected from contesting elections to the board of directors of the bar association by the Supreme Disciplinary Court of Judges.

37. At least 50 lawyers have reportedly been prosecuted since June 2009 for representing prisoners of conscience, political detainees or "national security" prisoners. On 20 May 2016, the Special Rapporteur's predecessor and other United Nations experts issued a joint statement expressing concern about the situation of lawyers and human rights defenders, serving heavy sentences for their peaceful activities or simply for carrying out their professional duties. The experts noted that in addition to detaining human rights lawyers, their continued targeting and harassment by the authorities had apparently "forced some lawyers to limit their professional activities or leave the profession altogether."<sup>24</sup>

38. Among the lawyers the statement referred to was Mr. Soltani who was jailed in 2012, the same year, he received the International Bar Association Human Rights Institute's award. The Government informed that Mr. Soltani was sentenced to 10 years of imprisonment for formation and management of an illegal organization and one year of imprisonment for act of Propagation against the Islamic Republic of Iran, five years of imprisonment for acting against security of the country through assembly and collusion with the aim of disturbing national security and one year imprisonment for obtaining money through illegitimate means. The Government added that Mr. Soltani misused his position as an attorney and was sentenced to disbarment for twenty years, following completion of his imprisonment. The Government denied that Mr. Soltani was deprived of family visits and adequate medical care. The Special Rapporteur regrets that the Iranian society is losing its valuable talent and people of integrity to the confines of prisons in the country.

39. The question of the separation of powers remains an obstacle for the independence of the judicial system. The judiciary plays a vital role in interpreting often vaguely defined national security law. However this role can only be undertaken effectively if the rules for the appointments of members of the judiciary are transparent and made on the criteria of competence and integrity. It has been widely reported that judges are often handpicked and influenced by the executive branch of the State. The Iranian judiciary has parallel forms of system. The public courts have general jurisdiction over all disputes whilst specialized courts, such as revolutionary courts, military courts, the special clerical courts, the high tribunal for judicial discipline and the court of administrative justice have functional areas of specialization.

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<sup>22</sup> <http://www.ohchr.org/EN/ProfessionalInterest/Pages/RoleOfLawyers.aspx>.

<sup>23</sup> [http://rc.majlis.ir/fa/legal\\_draft/show/982984](http://rc.majlis.ir/fa/legal_draft/show/982984).

<sup>24</sup> The Government accepted three recommendations out of 16 regarding human rights defenders during its 2014 UPR.

## D. Right to a fair trial

40. In early 2013 a revised version of the Penal Code was implemented for an experimental period of five years and in June 2015 amendments were made to the new Criminal Procedure Code. The Special Rapporteur takes note of her predecessor's conclusion that "the amended provisions, if properly implemented, could remedy some of the problems raised by the human rights mechanisms", including concerns expressed by member states during the Government's 2010 and 2014 cycles of the UPR. During the 2014 UPR cycle, the Government received 13 recommendations related to fair trial standards and judicial independence. She notes, however, that many of the code's provisions violate Iran's obligations under international human rights law, and that the implementation of certain of the new provisions have not yet resulted in better respect for the right to a fair trial.

41. According to international law, any substantive grounds for arrest or detention must be prescribed by law and should be defined with sufficient precision to avoid overly broad or arbitrary interpretation or application. The Special Rapporteur's predecessor observed that a number of offences are vaguely and broadly defined. These include crimes such as: "crimes against God,<sup>25</sup> insulting or cursing the Holy Prophet (PBUH), consensual heterosexual or same-sex relations between adults,<sup>26</sup> corruption on earth (*efsad-e-fel-arz*)<sup>27</sup> and apostasy."<sup>28</sup> Individuals convicted of some of these crimes are not generally allowed to seek a pardon or have their sentences commuted, in contravention of international law.

42. Other articles in the Penal Code that restrict the peaceful exercise of a range of other civil and political rights integral to the facilitation of democratic processes in the country often fall under the category of *ta'zir* crimes. These acts are considered to be in conflict with religious or State interests, but have no specific penalties under Shari'a law. These include article 513, which criminalize "insults" against the "Islamic sanctities," article 514 which criminalizes "insults" directed at the first Supreme Leader, and article 609 criminalizing insults to other government officials. *Ta'zir* provisions also criminalize "national security offences" for which political dissidents are often tried and convicted. These provisions are often so vague and broadly worded that they allow the government to severely limit speech and punish peaceful assembly and association. The risk of arbitrariness is further exacerbated by the lack of independence of the judiciary.

43. The Special Rapporteur observes from the cases brought to her attention that in many instances, the right to anyone arrested to be promptly informed about the charges against him or her is disrespected. The Special Rapporteur also notes that individuals may be arrested without being shown a warrant. Several such cases where individuals and their families were not provided with information regarding the reasons and circumstances of their arrest or their whereabouts were reported to her during the reporting period. Often, those who are called in for interrogation had no idea of the identity of those who had initiated the investigation against them.

44. The Special Rapporteur notes that one of the most important achievements of the Criminal Procedure Code is improved protections for access to legal counsel, especially during the interrogation of suspects by either law enforcement or judiciary officials. Article

<sup>25</sup> <https://www.hrw.org/report/2012/08/28/codifying-repression/assessment-irans-new-penal-code>.

<sup>26</sup> Articles 221-41 of the Islamic Penal Code.

<sup>27</sup> Islamic Penal Code, Article 286.

<sup>28</sup> Apostasy is not specifically codified as a crime in the Islamic Penal Code but is a hudud crime under Shari'a law. Iran's judiciary can issue sentences based on apostasy pursuant to Article 167 of the constitution and 220 of the CPC.

48 of the CPC provides that the accused can request access to counsel as soon as he is approached by law enforcement officials or during criminal proceedings, and article 190 of the Code guarantees the right of the accused to access a lawyer during preliminary investigations.<sup>29</sup> The law calls for defendants to be informed of these rights before the investigation begins, and if he is summoned, the right to access to lawyer must be mentioned in the summons. Violations of these rights, or failure to communicate them to the accused will result in disciplinary action, but will not impact the admissibility of evidence obtained under these conditions.<sup>30</sup> Article 190 of the Code states that the court must appoint a lawyer for persons accused of capital crimes or offenses that incur sentences of life imprisonment if the accused fails to retain one themselves. The State is not bound to appoint lawyers for other serious cases.<sup>31</sup>

45. The Special Rapporteur is concerned that individuals accused of national security, capital, political or press crimes, and those accused of offences that incur life sentences, are required to select their counsel from an official pool of lawyers chosen by the Head of the Judiciary during the investigative phase of the trial.<sup>32</sup> Indeed, the code allows for restrictions on defendants' access to evidence gathered in support of allegations in national security cases.<sup>33</sup> These restrictions constitute major impediment to realizing due process and fair trial rights.<sup>34</sup> It also infringes upon the independence of the legal profession.

46. Among the cases brought to the attention of the Government, the case of Mr. Baquer raises serious concern as to the right to a fair trial. Mr. Baquer Namazi, aged 80, is a retired Iranian provincial governor of the Khuzestan province and retired official who has served as the UNICEF representative in several countries. In February 2016, he was arrested in Tehran by Iranian security agents and taken to Evin prison. At the time of his arrest, he was visiting Tehran to try and secure his son's release, Siamak Namazi, who had been arrested in October 2015. Both of them hold dual Iranian-American citizenship. In October 2016, Iranian authorities had still not made the charges against Mr. Siamak Namazi public and no formal charges had been presented against his father. Neither of them allegedly had access to their lawyers, nor were they allowed to communicate regularly with their family. Although no response was received from the Government, the Special Rapporteur learnt that Tehran Prosecutor Abbas Jafari Dolatabadi confirmed on 16 October 2016 that the Namazis and three others had been sentenced to 10 years in prison each for "espionage and collusion with an enemy state", "the United States."

