



*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. 2050/1257038

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 6/2022 dated 3 May 2022 concerning **Mr. Ali Younesi and Mr. Amir Hossein Moradi**, has the honor to transmit, herewith, the comment of the High Council for Human Rights 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.



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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 Mr. Ali Younesi and Mr. AmirHossein Moradi**

**(Joint Communication AL IRN 6/2022, dated 3 May 2022)**

1. Mr. Ali Younesi and Mr. AmirHossein Moradi are on trial for cooperating with the MEK terrorist group. Their charges include carrying out at least 20 large-scale explosions in the city of Tehran in places such as public administrative buildings, ministries, and congested highways.
2. Although the aforementioned convicts were sentenced to ten years in prison under the charges of "destruction and setting fire to public property", five years under the charges of "assembly and collusion with the intention of acting against national security", and one year under the charge of "propaganda activities against the State", however, according to Article 134 of the Islamic Penal Code, only the ten-year verdict will be imposed on them as there is no compounded punishment for several distinct convictions under the said law.
3. The evidence and documents in the case include videos and images recorded by the CCTV cameras, testimonies of witnesses present at the scene of the crime, and the arrest of the convicts while they were in possession of explosives which have all served to substantiate the claim against them. It is noteworthy that the aforementioned have filmed and taken pictures of their crimes and sent them to the MEK terrorists. Therefore, the allegations regarding "obtaining a forced confession and issuing a verdict by the court based on these ill-gotten information" or the claim that "other people have

already been convicted of the same charges" is entirely invalid. Defendants were not pressured in any way to obtain statements.

4. The aforementioned are satisfied with the facilities presented to them. So far, university books are fully provided for their studies, and the food quality is good based on their feedback. They can regularly catch fresh air and use other prison facilities. As previously noted, the defendants were kept in the solitary suite (not solitary cell) of Ward 209 of Evin Prison for a limited period of time before the verdict was issued. After that, they were transferred to General Ward 209.

5. Mr. Ali Younesi and Mr. AmirHossein Moradi have had and continue to have easy access to medical services. A personal health profile has been compiled for them. They have been referred to a doctor to check their physical and mental health, and the result was in line with the forensic medical opinion, which indicated that they are in full health.

6. Based on the category of accusations, their lawyers were selected according to the note of Article 48 of the Criminal Procedure Law. The aforementioned had access to a lawyer during all the stages of the procedures, and their interrogation proceeded in the presence of a lawyer.

7. Whether during the arrest or after that, there were no recorded signs of intentional assault and ill-treatment of the convicts. The allegations regarding the use of torture to obtain confessions were not true according to the investigations carried out in separate instances for either of them, and the unsubstantiated claim was simply made to satisfy false propagation. It should be noted that in the law as well as in practice, there are instructions and mechanisms in place that not only forbid such actions, but special oversight methods are carried out continuously to better monitor relevant officers of the law. According to Article 38 of the Constitution of the Islamic Republic of Iran, "any torture to obtain a confession or information is prohibited. Forcing a person to testify, confess or take an oath is not permitted, and such testimony, confession, and oath have no value or validity. The transgressors of this principle will be punished according to

the law." Per Article 578 of the Islamic Penal Code adopted in 2013, "Any government employee or judicial or non-judicial official who physically harasses the accused in order to force them to confess, in addition to retribution or payment of Diya, depending on the case, will be sentenced to imprisonment from six months to three years. Furthermore, if a higher ranking official has given the order in this regard, only the commanding officer will be sentenced to the said imprisonment. Additionally, if the accused dies due to harassment, the director, as well as the perpetrator, will be charged with murder and will face punishment according to the law". Articles 1 and 9 of the Law on Respecting Legitimate Liberties and Protection of Citizenship Rights approved in 2004 prohibit any harassment of the accused. Based on Article 1 of the aforementioned law, the detection and prosecution of crimes, the implementation of investigations, as well as the issuance of temporary security and detention orders shall be based on the observance of relevant laws. Therefore, judicial orders are issued clearly and transparently to avoid exercising personal interests, abuse of power, violence, or unnecessary detentions. Article 9 of the said law underlines the irrelevance of any confession obtained by forcing the accused, which is neither valid legally nor under the Sharia.