



*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. 2050/1791283

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 communication No. AL IRN 14/2023 dated 9 August 2023 concerning Ms. **Jina MODARRES GORJI**, and Ms. **Sepideh GHOLIAN** 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, 18 October 2023



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

**The Comments of the Islamic Republic of Iran on the 9 August 2023
Correspondence of Special Procedures Mandate Holders of the Human Rights
Council Regarding Sepideh Qolian and Zhina Modarres Gorji**

In reference to the allegations raised within the communication dated August 9, 2023, authored by the Special Procedures Mandate Holders of the United Nations Human Rights Council concerning Sepideh Qolian and Zhina Modarres Gorji, the ensuing particulars are hereby conveyed for meticulous consideration.

Spedieh Qolian

- 1) The correspondence has made an assertion contending the absence of an arrest warrant in the apprehension of the foregoing person. However, as per the case dossier, it is clarified that said action was executed with the cognizance of the deputy prosecutor and pursuant to his written directive;
- 2) The allegations suggesting physical maltreatment are hereby refuted and denoted as fallacious and lacking merit. There is a recurring pattern of propagating such unfounded content, notably by the aforementioned. It is pertinent to emphasize that in the event of engaging with any accused individual, commencing from the issuance of the temporary arrest order and throughout the preliminary inquiry, the bailiffs of the justice administration are duly instructed and attuned to conform with legal prescriptions. Any transgressions against the stipulated legal framework shall be diligently addressed;



- 3) In a segment of the communication, an assertion is posited alleging the compulsion of the aforesaid to repose on the frigid corridor floor sans blanket or mattress for a duration of 3 days within the detention facility. Such an allegation is devoid of veracity;
- 4) Regarding the court hearing, initially scheduled to take place virtually and publicly, notwithstanding the presence of the court's president and the prosecutor's representative and the readiness of media personnel to cover the proceedings, the named individual appeared in court without adhering to the standard minimal dress code. Specifically, she declined to wear a headscarf, even after being instructed by both the presiding judge and her legal representatives to observe Islamic customs and respect the court's sanctity. Consequently, the allegations of coercing the said person into wearing a *chador* are utterly unfounded and a product of misinformation; and
- 5) From the instant the abovenamed was admitted to the detention facility, she commenced a course of disruptive behavior, disturbing order, and engaging in verbal abuse and indecent language directed at the staff and inmates of the women's ward. Additionally, on multiple occasions, she disseminated erroneous propaganda against the Government. Despite all the actions committed contrary to the regulations, it is notable that the Supreme Leader pardoned her on the anniversary of the Islamic Revolution of Iran. Regrettably, she promptly directed derogatory remarks towards the Supreme Leader upon her departure from Evin Detention Center.



Zhina Modarres Gorji

1. She faced prosecution for offenses stipulated in the Islamic Penal Code, including engaging in propagandistic endeavors against the Government and furthering the interests of adversarial states, establishing unlawful associations and factions, and assuming a leadership role in inciting riots, all substantiated by legal evidentiary documentation;
2. The evidence and documentation within the case encompassed materials disseminated by the individual in question in cyberspace to invite people to partake in riots, conducting interviews with networks affiliated with hostile states, photographic evidence of the individual attending various meetings abroad, and documentation concerning said overseas meetings, particularly those involving participation in soft subversion courses are all indicative of the illegal actions perpetrated by the aforesaid;
3. The apprehension of the individuals in question was carried out in accordance with due process, guided by a formal notification and a documented directive from the judicial authority, both of which are comprehensively recorded within the case file. Consequently, any assertion suggesting an arrest lacking judicial authorization is unfounded and lacks merit. Per the details elucidated in the case, she was promptly referred to the judicial authority within a timeframe of less than 10 hours;
4. The assertion regarding the utilization of violence against her is unfounded. As previously elucidated, comprehensive training was imparted to the bailiffs of the justice administration regarding the appropriate handling of any accused individuals, commencing from the issuance of the temporary arrest



order and throughout the preliminary investigation. Any deviations from the prescribed legal protocols are duly addressed. In relation to the defendant's grievance concerning the treatment by the bailiffs of the justice administration, this matter was deliberated within the court proceedings. However, a restraining order was consequently issued due to the absence of substantiating evidence and pertinent legal documentation;

5. Following the arraignment, a bond amounting to IRR 1bn was issued for the aforementioned individual. She was remanded to the Sanandaj Correctional Center due to her incapacity to furnish the bail amount;
6. Several days subsequent to the apprehension, the designated legal representative for the accused formally petitioned for a meeting with the accused. The request was duly acknowledged and granted, with arrangements facilitated to enable the meeting to take place within the confines of the correctional center;
7. The defendant's father was present at the investigation branch on 30 October 2022 and stated that he was unable to furnish the bond. Therefore, he requested to issue a writ of personal surety, which was agreed to in order to help the accused by converting the bail to the surety. Therefore, she was released on 30 October 2022;
8. The documentation within the case – from materials disseminated by the individual in question across various digital platforms (such as Twitter, Instagram, etc.) with the aim of supporting individuals held under security charges to painting a dark picture of the judicial system and the bailiffs of the



justice administration, systematically republishing news pertaining to those arrested during the riots, and propagating falsehoods about those who died during the unrest – collectively demonstrate persistence in the individual's anti-security endeavors after her release;

9. On 5 March 2023, the judicial authority formally summoned the defendant in writing, stating that “failure to appear leads to arrest.” However, on 12 March 2022, the accused, failing to heed the initial summons, was subsequently arrested in compliance with the legal prerequisites;
10. On 16 March 2022, the magistrate officer issued a bail order amounting to IRR 10bn against the accused, citing charges related to establishing and participating in an unlawful group. The accused could not pay the bond due to insolvency and remained imprisoned. However, she contested the decision. Subsequently, on 13 April 2023, the case was referred to the court. As per the directive issued by the Sanandaj court, the objection raised by the defendant was denied, and the temporary arrest order was upheld;
11. Due to the defendant's persistent and extensive communications with foreign elements and institutions hostile to the Government, coupled with the necessity to safeguard crime-related evidence and documentation, the judicial authority, on 19 April 2023, ordered the aforesaid be placed in a private suite furnished with essential amenities. Subsequently, on 8 May 2023, the prohibition on visitation was rescinded;

12. Concurrently, with the case being forwarded to the court, the accused was granted release on bail in July 2023 and presently remains at liberty, no longer confined in a correctional facility;
13. On 16 September 2023, a court session to address the accusations against the defendant was held, attended by both the abovenamed and her lawyer. Statements and defenses from both parties were heard during the court session. Presently, the case is in an investigative phase and undergoing deliberations towards a final decision;
14. Regarding the accused's declination to request a pardon, it is noted that this is a voluntary decision aimed at helping her. It is important to emphasize that there exists no obligation to request a pardon, and it remains an optional course of action; and
15. In conclusion, it is pertinent to note that initially, in an effort to assist the accused, the court order, initially granted at the request of the accused's father, was modified from bail to a writ of personal surety or the pledger, resulting in the defendant's release. However, due to the persistent engagement in criminal activities beyond the confines of the correctional facility and the escalation of said illegal activities, the order was subsequently amended to require a bail amounting to IRR 50bn. Consequently, the accused secured her release from prison by furnishing the bail.