<sup>29</sup> <https://www.amnesty.org/en/documents/mde13/2708/2016/en/>. Under the old code discretion was given to judges to decide whether to allow the involvement of a lawyer during the investigation phase in national security cases or in cases where he determined that such involvement would result in "corruption." In practice, this meant that individuals accused of national security crimes were almost never granted the right to a lawyer during the investigation and pretrial phase, rendering them vulnerable to abuse such as ill-treatment, torture, coerced confessions or enforced disappearance by law enforcement forces, Intelligence Ministry officials or others. Article 33 of the Criminal Procedure Code (1999).

<sup>30</sup> Article 190, note 1 of the CPC (2015). It is important to note that prior to the latest round of amendments to the CPC, this note said that any investigation resulting from the violation of the right to allow the accused access to a lawyer would be "null and void." Last-minute amendments changed this and instead provided for punishment of judicial officials and others who violate this right.

<sup>31</sup> Article 190, note 2 of the CPC (2015). This requirement does not, however, exist for other heavy punishments such as amputations and long-term prison sentences.

<sup>32</sup> Article 48, note, of the Criminal Procedure Code (2015).

<sup>33</sup> Article 191 of the CPC (2015).

<sup>34</sup> <https://www.amnesty.org/en/documents/mde13/2708/2016/en/>.

47. Between 2015 and 2016, the United Nations Working Group on Arbitrary Detention ruled that the detention of seven individuals, namely Mr. Mohammad Reza Pourshajari, Mr. Jason Rezaia, Ms. Zeinab Jalalian<sup>35</sup>, Ms. Bahareh Hedayat, Mr. Mohammad Hossein Rafiee Fanood, Ms. Nazanin Zaghari-Ratcliffe and Mr. Robert Levinson, was arbitrary<sup>36</sup>. For all these cases, the Working Group judged that international guarantees of a fair trial were disrespected. The Working Group also concluded that the arrest and detention of five of them was directly linked to the exercise of their right to freedom of opinion and expression. At the time of drafting this report, only Ms. Bahareh Hedayat had been released from jail.

## E. Freedom of expression, opinion, and access to information

48. The Government accepted 3 recommendations (out of 16) regarding freedom of expression during its 2014 UPR. They included recommendations to amend laws to uphold the internationally guaranteed rights of free speech and a free press and to guarantee the protection of civil and political rights for all, in particular dissidents and members of minority groups.<sup>37</sup> The Government however rejected a number of them indicating that they were “contrary to the country’s fundamental values, Islamic tenets, and the Constitution.”<sup>38</sup>

49. The Special Rapporteur welcomes the declaration made by President Rouhani in November about the necessity for news media to feel safe while doing their jobs and notes that similar declaration had been made in the past. While this recognition at the highest level is obviously of a great importance, it does not seem to have yet translated into concrete measures to guarantee the freedom of the press. On the contrary, threats against press freedom have continued to be reported during the second half of 2016.

50. On 18 May 2016, Iran’s parliament adopted the Political Crimes Bill, which mandates the Judiciary to prosecute such crimes in open court, before a jury. Certain provisions of this law, including Article 1 appear to criminalize attempts to “reform the country’s policies,” and Article 2 reaffirms the Government’s authority to criminalize the “publication of lies,” as well as insults or defamation against government officials such as the president and his deputies, the head of the judiciary, and parliamentary members.<sup>39</sup> Moreover, the Special Rapporteur is aware that the Government is reportedly preparing to introduce two bills to parliament, which, if passed, could further erode press freedom and freedom of expression in the country. The first bill is designed to replace the current restrictive Press Law, and the second would establish a state organization to rival

<sup>35</sup> The government claims that she was pardoned and is now free.

<sup>36</sup> <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/166/59/PDF/G1516659.pdf>.  
<https://documents-dds-ny.un.org/doc/UNDOC/GEN/G16/048/62/PDF/G1604862.pdf>.  
[http://www.ohchr.org/Documents/Issues/Detention/Opinions/Session75/Opinion\\_2016\\_1\\_Iran.pdf](http://www.ohchr.org/Documents/Issues/Detention/Opinions/Session75/Opinion_2016_1_Iran.pdf).  
[http://www.ohchr.org/Documents/Issues/Detention/Opinions/Session75/Opinion\\_2016\\_2\\_Iran.pdf](http://www.ohchr.org/Documents/Issues/Detention/Opinions/Session75/Opinion_2016_2_Iran.pdf).  
<http://www.ohchr.org/Documents/Issues/Detention/Opinions/Session76/25-2016.pdf>.  
<http://www.ohchr.org/Documents/Issues/Detention/Opinions/Session76/28-2016.pdf>.  
[http://www.ohchr.org/Documents/Issues/Detention/Opinions/Session77/A-HRC-WGAD-2016-50\\_en.pdf](http://www.ohchr.org/Documents/Issues/Detention/Opinions/Session77/A-HRC-WGAD-2016-50_en.pdf).

<sup>37</sup> A/HRC/14/12.

<sup>38</sup> Islamic Republic of Iran Universal Periodic Review, 2014. Responses to Recommendations.  
[http://www.upr-info.org/sites/default/files/document/iran\\_islamic\\_republic\\_of/session\\_20\\_-\\_october\\_2014/recommendations\\_and\\_pledges\\_iran\\_2014.pdf](http://www.upr-info.org/sites/default/files/document/iran_islamic_republic_of/session_20_-_october_2014/recommendations_and_pledges_iran_2014.pdf).

<sup>39</sup> <http://www.reuters.com/article/us-iran-politics-idUSKCN0V20P9>. It is important to note that these actions are already criminalised in the Islamic Penal Code and other laws such as the Press Law. This bill, however, would allow defendants the right to a jury trial in open court if it is determined that the crimes they committed qualify as “political.”

independent journalists. Some journalists see it as an attempt to bring all media outlets and journalists under direct state control.<sup>40</sup>

**51.** The Special Rapporteur has received reports, as did her predecessor, indicating that the Government continues to sentence individuals for the legitimate exercise of these rights. The second half of 2016 has been marked by a new series of arrests and detention of journalists, writers, social media activists and human rights defenders. In August, an appeal court in the city of Saveh upheld a lower court decision that Mohammad Reza Fathi a blogger and journalist should receive 459 lashes because of his posts about city officials.<sup>41</sup> **Under Articles 609 and 698, of the Islamic Penal Code, criticizing government officials or publishing false news is punishable by 74 lashes. The government however drew the attention of the Special Rapporteur to the fact that “in Iran insulting committed leaders, great personalities and thinkers, is unthinkable and many countries including Iran have criminalised such insulting behaviours”.**

**52.** As of 13 December 2016, at least 24 journalists, bloggers and social media activists were reportedly either in detention or sentenced for their peaceful activities as of 13 December 2016 and reports suggest that many others are regularly subjected to interrogations, surveillance and other forms of harassment and intimidation.<sup>42</sup> The Special Rapporteur has also received reports indicating that the Government continues to place restrictions on access to information by filtering websites, intimidating and prosecuting Internet users, bloggers and social media activists, and throttling Internet speeds. According to these reports, some 5 million websites remain blocked in the country, with the top 500 blocked websites dedicated to the arts, social issues, news and other popular culture issues.

## **F. Freedom of association, assembly, and human rights defenders**

**53.** In a joint statement issued in May, the Special Rapporteur’s predecessor and several other experts expressed outrage at the 16 years sentence handed down to Ms. Narges Mohammadi, a prominent human rights defender who was prosecuted for her membership in a group that advocates for the abolition of the death penalty. Ms. Mohammadi had previously been jailed in connection with her activities on behalf of the Center for Human Rights Defenders, an organization formerly headed by Nobel Peace Laureate Shirin Ebadi’s which was shut down by the Government in 2008.

