



*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

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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. AL IRN 26/2020 dated 11 November 2020, has the honor to transmit, herewith, the comments of the Judiciary of the Islamic Republic of Iran concerning a number of persons who were claimed to have been convicted due to their religious belief.

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, 12 January 2021



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 Most Compassionate, the Most Merciful

Comment

By

The High Council for Human Rights

Of The Islamic Republic of Iran

Concerning the allegation of prosecution of a number of people due to their religious belief

With reference to Letter No. AL IRN 26/2020, dated 11 November 2020, you are hereby informed with regard to allegations raised by a number of Rapporteurs regarding 24 persons:

- i. Religious minorities are entitled to all freedoms and civil rights as stipulated in the Constitution of the Islamic Republic of Iran. The Civil Rights Charter provides in Articles 10, 33, 77, 97 and 110 for respecting religious and ethnic rights and social and political inclinations whilst banning any hatemongering particularly vis-à-vis children, discrimination in employment, discrimination towards minorities, ethnic groups as well as social and political groups with regard to access to information and in acquisition of knowledge and laying emphasis on enjoyment of right to intercultural communications. Furthermore, Iranian MPs unanimously adopted on 19 May 2020 a piece of legislation to criminalise insult against religions, denominations and Iranian ethnic groups, as recognized by the Constitution. Therefore, freedom in compliance with religious beliefs and practicing rituals thereof, right to

forming various associations and entities, right of membership of the Islamic Consultative Assembly and Municipal and Rural Councils, right to participate in public affairs and acquire governing posts, right to equal education for religious minorities have all been recognized. Thus, no individual or group shall be prosecuted as long as they have not committed any of offenses set forth in the Islamic Penal Code, proof of which is noted in the law in the phrase finding guilty “any convict with any affiliation”. Legal regulations (the legal element of the crime), commission of criminal enterprises (*actus reus*) along with the objective of criminal or criminals (*mens rea*) constitute elements of prosecution.

- ii. Pursuant to Article 23 of the Constitution of the Islamic Republic of Iran, “any inquisition is forbidden and nobody may be harassed or punished for merely holding a specific belief”. Ergo, any action against personal beliefs is forbidden and nobody is prosecuted on religious grounds.
- iii. The persons mentioned in the Rapporteurs’ report, under cover of promoting Christianity, were in fact communicating with evangelical Zionism with a view to enmity and confrontation with the Islamic Establishment and subversive act against it through organized cults and holding illegal and secret meetings to deceive citizens and exploit the deceived persons, particularly children. Therefore, the offenses committed by the aforesaid have been dealt with pursuant to legal regulations on the grounds that they had committed offenses set out in the Islamic Penal Code and not for conversion to Christianity.
- iv. Allegations of “torture to extract confessions” are totally unsubstantiated and are by no means confirmed because charges have been levelled against the

aforesaid based on admissible and reasoned evidence before verdicts were pronounced pursuant to legal regulations. Confessions are based on factual grounds and were made in full freedom.

- v. Allegations of humiliation, maltreatment and duress during interrogation and detention and also refusal to inform families are untrue and unfounded because the trial, beginning with the prosecution and ending with the closure of dossier, was respectful in the absence of any pressure. Furthermore, families were kept informed and the defendants were free to hire attorneys and accept *quia timet* bill.
- vi. No domicile and religious gathering were raided. What has happened was limited inspection, instructed by judicial authorities, in full respect of religious and legal boundaries, for the purposes of gathering information and tools of offense. That has been prescribed by the Code of Penal Procedure, as per the elements of civil rights.
- vii. All actions ranging from summoning to court, issuing arrest warrant and detaining the defendants were within legal framework and after receiving necessary judicial permits. Ergo, no arbitrary act has been committed.
- viii. The defendants and convicts were accorded due process of law and were free to choose attorneys from beginning to the very end of proceedings. Allegations of heavy and long punishment are untrue. On the contrary, the defendants have benefited from any possible aid throughout the proceedings and were handed down minimum or medium punishments and in some cases, day-fine has been accorded. Furthermore, in the written judgments, the recently-adopted law on reducing imprisonment has been applied.

- ix. In light of inquiries, no house inspection or search was carried out at Christian domiciles through Christmas and allegations thereof are unfounded.
- x. Churches are under no legal pressure and regarding private churches legal action will be taken in case of illegal activity for anti-security purposes of Zionist Christian cult.
- xi. Regarding allegations of confiscation of properties of detainees, it is hereby announced that as per law, any instrument found to have been used for commission of crimes is seized regardless of belonging to any specific group. Nonetheless, regarding the aforesaid persons, most discovered items were restituted to owners and some items including polycopied leaflets and illegal education CDs have been seized.
- xii. All interrogations were lawful and defendants were summoned and arrested following judicial orders - law officers were all authorized bailiffs.
- xiii. Review of cases shows that no defendant has been punished for apostasy and there is no such record.
- xiv. All defendants and convicts were accorded visitation right through all stages of proceeding without any discrimination and they exercised that right.

