



*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. 2050/947663

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 pursuant to its previous communication No. 2050/935361 dated 18 October 2021 and in reference to the latter's communication No. AI IRN 22/2021 dated 17 August 2021 concerning **Mr. Zia Nabavi**, has the honor to transmit, herewith, the comment 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, 5 November 2021



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

**Regarding the case of Zia Nabavi**

In reference to communications received from the Special Procedures Mandate-Holders appertaining to **Zia Nabavi** and as per the announcement of the Tehran Justice Administration, be advised that:

- Nobody, including the aforesaid, face prosecution for merely participating in a peaceful assembly. Therefore, alleging that the abovenamed was arrested for twitting about and peacefully protesting the unintentional downing of Ukraine International Airlines Flight 752 is in fact a propaganda campaign rather than a follow-up on a legal case. Furthermore, the judicial case opened thereagainst is still sub judice.
- Claims about threatening to incarcerate one of his family members are equally ridiculous and unsubstantiated. Nobody shall be arrested without legal justifications and warrants issued by competent legal authorities.
- Allegations suggesting that the aforesaid was punched in the face by an on-duty officer are devoid of any standing. Bailiffs and law enforcement officers are well cognizant of Article 38 of the Constitution which strictly prohibits any forms of torture. Articles 570, 578, 579 and 587 of the Islamic Penal Code as well as the Law on Respect for the Legal Freedoms and the Protection of Citizenship Rights have prescribed severe punishments for anyone perpetrating torture or other forms of abuse. Furthermore, in order to oversee the satisfactory enforcement of the aforementioned Law and on the strength

of Article 15 of the executive directive thereof, the Central Oversight Board in association with Provincial Oversight Boards conduct rigorous inspections to deal with violations or irregularities, if any, in a lawful manner.

- A final judgment has hitherto not been pronounced; ergo, making references to primary judicial assessments and orders are unacceptable.
- The ongoing trial against the aforesaid has no connection whatsoever to the right to education. The right to education without any discrimination has been envisaged in the Constitution of the Islamic Republic of Iran. Paragraph 3 of Article 3 of the Constitution stipulates free education and physical training for everyone at all levels, and the facilitation and expansion of higher education. Article 30 also obliges the Government to provide all citizens with free education up to secondary school, and must expand free higher education to the extent required by the country for attaining self-sufficiency.