**54.** Ms. Golrokh Ebrahimi Iraee and her husband, Mr. Arash Sadeghi, both human rights activists were imprisoned in June and October 2016. They were arrested in 2014 by men believed to be members of the Revolutionary Guard who reportedly did not show any arrest warrant. Mr. Sadeghi was reportedly subjected to torture during interrogation while Ms. Ebrahimi was reportedly subjected to secret detention, solitary confinement for 20 days and hours of interrogation during which she could hear her husband being verbally abused. Both were denied access to a lawyer during interrogations as well as before the Revolutionary Court in Tehran. Mr. Sadeghi was sentenced to a 15-year prison sentence in Evin Prison for charges which include “spreading propaganda against the system”, “gathering and colluding against national security” and “insulting the founder of the Islamic Republic”. The evidence presented to support the charges against him consists of printed copies of his Facebook messages and emails to journalists and human rights activists abroad. Ms. Iraee was charged with “insulting the sacred” and “propaganda against the state” on the allegation that she had written an unpublished fictional story about a

<sup>40</sup> <https://www.iranhumanrights.org/2016/10/hassan-rouhani-government-bills-to-restrict-media/>

<sup>41</sup> <https://rsf.org/en/news/press-freedom-violations-recounted-real-time-january-december-2016>

<sup>42</sup> Reporters Without Borders: <http://www.rsf-persan.org/article17582.html>.

protagonist who burned the Koran after watching a film about stoning in Iran, in addition to several of her Facebook posts. She was given a 5-year prison sentence. In December 2016, Mr. Sadeghi ended a 71-day hunger strike after his wife was released on bail. However, despite his critical medical condition he was reportedly denied specialized medical care outside the prison. According to the Government, Ms. Golrock Ebrahimi received Islamic clemency and went on leave.

55. In August, responding to a communication sent in April by several experts, the Government indicated that Ms. Mohammadi had been sentenced to only five years in prison, and that her numerous offences of law have nothing to do with her legal social activity and the above-mentioned verdict is issued based on legal standards, the claim of her arbitrary arrest is also incorrect and refuted.” The Special Rapporteur was however informed that on 18 May 2016, Branch 15 of the Revolutionary Court sentenced Mohammadi to ten years in prison for “membership in the [now banned] Step by Step to stop the Death,” and five years for “assembly and collusion against national security,” and one year for “propaganda against the state”, a sentence that was upheld by the Appeals Court in September 2016.

56. In October, 15 members of the Parliament sent a letter calling on to Judiciary Chief Ayatollah Sadegh Larijani to reverse her sentence.<sup>43</sup> The Parliamentarians described Mohammadi as a person who “has for years worked for women’s rights” and argued that “issuing such sentences against critics would only raise the cost of constructive criticism, isolate critics and drive society into stagnation”. They also pointed out that she was the mother of two young children and was suffering from various life-threatening illnesses. At the end of the year however, no measure had been taken to release Narges Mohammadi. Moreover, it was reported that the director of public relations for the governor’s office in Qazvin, 89 miles (143 kms) northwest of Tehran, was arrested for inviting friends online to support the release of the human rights activist.<sup>44</sup> He was released a few hours later after posting 15-million-tomans bail (\$4,700 USD).

57. Several other human rights defenders were jailed in 2016 and many were still incarcerated at the end of the year. Mr. Ali Shariati and Saeed Shirzad, both went on hunger strike in protest of their five-year prison sentences for peaceful activism reportedly related to participation in a non-violent protest to condemn acid attacks against women and defending children’s rights, respectively.<sup>45</sup> In November, Ms. Atena Daemi, an anti-death penalty campaigner, was reportedly brutally taken away from her parents’ home to begin serving a seven-year prison sentence she received in relation to her numerous activities against the death penalty.

58. In November, a cleric, son of one of Iran’s founding revolutionaries was sentenced to several years in prison after he released a decades-old audio tape in which his father denounced the mass execution of political prisoners during the summer of 1988. Mr. Ahmad Montazeri was arrested on charges of “acting against the national security” and “releasing a classified audio file”. He was also charged for “propaganda against the system”. Mr. Montazeri’s father, a Grand Ayatollah, was one of few Iranian leaders to voice opposition to the reported 1988 execution of thousands of political dissidents who

<sup>43</sup> <http://www.isna.ir/news/95072514536/دوش-لامع-ای-دم-حم-س-گرن-هدن-ور-پ-رد-یم-اس-ات-فأار>.

<sup>44</sup> <https://www.iranhumanrights.org/2016/12/iranian-official-arrested-for-supporting-release-of-imprisoned-human-rights-activist/>.

<sup>45</sup> <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21071&LangID=E#sthash.X4h2UtKF.dpuf>

had already been tried and sentenced to prison in detention facilities throughout the country.<sup>46</sup>

59. In addition to lawyers and human rights defenders, the Special Rapporteur takes note of restrictions on the freedom of association and assembly of workers and labor activists who are often not allowed to establish independent unions.<sup>47</sup> Although the Government has allowed an increasing number of peaceful gatherings by workers protesting unpaid wages and other conditions, arrest and detention of labor union leaders and activists are not uncommon.

60. In October, prominent teachers' rights activists and union leaders Mr. Jafar Azimzadeh, Mr. Esmail Abdi and Mr. Mahmoud Beheshti-Langeroudi were summoned back to prison for their peaceful activism on national security-related charges such as "assembly and collusion against the national security" and "propaganda against the State".<sup>48</sup> The same month, an Iranian court reportedly sentenced worker's rights activists Mr. Jafar Azimzadeh and Mr. Shapour Ehsani Rad to 11 years in prison each for the participation in labour unions.<sup>49</sup> In December, members of one of Iran's oldest labor unions peacefully demanding their past due housing allowances and other benefits in front of the Tehran municipality building were violently attacked by anti-riot police.<sup>50</sup>

## G. Right to take part in the conduct of public affairs

61. On 21 November 2016, the Parliament passed a law regulating the activities of political parties. The law prohibits parties from operating until they obtain two permits from a five-member commission comprising members of Parliament, the judiciary, and the Interior Ministry. The law requires applicants to submit, among other things, details of their views about cultural, economic, social, political, administrative and legal issues in the country. Applicants are also required to explicitly state their adherence to the constitution and the principle of *velayat-e faqih* in their manifestos and founding documents, and inform the Interior Ministry at least 72 hours before any gatherings or demonstrations. Article 5 of the law provides a list of categories of individuals who are prohibited from membership in political parties, including individuals suspected of being spies by security and intelligence forces.<sup>51</sup>

62. In December, the trial of seven former reformist politicians who had been charged with "assembly and collusion against national security" and "membership in an illegal group" began in a Tehran revolutionary court.<sup>52</sup> On 5 November 2016, two days before their originally scheduled trial date, the defendants sent a letter to parliament criticizing the judiciary for targeting political opposition members through the use of vaguely-defined national security law, and for denying them fundamental due process rights including adequate access to lawyers. The seven senior members of the now-banned reformist

<sup>46</sup> <http://www.isna.ir/news/95090704435/ابلاغ-شد-حکم-احمد-منتظری-ابلاغ-شد>.

<sup>47</sup> The Government accepted eight recommendations (out of 13) regarding labor rights during its 2014 UPR.

<sup>48</sup> <https://www.iranhumanrights.org/2016/11/three-summoned-the-union-activist/>.

<sup>49</sup> Two Labor Rights Activist Sentenced to 11 Years in Prison for Peaceful Activism." International Campaign on Human rights in Iran. (19 Oct, 2016)<https://www.iranhumanrights.org/2016/10/jafar-azimzadeh-and-shapour-ehsani-rad>

<sup>50</sup> <https://www.iranhumanrights.org/2016/12/labor-protest-police-intervention/>.

<sup>51</sup> <http://dolat.ir/detail/285644>.

