



*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. 2050/195799

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 latter's communication No. UA IRAN 8/2019 dated 15 July 2019, concerning the case of **Mr. Abbas LISANI**, has the honor to transmit, herewith, the comments of the Judiciary of the Islamic Republic of Iran in that regard.

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, 23 September 2019



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OHCHR REGISTRY

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Enclosure

The Islamic Republic of Iran

The Judiciary

High Council for Human Rights

Regarding the "Joint Call of Human Rights Council mandate-holders on Mr. Abbas Lisani", it was sent the relevant authorities and received the following answers:

With regarding to the case filed against Mr. Abbas Lisani Amoo Ghin, son of Asad, first it should be noted that the sentence is yet to be finalized and thus any comments or leveling allegations concerning a running proceedings is completely inadmissible. However, to demonstrate the willingness on the side of the Judiciary to engage and honor the international mechanisms, it is hereby stated that during the entire investigation of the charges filed against him, in addition to access to a senior attorney at law [REDACTED], he freely enjoyed each and every facility provided by Prison such as phone calls, visits of family members and his attorney and had no restrictions in comparison to other inmates.

He has unconditional access to the infirmary and prison doctor (irrespective of the title and nature of one's conviction) as is the case with any convict. It should be noted that if the prison specialized facilities and means are found wanting for treating the inmates, the Article 13 of Security and Corrective Measures Act (passed in 2010) prescribes dispatching the aforementioned to

treatment and medical facilities outside the prison round the clock which is also the case for other inmates.

Regarding the claim that he is going on a hunger strike, the relevant authorities have stated that the Mr. Lisani's requests for access to a number of documents were rejected by judicial officials on the account of the confidential and secret classifications of the documents in question.

With regard to the inquiries about the legal basis and judicial grounds for his arrest, a brief account of his criminal charges, the evidence and proofs for which amount to about two thousand pages is given below to corroborate the legitimate, legal nature of his arrest as well as the Islamic compassion showed to him:

- For about two decades, he was the ringleader of subversive, secessionist Turk elements belonging to the so-called GAMAC (South Azerbaijan National Liberation Front). In this capacity, he has coordinated all his ring's counter-security field efforts with contacts of foreign intelligence services and received instructions from such sources.
- As the ringleader of June 2006 riots and acting on a plot hatched, he made calls for rallies and riots. During such riots, public and private property and possessions were set ablaze (including torching in excess of 60 public and private banks), 5 people lost their lives as part of the "sacrifice" scenario of June 2006 riots, a large number of people were injured or rendered disabled and an intimidation wave was unleashed which traumatized the residents of north-western Iran, women, children and the elderlies in

particular. He is directly responsible for all material and life losses brought about by these riots.

- Through designating his personal residence as the host of his outfit meetings which were convened for the ultimate goal of unifying domestic secessionist Turk elements and groups, he started public distribution of countless leaflets (night letters) and other divergent statements as part of his secessionist agenda. In the same meetings, he ordered an organizational directive for amassing arms and live ammunitions and incited his group as well as other like-minded secessionist elements in West Azerbaijan Province to take up arms and initiate hostilities and civil and ethnic wars (Azeri-Kurd).

- Numerous video – commence with satellite channels such as VOA and Persian BBC, he launched demonizing, hate-mongering bids against the state. For example, he once asserted that “we shall go radical for West Azerbaijan and on the issue of soil (territory)”. In all his speeches, writings and interviews, he always employed terms such as Azerbaijan national movement, South Azerbaijan nation, Fars chauvinism, Fars fascism and Turk nation. Apart from stoking ethnic divisions and secessionism, he embarks on a platform of hate-mongering and creation of rifts among unified Iranian ethnicities. Such statements coupled with organizational directives for amassing and concealment of weapons cache and making promises to his followers that “once we have liberated the Azerbaijan soil and installed the ‘imaginary’ South Azerbaijan state, we will go to liberate Nagorno-Karabakh

(also known as Tartsakh)" reveal strong inclinations to incite war, ethnic tensions and secessionist efforts.

- For inciting the group he used to lead, he once stated that "to disintegrate the country we need wars and "sacrifice". We must pay a price to be able to separate our land" or "we must train men and women who wish to take up arms". He also talked about agreement among secessionist groups on a unified flag.

Examining the file content and papers such as audio and video recordings, evidence and proofs gathered in intelligence profiles, his activities and measures, interviews, writings, graffiti, night letters, calls to act, statements, rallies and the track records of Mr. Lisani which were strongly indicative of his sustained, unrelenting efforts for widening the ethnic divisions and steering and leading such plans and completing all legal proceedings and hearing the defence statements of the convict and his attorney, the court sentenced Mr. Lisani to eight years of incarceration, his previous detainment days included, which is completely compatible with Article 498 of the Islamic Penal Code. It is again noted that this sentence is initial and may be appealed at provincial courts of appeals.

Therefore, taking into account the legal, and legitimate nature of the aforementioned convict and full observance of a due process such as enjoying the right to counsel, the right to defend, being provided with all medical and healthcare facilities as well as his desirable physical conditions, removal of Mr. Lisani's case from the agenda of Human Rights Council Mandate-holders is rationally expected.