



*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. 2050/1679473

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 5/2023 dated 31 March 2023 concerning Messrs. **Pejman Fatehi, Vafa Azarbar, Mohammad Faramarzi and Mohsen Mazloun**, 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, 20 July 2023



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*In the Name of God, the Most Compassionate, the Most Merciful*

**The Comments of the Government of the Islamic Republic of Iran on the 31 March 2023 Joint Correspondence of the Special Procedures Mandate-Holders Regarding Pejman Fatehi, Mohammad (AKA: Hazhar) Faramarzi, Mohsen Mazloun & Vafa Azarbar**

In reference to the allegations presented in the Joint Correspondence dated 31 March 2023, issued by the Special Procedures Mandate-Holders concerning Pejman Fatehi, Mohammad (AKA: Hazhar) Faramarzi, Mohsen Mazloun, and Vafa Azarbar, it is hereby notified that:

1. The inquiries conducted by the justice administration of pertinent provinces regarding the apprehension of the aforementioned individuals reveal that they were detained in Isfahan on allegations of engaging in “intelligence collaboration with the illegitimate regime of Israel against the Islamic Republic of Iran.” The arrests were carried out subsequent to the issuance of a temporary detention order by the judicial authority. Owing to the thematic correlation between this matter and other cases in West Azerbaijan and Tehran provinces, the defendants were transferred to Tehran. Subsequent to the conclusion of preliminary inquiries, the case has been forwarded to the Tehran Court accompanied by an indictment and is presently undergoing investigation.
2. Notwithstanding the aforementioned allegations, it is hereby asserted that the apprehension, preliminary inquiries, and procurement of a warrant against the abovenamed individual have been executed in strict adherence to the

- prevailing laws, principles of Sharia, the Constitution of the Islamic Republic of Iran, and pursuant to an authoritative directive from the judicial entity.
3. From the commencement of their apprehension, the individuals in question have been placed under the vigilant oversight of the judicial authority within detention facilities overseen by the State Prisons Organization, all of which adhere to adequate standards.
  4. Pursuant to the conducted inquiries, it has been determined that the accusation pertaining to the employment of torture for the purpose of eliciting confessions from the aforementioned individuals is devoid of veracity. In accordance with both the provisions enshrined within the Constitution of the Islamic Republic of Iran and the revered principles of Sharia law, any confession procured through acts of torture is deemed illicit and in contravention of legal norms, thereby lacking any legal efficacy. As stipulated by Article 38 of the Constitution: "All forms of torture for the purpose of extracting confession or acquiring information are forbidden. The 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 the abuses, the principal to the murder shall be sentenced to the punishment provided for a murderer, and the person who has

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issued the order shall be sentenced to the punishment provided for the person who has ordered a murder.”

5. The defendants' physical state has been duly noted to be in satisfactory condition from the commencement of their apprehension. Nevertheless, in the event of any ailment or requirement for medical attention, they shall be granted unrestricted access to the correctional facility clinic at all times, and if deemed essential, they shall also be afforded access to external medical establishments and hospitals.
6. It is essential to acknowledge that Iran comprises various ethnicities, and there exists no ethnic minority within the jurisdiction. Furthermore, it is imperative to emphasize that the law does not discriminate or differentiate between disparate groups or ethnicities in any capacity. Empirical evidence has substantiated the equal treatment of all individuals before the law, with due accountability for their criminal transgressions. Consequently, it must be underscored that the aforementioned defendants are not exempt from this principle, and their apprehension is unrelated to affiliation thereof with any specific group or ethnicity. Henceforth, it is advised to abstain from echoing such repetitive and clichéd accusations.
7. Furthermore, the veracity of the allegations positing that the families of the defendants have undergone interrogation is devoid of merit, and the pertinent judicial authorities categorically refute and withhold affirmation regarding the purported existence of such accusations.