<sup>52</sup> <http://www.mehrnews.com/news/3840476/-/رسیدگی-به-اتهامات-۷-عضو-سابق-جبهه-مشارکت-طرح-ایرادات-کیفرخواست>.

political party, the Islamic Iran Participation Front (IIPF, also known as *Hezb-e Mosharekat*) are Mr. Mohammad Reza Khatami, Mr. Mohammad Naimipour, Mr. Mohsen Safaie Farahani, Mr. Hamidreza Jalaiepour, Mr. Hossein Kashefi, Mr. Ali Shakouri-Rad and Mr. Azar Mansouri.<sup>53</sup>

63. The Special Rapporteur notes that former presidential candidates and opposition figures, Messrs. Hossein Mousavi and Mehdi Karroubi, and Ms. Zahra Rahnavard, will have soon spent six full years under house arrest in the absence of charges. Security and intelligence forces placed the opposition figures under house arrest in February 2011 after they protested against the results of the disputed 2009 presidential election.<sup>54</sup>

### III. Women's Rights

64. The Government accepted 27 of 60 recommendations regarding the rights of women during its 2014 UPR review. They included recommendations on gender discrimination, early marriage, access to health and education, political and economic participation, and domestic violence. However, it rejected recommendations aimed, inter alia, at ensuring equal rights and opportunities for women and girls (138.100) or at ensuring equal treatment of women in law and practice (138.105).

65. The Special Rapporteur regrets that no progress has been made towards the ratification of the Convention on the Elimination of Discrimination against Women and the elimination of legal provisions, which discriminate women in various fields. It is particularly disturbing that blatantly discriminatory provisions such as those contained in the penal code which stipulates that the value of a woman's life is equal to half of a man's<sup>55</sup> remain in force in the country. Of concern is also possible adoption of new discriminatory legal provisions against women.

66. While noting that some positive aspects of the law on the Reduction of Office Hours Act for Women with Special Circumstances<sup>56</sup> adopted by the Parliament in July 2016, which reduces the working hours of women from 44 to 36 hours a week without reducing their salaries, fears have been expressed that this law would unintentionally erect barriers allowing women to enter or remain in the workforce and would primarily affect women heads of household, those with children under the age of seven and women with children or spouses with disabilities or incurable and chronic diseases<sup>57</sup>. Attempts by the Vice-President for Women and Family Affairs, Ms. Mowlaverdi to introduce draft language covering men in similar situations were ultimately rejected by the parliament.<sup>58</sup>

67. In August, Iran's newly elected parliament re-introduced the controversial "Comprehensive Population and Family Excellence Plan" which aim is to "increase the pregnancy rate to 2.5 percent of the quantitative population growth until the year 2025 and requires public and private sector employers to give hiring preference to men compared to women and prohibits hiring "single individuals" to faculty positions in all public and private education and research institutions"<sup>59</sup>. Of concerns is also the "Plan to Protect Hijab

<sup>53</sup> <https://www.iranhumanrights.org/2016/11/7-reformers-activists/>.

<sup>54</sup> A/HRC/25/61 para. 77(c).

<sup>55</sup> Article 550 of the Islamic Penal Code.

<sup>56</sup> <http://www.iranhumanrights.org/2016/07/bill-to-reduce-the-working-hours-of-women/>.

<sup>57</sup> [http://www.rc.majlis.ir/fa/legal\\_draft/state/847722](http://www.rc.majlis.ir/fa/legal_draft/state/847722).

<sup>58</sup> <http://www.isna.ir/fa/news/93042413829/>.

<sup>59</sup> [http://rc.majlis.ir/fa/legal\\_draft/show/845276](http://rc.majlis.ir/fa/legal_draft/show/845276).



and Modesty” which, if adopted, would restrict women’s right to work by limiting working hours from 7am to 10 pm and mandate gender segregation in the workplace.<sup>60</sup>

68. After years of implementation of an effective family planning education program, the “Bill to Increase Fertility Rate and Prevent Population Decline” (Bill 446)<sup>61</sup> foresees to outlaw surgical contraception, restrict access to contraception, ban the provision of information on contraceptive methods, and reduce funding for government family planning programs.<sup>62</sup>

69. In November, intelligence forces allegedly arrested women’s rights activist Alieh Motlabzadeh for attending a workshop in the nearby country of Georgia. At the writing of this report, she had been released on bail and was awaiting further court proceedings. Ms. Motlabzadeh was among at least 20 women’s rights activists interrogated by authorities for participation in this workshop<sup>63</sup>. Earlier in 2016, several women, who had been involved in the 2015 campaign for increased representation of women in the parliamentary election were summoned for long, intensive interrogations by the Revolutionary Guards. At the end of 2016, Mr. Ali Shariati was still on hunger strike in protest against the five-year sentence he received on charge of acting against national security after participating, in 2014, in a protest against acid attacks, which had occurred in the city of Isfaha and had left at least seven women permanently disfigured. It seems that at the end of the year none of the perpetrators of the attacks had been apprehended.

70. Child marriage remains legally possible for girls aged 13 and for boys aged 15. Even younger children can be married with the permission of the court but the marriage may not be consummated until puberty. In June, a spokesperson for the Tehran-based Association to Protect the Rights of Children stated that child marriages had reached alarming levels and stressed that approximately 17 percent of all marriages in the country involve girls married with old men. Forced marriages are though prohibited by law

71. Discriminatory laws and regulations that require women to observe the Islamic dress code, or hijab, continue to be enforced by security and law enforcement officials but also by citizens in accordance with the 2015 legislation. It says that “Plan to protect promoters of virtue and presenters of vice” empowers ordinary Iranian citizens to enforce laws that prohibit acts considered to be vices under sharia, including enforcement of the hijab.<sup>64</sup> Security Commander for the Boushehr region announced in June in official media that 64 000 women had received warning for “bad hijab”<sup>65</sup>. Through a social media campaign launched in July, Iranian men started protesting against women compulsory veiling and advocating for change. While this campaign received a lot of support, authorities reaffirmed on several occasions the need to strictly monitor compliance with hijab rules. Women who appear without an Islamic *hijab* continue to risk arrest and imprisonment of between 10

<sup>60</sup> Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran. (p. 16, #57). 12 March 2015.

<sup>61</sup> Guardian Council’s Research Centre, The Bill to Increase Fertility Rates and Prevent Population Decline. 7 October 2014. <http://www.shora-rc.ir/portal/File/ShowFile.aspx?ID=f0eed7e0-66ee-4a02-8c3e-151f96ef0ae8>.

<sup>62</sup> Joint Letter in support of the 2016 UNGA Resolution on the Promotion and Protection of Human Rights in the Islamic Republic of Iran. Impact Iran. 12 December 2016. <http://impactiran.org/joint-ngo-letter-in-support-of-2016-unga-resolution-on-hr-in-iran/>

<sup>63</sup> International Campaign of Human Rights in Iran (29 Nov. 2016). <https://www.iranhumanrights.org/2016/11/womens-rights-activist-arrested/>.

<sup>64</sup> <http://www.shora-rc.ir/Portal/File/ShowFile.aspx?ID=b19d40ae-ef4e-44ff-b556-fcb9bfff4758>.

<sup>65</sup> <http://mahboobha.ir/tag/>.

days and two months, or a fine of up to 500,000 rials. Such encouragement by the government gives rise to vigilantes, who harass and intimidate women.

72. The Special Rapporteur notes that the Iranian legal framework fails to adequately protect women from violence and to criminalize marital rape. She notes that certain provisions might even condone sexual abuse, such as article 1108 which obliges wives to fulfill the sexual needs of their husbands at all times. Similar concerns apply to provisions such as articles 301 and 612, of the 2013 Islamic Penal Code, which provide for lighter punishment if a murder is committed by a father or paternal grandfather of the victim and even allows judges to release the perpetrator without any punishment. These provisions, as observed by the Committee on the Rights of the Child, pave the way for total impunity in the case of killings in the name of so-called honour.

#### **IV. Ethnic and Religious Minority Rights**

73. The Special Rapporteur notes that the Government accepted only two of 25 recommendations regarding ethnic and religious minorities during its 2014 UPR.

74. The Special Rapporteur is particularly concerned “at the continuing systematic discrimination, harassment, and targeting of adherents to the Baha’i faith.” She notes that discrimination against the Baha’i community in Iran is legally sanctioned by a lack of constitutional recognition and the absence of other legal protections for adherents of this faith.

