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IRAN MISSION GENEVA

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*Mission Permanente  
de la République Islamique d'Iran  
auprès des Nations Unies  
et des autres Organisations Internationales à Genève*

*In the name of God, the Compassionate, the Merciful*

N°2050/9567

The Permanent Mission of the Islamic Republic of Iran to the United Nations Office and other international organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights, and with reference to the communication number UA IRN 17/2016 dated 7 June 2016, has the honor to submit herewith the reply of the I.R. Iran with regard to Mr. Mohammad Sadiq Kaboudvand case.

The Permanent Mission of the Islamic Republic of Iran avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights, the assurances of its highest consideration.

Geneva 5 September 2016



Office of the United Nations  
High Commissioner for Human Rights  
(OHCHR)  
Palais des Nations  
CH-1211 Geneva 10  
Fax: 022 917 90 08

With regard to the communication No UA IRN 17/2016 Dated 7 June 2016 concerning Mr. Mohammad Sadiq Kaboudvand, the following information has been provided by the "High Council for Human Rights of the Judiciary of the I.R. of Iran":

**Mr. Mohammad Sadiq Kaboudvand** has been prosecuted on charge of spreading lies with the aim of disturbing public opinions and acting against security of the State through forming an illegal group and association with the aim of disrupting public security. After completing the legal formalities/exhausting the due process and hearing the defenses of the defendant and his lawyer, he was sentenced to six months of imprisonment for the first charge and to ten years of imprisonment for the second one.

(He has been enduring prison punishment from 13th January 2008 to 1 July 2008 for charge of spreading lies, and from 1 July 2008 for charge of forming an illegal group.) The date that his prison shall finish is 11th November 2017.

The convicted person has not been denied furlough and has used furloughs twice so far; the first was 29 days long after which he returned to prison with 6 days of absence. Second time he was granted 7 days of furlough from 12 June 2016 to 19 June 2016.

It should be noted that he has requested implementation of article 134 of the Islamic Penal Code (application of the most severe punishment instead of total sum of sentences), notwithstanding that the prison punishment for the first charge finished on 11th July 2008, i.e. before ratification of the new Islamic Penal Code in 2013. Nonetheless, to observe his rights, the file has been referred to Appeals Court to consider article 134 of the Islamic Penal Code, and no reply has been received so far. During his prison term, a new file was formed for him for/on charge of propaganda against the State. After completing the legal formalities, based on the judgment on 22 May 2016, issued by Tehran Court, he was acquitted of the aforementioned charge.

His medical dispatches were done based on requests from him and the health center of prison that he has sometimes refused. However, he has been frequently sent to hospital and even hospitalized. Forensic Medicine Organization experts have examined him twice. First time, there was no

announcement regarding prostate cancer or inability to ... the imprisonment, it was only announced that he needs a visit by an Urologist; so the order for being sent to be visited by specialist was issued. Second time, he avoided to be examined by the forensic medicine experts. So far, there has been no prevention regarding sending him to hospital or hospitalizing him. Even his requests regarding being sent without prison clothes and handcuffs have been accepted by the supervisory department and required judicial orders were issued. However, he has frequently refused to be dispatched and his condition has been inquired from the prison health center. His general condition is reported well and no evidence is observed in the health center's report or the judicial file regarding his suffering from prostate cancer.

As regards with his hunger strike, it is noted that after the court acquitted him/ issued innocent verdict, he ended the strike and, as it was said, his general condition is reported well.