



*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. 2050/1462693

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 referring to the latter's communications OL IRN 29/2021 dated 21 October 2021, AI IRN 14/2022 dated 1 July 2022, AI IRN 6/2022 dated 3 May 2022 and G/So 217/1/IRN dated 31 Oct 2022 and pursuant to the communications No. 1336104 dated 26 September 2022, No. 1251038 dated 15 July 2022, No. 1336105 dated 26 September 2022 and No. 1420647 dated 6 December 2022, has the honor to re-transmit, herewith, a copy of the comments of the High Council for Human Rights of the Islamic Republic of Iran regarding those communications.

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, 11 January 2023



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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**

**Communication AL IRN 01.07.22 (14.2022)**

Article 27 of the Constitution of the Islamic Republic of Iran recognizes freedom of assembly as detailed below: "Public gatherings and marches may be freely held, provided that arms are not carried and that they are not detrimental to the fundamental principles of Islam." In this regard, Paragraph 2 under Article 6 of the Party Act of 1981 stipulates: "Holding demonstrations and gatherings in urban squares and public parks after having notified the Ministry of Interior to secure a permit and on condition of not carrying weapons is permissible if, at the discretion of Article 10 Commission, they do not violate Islamic principles."

Therefore, the constitution, recognizes the freedom of assembly and stipulates that obtaining a permit and not carrying weapons are the requirements for exercising this right. Based on Article 27 of the Constitution, it can be argued that individuals and groups are entitled to the right to express their voice and demands in various gatherings and marches. And the government is responsible for ensuring the security of these marches. According to paragraph 7 of Article 3 of the Constitution, establishing political and social freedoms is one of the duties of the government. In this paragraph, the word "establish" has been used instead of the word provide to

denote creation. Therefore, the government is responsible for creating security in public marches. This is a basic right of the people.

On the other hand, Article 9 of the Constitution clearly states: "In the Islamic Republic of Iran, the freedom, independence, unity, and territorial integrity of the country are inseparable from one another, and their preservation is the duty of the government and all individual citizens. No individual, group, or authority, has the right to infringe in the slightest way upon the political, cultural, economic, and military independence or the territorial integrity of Iran under the pretext of exercising freedom. Similarly, no authority has the right to abrogate legitimate freedoms, not even by enacting laws and regulations for that purpose, under the pretext of preserving the independence and territorial integrity of the country."

The right to organize, assemble and march is also recognized in Articles 43 and 46 of the Charter of Citizenship Rights of 2016:

Article 43: Citizens have the right to form, join and participate in parties, societies, social, cultural, scientific, political and guild union associations as well as non-governmental organizations with the framework of the law. No one can be prohibited from or forced to participate in any of them. Membership or non-membership must not lead to deprivation from or restriction on citizenship rights or cause unfair discrimination.

Article 46: Citizens have the right to organize and participate in gatherings and marches freely within the framework of the law and to enjoy neutrality of the responsible institutions and under the security they provide.

Accordingly, many peaceful protests and gatherings are held every year in Iran without any problems.

## **Detainees**

In the thick of gatherings and protests of May 2022 in certain cities across the country, which were instigated due to the rising prices caused by the unilateral and oppressive coercive measures of the United States and its allies, Messrs. Rasul Bodaghi, Mohammad Habibi, Jafar Ebrahimi, Eskandar Lotfi, Shaban Mohammadi and Masoud Nikkhah had illegal activities under the cover of unregistered and illegal councils and guild union associations without having obtained a permit, and guided by certain foreign agents and with the aim of undermining national security, they actively coordinated illegal protest movements through raising the subject of union-related demands of teachers and channeling the sentiments towards riots and conflicts, which ultimately led to their arrest. According to the discovered documents and papers, these individuals used to provide foreign agents as well as officials of foreign affairs ministries of certain European countries with reports on teachers' demands and particulars of imprisoned teachers.

According to the latest information from the relevant judicial authority, Messrs. Eskandar Lotfi and Masoud Nikkhah were released from prison on bail on Aug. 17, 2022 and Mr. Shaban Mohammadi was released on Aug. 20, 2022; Messrs. Rasul Bodaghi, Mohammad Habibi and Jafar Ebrahimi remain incarcerated as the required judicial procedures have not been completed in their case.