The latest conditions of persons enumerated in the joint correspondence are outlined as hereunder:

1. Mr. **Seyyed Esmaeil Maghrebinejad**; father's name: [REDACTED], has been sentenced to seven months plus 31 days in jail for membership of enemy groups (evangelical Christianity) and to two years in jail for propaganda against the Establishment. In application of Article 134 of Islamic Penal Code, the more severe punishment shall be enforced. It is noted that the abovenamed refused to show up despite being released on recognisance and definitiveness of verdict. The guarantor has received warning to that effect. In light of the release of the convict during the preliminary days and refusal to return for the enforcement of punishment, nothing is known about his health conditions. It is noted that allegations raised by the aforesaid having been held in solitary cell for seven days and having been interrogated 14 hours a day are totally false and devoid of any standing because he was held in detention center administered by State Prisons and Security and Corrective Measures Organization (SPSCMO), where the beginning and end of interrogation are registered. Such allegations are untrue with regard to this defendant and all other defendants.

2. Mr. **Nasser Navard Gol Tappeh**; father's name: [REDACTED], on 24 June 2016, he was arrested and taken to custody in Tehran's Evin Prison upon order from judge sitting at Shahryar Prosecutor's Office on charges of propaganda against the Establishment through setting up an illegal private church to promote Zionist evangelical Christianity. Bail was set for him. The abovenamed was finally released on bail on 22 October 2016.

3. Mr. **Majid Reza Souzanchi Koushani**; father's name: [REDACTED], having been sentenced to two years in prison on charges of membership in Zionist evangelical groups and propaganda activity as announced by the

Tehran Prosecutor's Office's Department for Enforcement of Judgments. The aforesaid was sent on 18 November 2017 to the Greater Tehran prison. The abovenamed was released on 6 November 2019 after serving out prison term. However, he has since been serving jail term on charges of theft. It is noted that the aforesaid was a connecting link to the illegal Branhamist cult and had been leading illegal meetings in Tehran. He has a criminal background of judicial and security offenses, including but not limited to arson at parents' domicile, adultery and draft-dodging.

4. Mr. **Khalil Dehqanpour**; father's name: ██████████, having been sentenced to five years in prison on charges of acting against national security by setting up a private church and promoting Zionist evangelical Christianity as announced by the Tehran Prosecutor's Office's Department for Enforcement of Judgments, he was presented to Evin Prison on 3 December 2020. He is estimated to stay in jail up to 19 March 2024, 48 days of detention pending trial deducted.

5. Mr. **Mohammad Vafadar**; father's name: ██████████ a member of the deviationist Branhamist cult and linked with some anti-security networks, the aforesaid was sentenced to five years in jail on 7 July 2020 on charges of acting against national security by setting up a private church and promoting Zionist evangelical Christianity as announced by the Tehran Prosecutor's Office's Department for Enforcement of Judgments. The abovenamed is currently held in Tehran's Evin Prison and is estimated to stay in jail up to 5 April 2025, 35 days of detention pending trial deducted.

6. Mr. **Kamal Nemanian**; father's name: ██████, having been sentenced to five years in jail on charges of acting against national security by setting up a private church and promoting Zionist evangelical Christianity as announced by the Tehran Prosecutor's Office's Department for Enforcement of Judgments, the abovenamed was presented to Evin Prison on 2 June 2020. The aforesaid is estimated to stay in jail up to 5 April 2025, 31 days of detention pending trial deducted.

7. Mr. **Hossein Kadivar**: father's name: █████, having been sentenced to five years in prison on charges of acting against national security by setting up a private church and promoting Zionist evangelical Christianity as announced by the Tehran Prosecutor's Office's Department for Enforcement of Judgments, the aforementioned was presented to Evin Prison on 6 June 2020. The aforesaid is estimated to stay in jail up to 20 March 2025, 51 days of detention pending trial deducted.

8. Mr. **Zaman Fadaei**; father's name: █████, on 24 July 2018, he was presented to Tehran's Evin Prison to serve six years in jail and mandatory stay handed down thereto on charges of promoting Zionist evangelical activity and setting up a private church and possessing deviationist and anti-Establishment propaganda books as announced by the Tehran Prosecutor's Office's Department for Enforcement of Judgments. On 18 October 2020, the aforementioned was granted five days of furlough by judicial body based on Article 218. The abovenamed was qualified to be granted parole on 14 November 2020 as part of screening prisoners. Nonetheless, the aforesaid is estimated to stay in jail up to 4 June 2024, 17 days of detention pending trial deducted.