75. There are currently 90 Baha’is in prison<sup>66</sup>, all reportedly detained on false charges related solely to their religious beliefs and practices. The list includes seven Baha’i leaders who received ten year sentences and currently remain in prison for allegedly “disturbing national security,” “spreading propaganda against the regime,” and “engaging in espionage.” Their arrests in 2008, and sentencing in 2010, provoked an international outcry.<sup>67</sup>

76. On 25 September 2016, Mr. Farhang Amiri, a Baha’i, was murdered outside his home in the central city of Yazd by two young men who were later arrested and confessed they attacked him because he was a Baha’i.<sup>68</sup>

77. In addition to arbitrary arrests, detentions and prosecutions of Baha’is, authorities continue reportedly continue to destroy the community’s religious sites and cemeteries while pursuing activities that economically deprive Baha’i’s of their right to work. This policy is in line with a 1991 directive issued by the Supreme Council of the Cultural Revolution that calls on the authorities to systematically prevent the integration, progress and success of Iran’s Baha’i community.<sup>69</sup> These policies include restrictions on types of businesses and jobs Baha’i citizens can have, shuttering and blacklisting of Baha’i-owned businesses, pressure on business owners to dismiss Baha’i employees, and seizures of businesses and property. In November, for example, authorities indefinitely shuttered dozens of businesses owned by Baha’is after some owners closed their establishments to honour the birthdays of two of the Faith’s holiest figures.<sup>70</sup>

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<sup>66</sup> See report annex.

<sup>67</sup> <https://www.bic.org/8-years/profiles-seven-imprisoned-iranian-bahai-leaders#xoKGJ3RpGYITILou.97>.

<sup>68</sup> <https://www.bic.org/focus-areas/situation-iranian-bahais/current-situation#SS371S7E7ePA5Shh.99>.

<sup>69</sup> <http://news.bahai.org/documentlibrary/TheBahaiQuestion.pdf>.

<sup>70</sup> <https://www.iranhumanrights.org/2016/11/bahai-life-rights-karaj/>

78. The Special Rapporteur also expresses her concern regarding the targeting and harsh treatment of Iranian Christians from Muslim backgrounds and members of various Sufi groups, including the Nematollahi Gonabadi order and members of Yarsan (also known as Ahl-e Haq), considered “deviant faiths” by the authorities and some members of the clerical establishment.<sup>71</sup> These groups continue to face arbitrary arrest, harassment and detention, and are often accused of national security crimes such as “acting against the national security” or “propaganda against the state.” Under Iranian law, individuals, including Christians of Muslim backgrounds, can be prosecuted for the crime of apostasy although the crime is not specifically codified as a crime in the Islamic Penal Code. The Special Rapporteur notes that apostasy laws clearly contravene Iran’s obligation to protect the right to freedom of religion or belief.

79. Violations of the rights of ethnic minorities continue to be reported in the country. Almost one fifth of the executions that took place in Iran in 2016 concerned Kurdish prisoners.<sup>72</sup> Among those executions, 21 were related to the crime of “moharebeh” (serious offences, caused by a lethal weapon) and one to the membership in a Kurdish political party. Kurdish political prisoners are said to represent almost half of the total number of political prisoners in Iran.

80. The Special Rapporteur is seriously concerned about the alleged indiscriminate and blind use of lethal force towards Kurdish Kulbaran, which could be related to their ethnic affiliation. The Kulbaran are Kurdish couriers who engage in smuggling commodities at the border. Due to the high rate of unemployment in Kurdistan provinces, this activity is generally the only way for them to provide for themselves and their family. In 2016, Iranian border security forces reportedly killed 51 kulbars and injured 71 others, which is about twice as much as the previous year.

## V. Conclusions and Recommendations

81. **Since her appointment, the Special Rapporteur was contacted by a large number of Iranians both outside and inside the country. She is extremely disturbed by the level of fear of those who tried to communicate with her. She notes that interlocutors living outside the country expressed fear, mainly of possible reprisals against their family members living in the Islamic Republic of Iran.**

82. **The Special Rapporteur observes that profound legal and structural changes are required for any significant improvement of the human rights situation to take place in the Islamic Republic of Iran. The adoption of the Citizen Rights Charter is a positive step in this direction and the Special Rapporteur hopes that the implementation of the Charter will give impetus to a genuine participatory process of all components of Iranian civil society.**

83. **While noting as positive the Government willingness to explore steps to reduce the number of executions in the country, the Special Rapporteur is however deeply concerned over the alarming level of executions, including of juveniles in the country. She urges the Government to immediately and unconditionally prohibit the sentencing of children to death and to engage in a comprehensive process of commutation of all death sentences handed down on persons currently on death row for crimes committed under the age of 18. The Special Rapporteur also reiterates calls made by**

<sup>71</sup> <https://www.hrw.org/news/2013/07/24/iran-sufi-activists-convicted-unfair-trials>.

<sup>72</sup> Annual Report on Human Rights Violations in Kurdistan 2016 -Association for Human Rights in Kurdistan of Iran-Geneva

her predecessor to establish a moratorium on the use of the death penalty and urges the Government to accelerate the process of amending its Anti Narcotic Law and to replace the death penalty for drug related offences by penalties which comply with relevant international standards. The Government should also put an end to public executions.

84. The legislation of the Islamic Republic of Iran continues to authorize punishments such as flogging, blinding, amputation and stoning of individuals convicted of certain offences in breach of the absolute prohibition of torture and other forms of ill treatment. The Special Rapporteur recalls that the right to be free from torture or cruel, inhuman or degrading treatment or punishment can never be limited or interfered with whatever circumstances and urges the Government to abolish any provision which authorize such punishments.

85. The Special Rapporteur is concerned that the administration of justice is undermined by the proliferation of judicial decision making bodies. In this respect, she draws attention to the recommendations made by the Working Group on Arbitrary Detention following the visit it undertook in the country to abolish revolutionary tribunals and religious courts. She is also concerned about the lack of independence of the judiciary. She recalls that the principle of the separation of powers is the bedrock upon which the requirements of judicial independence and impartiality are founded. The Special Rapporteur urges the Islamic Republic of Iran to refrain from any interference with the judicial process and to uphold the integrity of judges, prosecutors and lawyers, notably by ensuring that appointment of judges are transparent and based on merit and by protecting them, their families and professional associates against all forms of violence, threat, retaliation, intimidation and harassment as a result of discharging their functions. A self-regulating independent bar association or council should be urgently established to oversee the process of admitting candidates to the legal profession, provide for a uniform code of ethics and conduct, and enforce disciplinary measures, including disbarment.

86. The Special Rapporteur welcomes the recent amendments of the penal code and the code of criminal procedure. She however regrets that the amendments have not yet translated into better protection from arbitrary arrest and detention as shown by the number of cases highlighted in this report. The Special Rapporteur urges the Government to adopt all the necessary measures to effectively guarantee the right of anyone to be free from arbitrary deprivation of their liberty. In this respect, she echoes the recommendations made by her predecessor on the necessity to amend broadly defined criminal offences, to strengthen fair trial safeguards, to investigate all allegations of torture and ill treatment and to hold accountable those founded guilty.

87. The harassment and widespread arrest and detention of persons exercising their freedom of opinion and expression or their activities as human rights defenders demonstrate that the authorities continue to exert a high level of control over citizens and severely limit democratic space. The Special Rapporteur recalls that freedom of opinion and freedom of expression are indispensable conditions for the full development of the person, are essential for any society and constitute the foundation stone for every free and democratic society. The Government has the responsibility to ensure that human rights defenders do not face prosecution for promoting and advancing human rights in the country.

88. The Special Rapporteur urges the Government to guarantee the freedom of the press and media and to release all prisoners who have been jailed for exercising their right to freedom of opinion and expression. Among them are the persons mentioned in paragraph 50 of this report who were the subject of an Opinion of the Working Group on Arbitrary Detention. All political prisoners and prisoners of conscience should be released so that an atmosphere is created which inspires confidence and gives hope to citizens that the human rights situation in the country may improve.

