



*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. 2050/511821

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 IRN 12/2020 dated 15 May 2020, has the honor to transmit, herewith, the comments of the Judiciary of the Islamic Republic of Iran regarding **Mr. Hossein Sepanta**.

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, 6 August 2020



Office of the United Nations
High Commissioner for Human Rights
Palais des Nations
CH-1211 Geneva 10
Email: registry@ohchr.org

In the name of God, the Compassionate, the Merciful

**Comment by the
High Council for Human Rights
Of the Islamic Republic of Iran
Regarding Mr. Hossein Sepanta**

With reference to joint urgent appeal from the special procedures in the case of Mr. Hossein Sepanta, please be informed that two separate files were established on 22 June 2020 according to the Fars Province Justice Administration, due to the multiplicity of charges, some of which laid within jurisdiction of the Islamic Revolution Court and some within the jurisdiction of Public Criminal Courts. After consideration of due process of law and hearing pleadings of the defendant and defense attorney, verdicts were issued and then reviewed by the Appeal Court.

In the first file, pursuant to Sentence dated 16 November 2014 by the Islamic Revolution Court, he received five years in prison on charges of membership of and collaboration with the Tondar terrorist group because of acting against the national security. He received ten years in prison on charges of gathering classified military information and sharing them with the aforementioned terrorist group, and he received two years in prison for insulting the late Imam Khomeini and the Supreme Leader, by virtue of Article 134 of the Islamic Penal Code (enacted in 2013).

In the second file, pursuant to Sentence dated 29 November 2014 by the Public Criminal Court, Shiraz Branch, the aforesaid was convicted on charges of three counts of identity card forgery, carrying strictly controlled devices (Taser and spray gun), and insulting religious sanctities. Following the appeal filed by the convict, represented by [REDACTED] in court, both files were referred to the Appeal Court, Fars Province Branch. The Appeal Court upheld the judgment issued by the Islamic Revolution Court. But in the case of judgment by Public Criminal Court, the charge of forgery and use of bogus documents was dismissed, and the verdict for remaining charges was upheld. Nevertheless, in application of Article

134 of Islamic Penal Code, only the maximum punishment meted in the aforesaid case, i.e. 10 years in prison, shall be enforced.

Like every other prisoner and notwithstanding the crime and the nature thereof, Mr. Sepanta has had easy and quick access to the prison's healthcare centers and doctors 24 hours a day. In case of insufficiency of specialised equipment facilities in prison for treatment, in application of Article 103 of Bylaw of the State Prisons and Security and Corrective Measures Organization, enacted in 2010, he could have been moved out of prison for treatment at any time of the day or night.

Concerning his capacity to serve imprisonment, Mr. Sepanta was referred to the Forensic Medical Center on 17 June 2017. The Center announced on 19 June 2017 that "he is capable of serving jail term if health protocols are observed". To that effect, correspondence was exchanged on numerous occasions with the judge in charge of enforcement of sentences in Prison No. 1 and Prison No. 2 in Shiraz. The director of healthcare division of Shiraz Central Prison announced on 8 May 2020 "due to chronic spinal cord disease, he has been under medical care from the very start of his imprisonment and has been regularly visited by the specialists and has been under medical treatment, and has no other conditions than pain in leg and back for the moment."

In response to the allegation of detention in unsanitary and overcrowded condition, it is hereby noted that in light of the significance of containing the spread of contagious diseases in prisons and the sensitivity and vulnerability of penitentiary facilities to such diseases, the State Prisons and Security and Corrective Measures Organization has adopted well thought-out plans to that effect and had constant cooperation with relevant bodies, mainly the Ministry of Health, Treatment and Medical Training. Therefore, before the COVID-19 outbreak in Iran, following the World Health Organization's warnings, the State Prisons and Security and Corrective Measures Organization, in collaboration with the Ministry of Health, Treatment and Medical Training, adopted approaches to prevent the spread of this disease in prisons. The State Prisons and Security and Corrective Measures Organization adopted precautionary measures (including but not limited to granting furloughs, screening prisoners, disinfection, distribution of masks, gloves and hand sanitizers) and established management mechanisms in prisons

across the country (including but not limited to setting up provincial ad hoc teams) to counter and control the spread of the coronavirus. It is noted that in application of the policy for reducing the prisoners' population and granting legal and statutory facilities to as many prisoners as possible, massive effective measures have been undertaken. Hence, allegations levelled in the Rapporteurs' message and other allegations of torture, lack of access to healthcare services, failure to accord procedural due process and absence of counsel are unsubstantiated and rejected.