



*Mission Permanente
de la République Islamique d'Iran
auprès des Nations Unies
et des autres Organisations Internationales à Genève*

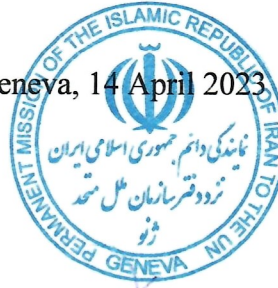
In the Name of God, the Compassionate, the Merciful

Ref. 2050/1560436

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 24/2022 dated 16 November 2022 concerning Mr. **Hossein RONAGHI** and Mr. **Saman YASIN**, 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.

Geneva, 14 April 2023



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High Commissioner for Human Rights
Palais des Nations
CH-1211 Geneva 10
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تاریخ:
پوست:



The Comments of the Islamic Republic of Iran on the 16 November 2022 Joint Urgent Appeal from the Special Procedures Mandate-Holders Regarding Hossein Ronaghi Maleki and Saman Yasin

The points enumerated hereinunder are provided with regards to allegations made in the joint appeal dated 16 November 2022 from the special procedures mandate-holders concerning **Hossein Ronaghi Maleki and Saman Yasin**:

1) Hossein Ronaghi Maleki

By order of the judicial authority, the foregoing person was arrested on 24 September 2022 for committing illegal activities against the Islamic Republic of Iran, but was released on bail on 26 November 2022. Some examples of the criminal actions attributed thereto are as follows:

- ✓ Holding virtual meetings with certain anti-Iran elements regarding the need to slap sanctions against the Islamic Republic of Iran;
- ✓ Disseminating falsehoods about and painting a black picture of the Country, especially regarding the alleged “killing of prisoners”;
- ✓ Inciting people to practice civil disobedience; and
- ✓ Inviting people to participate in riots in order to confront the Islamic Republic of Iran.

With regards to the allegations raised in the correspondence in question, be advised that:

- On 24 September 2022, at 10:20 am, the abovenamed appeared in front of Division 33 of the Tehran Prosecutor Office entrance and incited people to disrupt the order; subsequently, he restrained according to the order of the judicial authority. First, he was respectfully asked to accompany the bailiffs of the justice administration to the Prosecutor’s Office without controversy.

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The accused refused to accompany the bailiffs, resorted to yelling, and tried to disturb the order to provoke the people in order to create a conflict and escape. At the time of arrest, the foregoing person's lawyers were also at the scene;

- According to the voluntary presence of the defendant in the courtroom based on the previous judicial orders, both the accused and his family were aware of the legal basis of the arrest. Therefore, allegations suggesting that the family was unaware of the arrest's legal basis are unsubstantiated and devoid of any standing;
- After the said person entered the Court, he stated in the corridor of the Prosecutor's Office that he was not feeling well. The people at the scene called an ambulance, and a team from the 63rd Emergency Unit of Tehran arrived at 12:35 pm. The emergency unit intended to carry out medical examinations and treatment, but the aforementioned said he would allow no one to conduct medical procedures on him. However, at 12:45 am, according to the Code of Criminal Procedure, enacted in 2013, he was examined upon entering the detention center. When the foregoing person entered the detention center, he announced a strike and did not allow any treatment or medical procedures;
- On 26 September 2022, the doctor of the relevant ward examined him again: his blood sugar was 64, his blood pressure stood at 12 over 7.5, and his heart rate was 100. On this date, he was declared to be in good physical condition, and the medical advice regarding the consequences of the hunger strike was explained thereto. However, he continued his hunger, medicine, and water strike;
- On the said date, the defendant claimed that his leg was beaten. According to the Bylaw of the State Prisons Organization, the medical doctor of the detention center requested that the abovenamed be sent to the hospital so that

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he could be visited by a specialist and an X-Ray be taken from his foot. On the same date, despite the preparations to transfer him to specialized medical centers outside the detention center, he refused to do so. Instead, he insisted on claiming that his leg was broken. Finally, due to the continuation of the food and medicine strike, he was sent to the hospital on 4 November 2022;

- Irrespective of the fact that the foregoing person had undergone medical examinations many times and despite the preparations made to transfer him to a hospital outside the prison, in most cases, he refused to receive medical services and be sent to medical centers outside the detention center. Owing to Islamic leniency, he was released on bail on 26 November 2022. Therefore, the allegation suggesting his leg was broken is unfounded and a mere propaganda stunt; and
- Allegations suggesting that pressure has been put on the defendant to sign a forced confession or confess under torture and duress are devoid of any truth. On the strength of the Constitution of the Islamic Republic of Iran and the Holy Sharia of Islam, any confession obtained under torture is illegal and unlawful and therefore lacks validity. As stipulated by Article 38 of the Constitution: "All forms of torture for the purpose of extracting confession or acquiring information are forbidden. Compulsion of individuals to testify, confess, or take an oath is not permissible; and any testimony, confession, or oath obtained under duress is devoid of value and credence. Violation of this article is liable to punishment in accordance with the law." As per Article 578 of the Islamic Penal Code, enacted in 2013: "Any civil servant or judicial or non-judicial agent who corporally mistreats and abuses an accused person in order to force him to confess, in addition to *qisas* and *diya*, shall be sentenced to six months to three years' imprisonment; and if it is done under someone's order, only the person who has issued the order shall be sentenced to the aforementioned imprisonment; and if the accused person dies as a result of

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the abuses, the principal to the murder shall be sentenced to the punishment provided for a murderer, and the person who has issued the order shall be sentenced to the punishment provided for the person who has ordered a murder.”

2) Saman Seyyedi (Yasin):

Be advised that the foregoing person was arrested on 29 November 2022 on charges of a) disturbing public order and peace by pulling a sidearm and shooting, b) disseminating numerous calls and inciting people in real and virtual space to participate in riots, c) organizing unauthorized and illegal gatherings and riots, c) participating in burning public property such as trash cans and advertising banners, and d) blocking the streets. He is currently under preliminary investigation with a temporary arrest order – no final order has hitherto been issued. Allegations suggesting that he was arrested for singing a song are untrue. Accusations under the title of *moharebeh* and *ifsad-e fil-arz* (corruption on Earth) have neither been raised against the said person in the process of preliminary proceedings nor before the judicial authorities. Such claims are delusional and absolute lies.