89. The Special Rapporteur urges the Islamic Republic of Iran to take proactive steps to promote the full realization of the rights of human rights defenders and to refrain from any acts that violate the rights of human rights defenders because of their human rights work. The government should take strict measures to ensure that the security and intelligence apparatus does not use reprisals against families of those who monitor or campaign against human rights violations or express views that are contrary to government policies.

90. The Special Rapporteur is particularly concerned about the limited progress made toward the elimination of discrimination against women and girls in law and practice and about bills currently before the parliament which, if adopted might jeopardize women's empowerment. The Special Rapporteur is also concerned about new restrictions on women and girls' freedom of movement and about the high handed manner of enforcement of compulsory dress code. The Special Rapporteur calls on the Government to ratify the Convention on the elimination of discrimination against women, to amend and repeal all laws which discriminate women and girls and to refrain from adopting laws and measures which would further undermine the empowerment of women and their participation into the labour force. She urges the Government to ensure women and girls' freedom of movement and guarantee their fundamental right to physical education, physical activity and sport. Laws and regulations that require women and girls to observe the Islamic dress code infringe their right to have, adopt and profess or not a religion or belief and do not take into account the various religious components of the Iranian society. These laws should be reviewed and the Government should respect the right of anyone to privacy and ensure that security forces refrain from acting as moral guardians of the citizens.

91. The Special Rapporteur expresses concern over the persistence of child marriage. She recalls that child marriage constitutes a harmful practice and in certain circumstance could even meet the international legal definition of slavery. Child marriage can never be considered as in the best interests of the child. The Special Rapporteur urges the Government to prohibit all forms of child marriage and develop awareness-raising campaigns and programmes on the harmful effects of this practice on the physical and mental health and well-being of girls, targeting households, local authorities, religious leaders, and judges and prosecutors, as recommended by the Committee on the Rights of the Child.

92. The situation of recognised and unrecognised religious minorities remains a matter of serious concern. Bahai's continue to be systematically discriminated, targeted, and deprived them of the right to a livelihood. The Special Rapporteur urges the authorities to recognise that freedom of religion or belief entails the freedom to choose a religion or belief, and that measures restricting eligibility for civil, political, social or economic privileges, or imposing special restrictions on the practice of other faiths, violate the prohibition of discrimination based on religion or belief and the guarantee of equal protection under article 26 of the International Covenant on Civil and Political Rights.

## Annex

### List of Baha'i Prisoners

Name	Arrest Date	Location of arrest/City of residence	Date of Trial /Court order issued	Sentence	Charges	Date of Release
Mrs. Mahvash Shahriari Sabet	25-May-05	Tehran	Without trial	Release on bail	Participation in the training institute	28-Jun-05
	05-Mar-08	Mashhad	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	

Mrs. Fariba Kamalabadi Taefi	25-May-05	Tehran	Without trial	Release on bail	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	28-Jun-05
	26-Jul-05	Mashhad	Without trial	Release on bail	N/A	19-Sep-05
	14-May-08	Tehran (Tehran)	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	

Mr. Jamaloddin Khanjani	25-Sep-07	Isfahan (Isfahan)	Trial ended 14-Jun-10	20 years' imprisonment	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	N/A	02-Oct-07
	14-May-08	Tehran (Tehran)	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		



Mr. Afif Naimi

14-May-08

Tehran (Tehran)

Trial ended 14-Jun-10

20 years' imprisonment

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 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	25-May-05	Shiraz	Was not tried	Release on bail	N/A	29-Jun-05
	25-May-05	Shiraz	Was not tried	Release on bail	N/A	29-Jun-05
	26-Jul-05	Mashhad	Without trial	Release on bail	Membership of Yaran (group managing the affairs of the Bahá'í community in Iran) and involvement in teaching the [Bahá'í Faith]	15-Nov-05
Mr. Behrouz Azizi Tavakkoli	26-Jul-05	Mashhad	Without trial	Release on bail	Membership of Yaran (group managing the affairs of the Bahá'í community in Iran) and involvement in teaching the [Bahá'í Faith]	15-Nov-05
	14-May-08	Tehran (Tehran)	Trial ended 14-Jun-10	20 years' imprisonment	1) Engaging in propaganda against the regime of the Islamic Republic of Iran; 2) espionage in	

Mr. Vahid Tizfahm	14-May-08	Tehran (Tehran)	Trial ended 14-Jun-10	20 years' imprisonment
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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

1) Engaging in propaganda against the regime of the Islamic Republic of Iran; 2) espionage in

Mr. Jalayer Vahdat	04-Aug-05	Mashhad	(05Apr2010)	N/A	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 Activities against national security, propaganda against the regime and membership in the	28-Aug-05
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	26-Jan-09	Mashhad	(May/Jun2010)	5 years imprisonment and 10 year ban on leaving the country	unlawful Bahai administration	12-May-09
	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	
Mr. Vesal Mahboubi	25-Apr-11	Sari (Mazandaran)		1 year -sentence has been appealed	N/A	
Ms. Sanaz Tafazoli	27-Jun-11	Mashhad	N/A	N/A	N/A	
Mr. Afshin Heyratian	03-Jun-10	Tehran (Tehran)	N/A	4 years imprisonment	Charged with activities related to human rights issues and writing articles	21-Jul-10
	20-Aug-2011	Tehran	06-Nov-10	4 years imprisonment (sentence was appealed)	Assembly and conspiracy, with criminal intent, against national security and membership in the perverse sect of Bahatism.	
Ms. Nasim Bagheri	27-Apr-14		Court date: 8 October 2013	4 Years imprisonment under Ta'zir law	N/A	
Mr. Azizollah Samandari	14-Jan-09	Tehran (Tehran)	N/A	Release on bail	Activities against National Security, association with hostile countries, teaching the Faith	14-Jan-09
	07-Jul-12	Tehran (Tehran)	N/A	4 years	Collaboration with the Yaran (group managing the affairs of the Bahá'í	07-Jul-12

Mr. Hamid Eslami	14-Jul-12	Shiraz (Fars)	Unknown	N/A	community in Iran) providing information technology support	
					Membership in illegle groups in opposition to regime, Propaganda against thre regime in the interest of groups in opposition to regime	
Mr. Navid Khanjani	02-Mar-10	Isfahan (Isfahan)	N/A	N/A	Collaboration with human rights activists	03-May-10
	22-Aug-12	Tabriz (East Azerbaijan)	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. Kayvan Rahimian	06-Mar-05	Tehran			N/A	16-Mar-05
	Summoned 28 July 2011	Tehran (Tehran)	27-Feb-12	Release on bail	Using falsely obtained degrees, illegal counselling, running illegal classes, defrauding the public	22-Sep-11
	30-Sep-12	Tehran (Tehran)	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 Bahatism, and earning illegal income	
Mr. Farhad Fahandej	17-Oct-12	Gorgan (Golestan)	N/A	10 years	Collaboration with	

				imprisonment	hostile governments, disturbing national security, propaganda against the regime, formation of hostile groups
Mr. Farahmand Sanaie	17-Oct-12	Gorgan (Golestan)	N/A	5 years imprisonment	Collaboration with hostile governments, disturbing national security, propaganda against the regime, formation of hostile groups
Mr. Kamal Kashani	17-Oct-12	Gorgan (Golestan)	N/A	5 years imprisonment	Collaboration with hostile governments, disturbing national security, propaganda against the regime, formation of hostile groups
Mr. Siamak Sadri	18-Nov-12	Gorgan (Golestan); 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	18-Nov-12	Gorgan (Golestan)	Sentenced May 2013	5 years imprisonment	Collaboration with hostile governments, disturbing national security, propaganda against the regime, formation of hostile groups
Mr. Foad Fahandej	18-Nov-12	Gorgan (Golestan)	Sentenced May 2013	5 years imprisonment	Collaboration with hostile governments, disturbing national security, propaganda against the regime, formation of hostile