9. **Mr. Mohammad Ali Mosayebzadeh**; father's name: [REDACTED] [REDACTED] on 26 July 2018, was presented to Tehran's Evin Prison to serve ten years in jail handed down thereto on charges of setting up a private church and promoting Zionist evangelical Christianity as announced by the Tehran Prosecutor's Office's Department for Enforcement of Judgments. On 27 August 2013, the aforementioned was granted five days of furlough by judicial body based on Article 218. The leave of absence was extended twice up to 15 September 2020. Nonetheless, the aforesaid is estimated to stay in jail up to 2 June 2028. His case is under review for amnesty.

10. **Mr. Yousef Nadrkhani**; father's name: [REDACTED] on 23 July 2018, was presented by Tehran Prosecutor's Office to Evin Prison to serve six years in prison on charges of setting up and running an illegal private church and possessing illegal equipment. The aforesaid is also sentenced to IRR 6,000,000 cash fine. The aforementioned is estimated to stay in jail up to 2 July 2024, 15 days of detention pending trial deducted. The abovenamed has a criminal background. He was arrested in 2006 on charges of action against national security through holding illegal meetings and seeking to deceive citizens. He was released on the grounds of Islamic leniency and due to family condition. However, the aforesaid resumed his past illegal activities and held illegal meetings in full secrecy.

11. **Mr. Seyyed Abdorreza Ali Haqnejad**; father's name: [REDACTED], on 11 February 2019, having been charged with five years in prison on charges of acting against national security by setting up a private church and promoting Zionist evangelical Christianity as announced by the Tehran

Prosecutor's Office. The aforementioned is currently held in Tehran's Evin Prison and is estimated to stay in jail up to 15 January 2024, but his case was registered on 25 November 2020, to be reviewed for amnesty.

12. Mr. **Seyyed Mohammad Eslamdoust Roudbaraki**, nicknamed Shahrouz; father's name: [REDACTED], having been charged with five years in jail on charges handed down thereto for acting against national security by setting up a private church and promoting Zionist evangelical Christianity as announced by the Tehran Prosecutor's Office, the aforesaid was presented on 11 February 2019 to Tehran's Evin Prison. The abovenamed is estimated to stay in jail up to 20 January 2024, 35 days of detention pending trial deducted. However, his case was registered on 24 November 2020 to be reviewed for amnesty.

13. Mr. **Babak Hosseinzadeh**; father's name: [REDACTED] having been charged with five years in jail on charges of acting against national security by setting up a private church and promoting Zionist evangelical Christianity as announced by the Tehran Prosecutor's Office, the aforementioned was presented on 24 July 2019 to Tehran's Evin Prison. The abovenamed is estimated to stay in jail up to 3 June 2024, 23 days of detention pending trial deducted.

14. Mr. **Mehdi Khatibi**; father's name: [REDACTED] having been charged with five years in jail on charges of acting against national security by setting up a private church and promoting Zionist evangelical Christianity as announced by the Tehran Prosecutor's Office, the aforesaid was presented on 24 July 2019 to Tehran's Evin Prison. The abovenamed is estimated to stay in jail up to 2 June 2024, 24 days of detention pending trial deducted.

15. Mr. **Behnam Akhlaqi Kohneh-Gourabi**; father's name: [REDACTED] having been charged with five years in jail on charges of acting against national security by setting up a private church and promoting Zionist evangelical Christianity as announced by the Tehran Prosecutor's Office, the aforementioned was presented on 24 July 2019 to Tehran's Evin Prison. The abovenamed is estimated to stay in jail up to 3 June 2024, 23 days of detention pending trial deducted.
16. Mr. **Sam Khosravi**; father's name: [REDACTED] was arrested on 1 July 2019 on charges of membership of enemy groups and handed over to Bushehr Central Prison. The aforesaid was released on bail on 17 July 2019.
17. Mr. **Sasan Khosravi**; father's name: [REDACTED] was arrested on 17 July 2019 on charges of membership of enemy groups and handed over to Bushehr Central Prison. The abovenamed was released on bail on 15 July 2019.
18. Mr. **Habib Heydari**; father's name: [REDACTED] was arrested on 17 July 2019 on charges of membership of enemy groups and handed over to Bushehr Central Prison. The aforesaid was released on bail on 14 July 2019.
19. Mr. **Pouria Peyma**; father's name: [REDACTED] was arrested on 17 July 2019 on charges of membership of enemy groups and handed over to Bushehr Central Prison. The abovenamed was released on bail on 15 July 2019.
20. Mr. **Hadi Rahimi** (alias Moslem) and **Rahim Hassanpour** and his wife **Saeedeh Sajjadpour** (alias Katrine) are three members of an illegal entity in

the city of Rasht. They used to hold regular weekly meetings in full secrecy without permission. The aforesaid were arrested on 14 May 2020, but released on bail on 20 May 2020. The courts in Rasht did not have jurisdiction to handle the case. Finally, the case was referred to Tehran, where it is being reviewed by Division 26.

21. **Mr. Victor Bet Tamraz**, and his wife **Shamrin Issavi Khabiza**: Based on the latest information, they left Iran legally and they are no longer held in jail.

With all rights and privileges appertaining thereto.