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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

Ref:2050/10620

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 by the High Commissioner for Human Rights dated 11 October 2016, has the honor to submit herewith the reply of the I.R. Iran.

The Permanent Mission of the Islamic Republic of Iran to the United Nations Office and other International Organizations in Geneva 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.



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for Human Rights (OHCHR)
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The following information has been provided by the High Council for Human Rights of the Judiciary of the Islamic Republic of Iran:

The case of Mr. Abdolfattah Soltani:

According to the General Department of Justice of Tehran Province, Mr. Abdolfattah Soltani, had employed twelve lawyers to defend his case. He was arrested on August 29, 2011 on charges of: 1. Participation in formation and management of illegal organization, 2. Act against security of the country through assembly and collusion with the aim of disturbing national security, 3. Propagation against the Islamic Republic of Iran and 4. Obtaining money through illegitimate means. His case was brought up in Branch 26 of Tehran Court and upon hearing defence of the charged and those of his attorney, including Ms. Shima Ghoushe and Mr. Ali Najafi Tavana, and following exhaustion of the legal procedure, the verdict No. 619/90 was issued, on the basis of Articles 498, 500 and 610 of the Islamic Penal Code and Article 2 of the Law on intensification of punishment of perpetrators of corruption, bribery and scam, Mr. Soltani was sentenced to 10 years of imprisonment (Taziri) for formation and management of illegal organization, including earlier days of detention, one year of imprisonment for act of Propagation against the Islamic Republic of Iran, five years of imprisonment for Act against security of the country through assembly and collusion with the aim of disturbing national security and one year of imprisonment for obtaining of money through illegitimate means. Based on the reasoning that Mr. Soltani misused his position of attorney as means and cover for perpetrating crimes, he was sentenced, on the basis of Article 19 of the Islamic Penal Code, to disbarment for twenty years, following completion of his imprisonment. Meanwhile, he shall serve his sentence in the city of Borazjan.

Upon request for appeal, his case was raised in Branch 54 of Tehran Province Court of Appeal, and by virtue of paragraph 1 of Article 257 and paragraph 5 of Article 6 of the Rules of Procedure of Public and Revolutionary Courts on penal affairs, the punishment of five years of imprisonment for act against security of the country was waived and duration of his disbarment was reduced to ten years.

It should be mentioned that Mr. Soltani and his attorney met quite frequently and had ample access to study the files in the court. Meanwhile, in the course of the legal procedure, his spouse met him every day in the court. Mr. Soltani is presently serving his sentence in Evin prison and his punishment of two years for obtaining illegitimate money was pardoned on the occasion of Id-ol-Fetr (the last day of the Holy Month of Ramadhan).

On adoption of the new Islamic Penal Code (2013) and on the basis of Article 134 of the Code, only the most severe punishment (10 years of imprisonment) was reinstated. Therefore, the imprisonment punishment was commuted to a total of ten years, and the disbarment period to two years.

As for medical and health situation of Mr. Soltani, he has been dispatched to clinics, whenever needed, and according to his physicians, he is not in need of medication. Since 2012 he has received 108 visits by his wife, child, mother and sister. He has also been granted three times of leave from prison. He also visits dentists and physiotherapists on a regular basis. The trend of legal procedure for Mr. Soltani has been quite transparent. He enjoyed ample legal advice as well as pardon granted by the Leadership. He is presently serving his imprisonment punishment in ordinary conditions, similar to any other prisoner, meets his family and enjoys occasional leaves from prison.

The case of **Ms. Narges Mohammadi**:

According to the Department of Justice of Tehran Province, following exhaustion of the legal procedure and hearing the defense, **Ms. Narges Mohammadi** was sentenced to one year imprisonment on the charge of propaganda against the State, five years on the charge of assembly and collusion with the aim of acting against State national security, and ten years on the charge of establishing and managing the illegal organization of "Logam". The verdict was reinstated by the Court of Appeal; but later, on the request of the judge of the verdict execution Department and in conformity with Article 134 of the Islamic Penal Code (2013) only the most severe punishment (10 years of imprisonment) was reinstated. She is currently serving her sentence in Evin prison.

It is noteworthy that Ms. Mohammadi was already engaged in another case where she was sentenced to one year imprisonment for propagation against the State and five years imprisonment for assembly and collusion and act against security of the State. On her request, she was transferred to the prison of Zanjan city, on 16 May 2012, to facilitate visits from her family. He received all the regular attention and medical care, similar to any other prisoner, whether within the prison or, if required, from outside. On 6 August 2012, she was granted a leave from the prison, and unfortunately she did not return to the prison. After a long absence, she was arrested on 4 May 2015 and transferred to Evin prison.

According to the information received on the health status of Ms. Mohammadi, she is under regular checking by a specialist physician and if, at any time, required, she shall be dispatched to medical centers out of the prison. She has already been visiting dentists, psychologists and similar physicians out of the prison. Presently, she is in normal good health.

According to prison reports, she meets her father, mother, brother and children on a weekly basis.

Therefore, upon the above-mentioned facts, it is duly expected that the communication to be branded as replied and discontinued.