Mr. Kouros Ziari	20-Nov-12	Gonbad (Golestan)	Court hearing: 24 April 2013, Issuance of verdict: 21 May 2013	5 years imprisonment	groups Managing an illegal group for [the purpose] of disturbing [national] security	
Mr. Foad Moghaddam	22-May-11	Isfahan	Without trial	Release on bail	Collaboration with Bahá'í Institute for Higher Education	25-Jun-11
	January-2012 - began serving sentence	Isfahan (Isfahan)	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. Pooya Tebyanian	08-Mar-09	Semnan	Tried 15 April 2009; Verdict issued 31 May 2009; Appeal court verdict 29-April-2010	18 months imprisonment	Propaganda against the regime	May-11
	12-Mar-11	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. Farzin Sadri Dowlatabadi	19-Oct-13	Gorgan			N/A	
Mr. Shamim Naimi	23-Jul-12	Tehran		Release on bail	Propaganda against the regime and activity against national security	02-Sep-12
	28-April-2014 - Began serving sentence	Tehran	10-Nov-2012; 18 February 2013;	3 years imprisonment (appealed sentence)	Propaganda against the regime and activity against national security	
Ms. Elham Farahani Naimi	10-Jul-12	Tehran		Release on bail	Propaganda against the regime and activity national security	08-Sep-12
	28-April-2014 -	Tehran	04-Feb-13	4 years imprisonment	N/A	



	began serving sentence			(appealed sentence)		
Mr. Adel Naimi	10-Jul-12	Tehran (Tehran)	Date tried: 24-April-2013	Initiatlly 11 years imprisonment, changed to 10 years.	Initiatlly announced: a. Activity against national security; b. Espionage; c. Participating in the clandestine organization of Bahatism. 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. Farhad Eghbali	20-Nov-12 Began serving sentence on 30-Aug-2014	Gorgan	N/A N/A	N/A 5 year	N/A N/A	Unknown
Mr. Shahab Dehghani	10-Jul-12 12-Jul-13	Tehran Tehran	N/A N/A	N/A 4 year	N/A propaganda activities against the sacred regime of the Islamic Republic, teaching the perverse ideologies of Bahatism, and activities intended to mislead the youth. Activity against national security	N/A
Ms. Mona Mehrabi	16-Feb-15	Tehran	Unknown	Unknown	Unknown	
Mr. Faramarz Lotfi	Sometime between 24/27 September 2013 - After a raid of	Tonekabon		N/A	N/A	Unknown

	his home, he was taken to an unknown place						
	On 03-Feb-2015, he was summoned to court to hear his decree, and was immediately transferred to prison	Tonekabon	03-Feb-15	N/A	Activities against the national security, and propaganda against the regime		
Mr. Ziaollah Ghaderi	03-Feb-2015 - he was summoned to court to hear his decree, and was immediately transferred to prison	Tonekabon	03-Feb-15	Unknown	Activities against the national security, and propaganda against the regime		
Mr. Soroush Garshasbi	21-Nov-09	Tonekabon - Mazandaran	08-Jun-10	N/A	N/A	Sometime in December 2009 - Precise date is unknown	
	Began serving sentence on 03-Feb-2015	Tonekabon	03-Feb-15	N/A	Activities against the national security, and propaganda against the regime		
Mr. Manouchehr Kholousi	29-Nov-13- Detained	Mashhad		N/A	N/A	Unknown	
	Approx. end of November 2013/ beginning of December	Mashhad		N/A	Charged with propaganda against the Islamic Republic of Iran and activities against national security	29 January 2014	
		Mashhad	Court: Dec14/ Jan15 --- verdict appealed	6 year imprisonment under Ta'zir law	Activities against the national security, and propaganda against the regime		
Ms. Elham Karampisheh	Began serving sentence on 16-02-2015	Tehran		N/A	N/A		
Mrs. Safa Forghani	Began serving sentence on 16-02-2015	Tehran		N/A	N/A		

Mr. Mehrdad Forghani	began serving sentence on 17-02-2015	Varamin		N/A	N/A	
Ms. Laleh Mehdinezhad	10-Mar-15	Tehran		N/A	N/A	
Mrs. Fariba Ashtari	31-Jul-12		Court hearing held for 20 Baha'is on 24 August 2013 in Branch 1 of the Revolutionary Court in Yazd	3 Years imprisonment	Propaganda against the sacred regime of the Islamic Republic of Iran, and assembly and collusion against national security	after 27 days
	21 February 2015 - Summoned to Yazd Central Prison om	Yazd	13 April 2014 - Court of Appeals in Yazd	2 years imprisonment under Ta'zir law and one year suspended imprisonment	Propaganda against the regime of the Islamic Republic [of Iran] and propaganda in support of groups or organizations opposing the Islamic Republic of Iran	
Mr. Naser Bagheri Ghalat	Began serving sentence on 27-02-2015	Yazd	N/A	N/A	Propaganda against the regime	
Mr. Faez Bagheri Ghalat	Began serving sentence on 27-02-2015	Yazd	N/A	N/A	Propaganda against the regime	
Mrs. Shabnam Mottahed	31-Jul-12	Yazd	Court hearing held for 20 Baha'is on 24 August 2013 in Branch 1 of the Revolutionary Court in Yazd	2 years imprisonment under Ta'zir law and 1 year suspended imprisonment	Propaganda against the sacred regime of the Islamic Republic of Iran, and assembly and collusion against national security	Unknown
	18-Mar-2015 - Began imprisonment	Yazd	13 April 2014 - Court of Appeals in Yazd	2 years imprisonment under Ta'zir law and 1 year suspended imprisonment	Propaganda against the regime of the Islamic Republic [of Iran] and propaganda in support of groups or organizations opposing the Islamic Republic of Iran	
Mr. Iman Rashidi	31-Jul-12		Court hearing held	4 year imprisonment	Propaganda against	Released after 27

Ezzabadi		for 20 Baha'is on 24 August 2013 in Branch 1 of the Revolutionary Court in Yazd	13 April 2014 - Court of Appeals in Yazd	3 years imprisonment under Ta'zir law and 1 year suspended imprisonment	the sacred regime of the Islamic Republic of Iran, and assembly and collusion against national security Propaganda against the regime of the Islamic Republic [of Iran] and propaganda in support of groups or organizations opposing the Islamic Republic of Iran	days providing bail of 80 million Toman
	19-Mar-2015 - Began imprisonment					
Mr. Mehran Eslami Amirabadi	01-Oct-12	Court hearing held for 20 Baha'is on 24 August 2013 in Branch 1 of the Revolutionary Court in Yazd	13 April 2014 - Court of Appeals in Yazd	2 years imprisonment 1 year imprisonment under Ta'zir law and 1 year suspended imprisonment	propaganda against the sacred regime of the Islamic Republic of Iran, and assembly and collusion against national security Propaganda against the regime of the Islamic Republic [of Iran] and propaganda in support of groups or organizations opposing the Islamic Republic of Iran	06-Oct-12
	04-Apr-2015 - began imprisonment					
Mr. Fariborz Baghi Asrabadi	Jul/ Aug2012	Court hearing held for 20 Baha'is on 24 August 2013 in Branch 1 of the Revolutionary Court in Yazd	13 April 2014 - Court of Appeals in Yazd	3 years imprisonment 2 years imprisonment under Ta'zir law and 1 year suspended imprisonment	Propaganda against the sacred regime of the Islamic Republic of Iran, and assembly and collusion against national security 1. Propaganda against the regime of the Islamic Republic; 2. Propaganda in the interest of groups and/or organizations opposing the regime	Unknown
	07-Mar-2015 - Began imprisonment					

Ms. Rouha Imani	12-May-15	Kerman	N/A	N/A	of the Islamic Republic.	
Ms. Naghmeh Gilanpour	25-May-15	Rasht	N/A	N/A	N/A	
Mr. Foad Yazdani	25-May-15	Rasht	N/A	N/A	Assembly for propaganda against the regime	released on bail
	N/A	N/A	appeared in court - date is unknown (reported in Jan 2016)	sentenced to six months' imprisonment under ta'zir law	N/A	
Mr. Peyman Yazdani	25-May-15	Rasht	N/A	N/A	Assembly for propaganda against the regime	released on bail
	N/A	N/A	appeared in court - date is unknown (reported in Jan 2016)	sentenced to six months' imprisonment under ta'zir law	N/A	
Mrs. Atefeh Zahedi (Azarnoush)	13-Apr-15	Hamadan	N/A	N/A	Propaganda against the regime	15-Apr-15
	May/June 2015	Hamadan	Trial held on 5 August 2015, sentence was announced on 15 August 2015	one year's imprisonment under Ta'zir law	Propaganda against the regime	
Mrs. Parvaneh Seifi (Ayyoubi)	21-Apr-15	Hamadan	N/A	N/A	Propaganda against the regime	22-Apr-15
	May/ June 2015	Hamadan	Trial held on 5 August 2015; sentence announced on 15 August 2015	one year's imprisonment under Ta'zir law	Propaganda against the regime	
Mr. Saba Golshan	02-Aug-12	Isfahan	Court hearing held for 20 Baha'is on 24 August 2013 in Branch 1 of the Revolutionary Court in Yazd	5 years: 4 years imprisonment under Ta'zir law and one year suspended imprisonment	"Propaganda against the sacred regime of the Islamic Republic of Iran", and "assembly and collusion against national security" ---	Unknown

	Began serving sentence on 13 August 2015	Isfahan	13 April 2014 - Court of Appeals in Yazd		person in charge of Isfahan Baha'I community 1. Propaganda against the regime of the Islamic Republic; 2. Propaganda in the interest of groups and/or organizations opposing the regime of the Islamic Republic.	
Mr. Shahin Rashedi	07-Apr-15 May/June 2015	Hamadan	Awaiting court trial	N/A	Propaganda against the regime	10-Apr-15
			Trial held on 5 August 2015/ sentence announced on 15 August 2015	one year's imprisonment under Ta'zir law	Propaganda against the regime	N/A
Ms. Mina Mobin Hemmati	13-Apr-15 May/June 2015	Hamadan	N/A	N/A	Propaganda against the regime	15-Apr-15
			Trial held on 5 August 2015/ sentence announced on 15 August 2015	one year's imprisonment under Ta'zir law	Propaganda against the regime	
Mr. Masoud Azarnoush	13-Apr-15 May/June 2015	Hamadan	N/A	N/A	Charged for owning satellite dish	15-Apr-15
			Trial held on 5 August 2015/ sentence announced on 15 August 2015	1 year imprisonment under Ta'zir law and two years exile to Khash	Propaganda against the regime	N/A
Mr. Hamid Azarnoush	13-Apr-15 May/ June 2015	Hamadan	N/A	N/A	Propaganda against the regime	N/A
			Trial held on 5 August 2015/ sentence announced on 15 August 2015	1 year imprisonment under Ta'zir law and two years exile to Khash	Propaganda against the regime	
Ms. Farideh Ayyoubi	21-Apr-15 May/June 2015	Hamadan Hamadan			Propaganda against the regime	N/A
			Trial held on 5 August 2015/	one year's imprisonment under	Propaganda against the regime	

Mrs. Romina Rahimian	May/June 2015	Hamadan	sentence announced on 15 August 2015 Trial held on 5 August 2015/ sentence announced on 15 August 2015	Ta'zir law one year's imprisonment under Ta'zir law	Propaganda against the regime	
Mr. Mehran Khandel	May/June 2015	Hamadan	Trial held on 5 August 2015/ sentence announced on 15 August 2015	one year's imprisonment under Ta'zir law	Propaganda against the regime	
Ms. Fataneh Moshtagh	Oct/Nov 2012	Hamadan			N/A	after 9 hours
	May/June 2015	Hamadan	Trial held on 5 August 2015/ sentence announced on 15 August 2015	one year's imprisonment under Ta'zir law	Propaganda against the regime	
Mr. Shahram Eshraghi Najafabadi	1983/84	N/A	N/A	1 year	N/A	Unknown
	31-Jul-12	Isfahan	Court hearing held for 20 Baha'is on 24 August 2013 in Branch 1 of the Revolutionary Court in Yazd	4 years: 3 years imprisonment under Ta'zir law and 1 year suspended imprisonment	“Propaganda against the sacred regime of the Islamic Republic of Iran”, and “assembly and collusion against national security” --- person in charge of Isfahan Baha'I community	Approx: Sep2012: Released on bail
		Isfahan	13 April 2014 - Court of Appeals in Yazd	N/A	1. Propaganda against the regime of the Islamic Republic; 2. Propaganda in the interest of groups and/or organizations opposing the regime of the Islamic Republic.	
Ms. Helia Moshtagh	15-Nov-15	Tehran	N/A	N/A	N/A	
Mrs. Azita Rafizadeh (Koushk-Baghi)	12March 2013 summoned to the		N/A	N/A		N/A

		Revolutionary court.				
		Summoned by Karaj	Convicted in Feb 2015	4 years		Activity against national security by membership in BIHE
Mr. Peyman Koushk-Baghi	12-March-2013	N/A	N/A			N/A
	28-Feb-16	Karaj	May 2015: sentenced to five years of imprisonment under ta'zir law	5 years		Activity against national security by membership in BIHE
Mr. Afshin Seyyed Ahmad	08-Nov-12	Tehran	N/A	sentenced to three years imprisonment	N/A	N/A
	Began serving sentence on 28-06-2016		N/A	N/A	N/A	
Mr. Yashar Rezvani	02-Aug-16	Unknown	N/A	N/A	N/A	N/A
Mr. Farzan Shadman	28-Sep-16	Shiraz	N/A	N/A	N/A	N/A
Mr. Farid Shadman	28-Sep-16	Shiraz	N/A	N/A	N/A	N/A
Ms. Parisa Rouhizadegan	28-Sep-16	Shiraz	N/A	N/A	N/A	N/A
Mr. Shamim Akhlaghi	28-Sep-16	Shiraz	N/A	N/A	N/A	N/A
Mrs. Sahba Farahbakhsh	28-Sep-16	Shiraz	N/A	N/A	N/A	N/A
Ms. Ahdiyeh Enayati	28-Sep-16	Shiraz	N/A	N/A	N/A	N/A
Mrs. Shadi Aghdam	28-Sep-16	Shiraz	N/A	N/A	N/A	N/A
Mr. Varqa Kavyani	28-Sep-16	Shiraz	N/A	N/A	N/A	N/A
Mr. Soroush Ighani	28-Sep-16	Shiraz	N/A	N/A	N/A	N/A
Mr. Farzad Delaram	02-Oct-16	Shiraz	N/A	N/A	N/A	N/A
Mrs. Rouhiyyeh Nariman	02-Oct-16	Shiraz	N/A	N/A	N/A	N/A
Ms. Bahareh Nowrouzi	03-Oct-16	Shiraz	N/A	N/A	N/A	N/A
Ms. Rezvan Yazdani	22-Nov-16	Shiraz	N/A	N/A	N/A	N/A
Ms. Nasim Kashaninejad	22-Nov-16	Shiraz	N/A	N/A	N/A	N/A
Mr. Saied Azimi	25-Oct-16	Isfahan	N/A	N/A	N/A	N/A
Mr. Amrollah Khaleghian	21-Dec-16	Kerman	N/A	N/A	N/A	N/A



Mr. Soheil Keshavarz	24-Dec-16	Ghazvin	N/A	N/A	N/A
Mr. Samir Kholousi	30-Dec-16	Kerman	N/A	N/A	N/A
Mrs. Rouhiyyeh Zeinali	03-Jan-17	Kerman	N/A	N/A	N/A
Mr. Mahbod Ettehadi	01-Jan-17	Yazd	N/A	N/A	N/A
Mr. Borhan Esmaili	02-Jan-17	Borazjan of Bushehr	N/A	N/A	N/A

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