



*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*

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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 UA IRN 6 / 2024 dated 8 April 2024 enclosed with the Joint Urgent Appeal From Special Procedures, has the honor to transmit herewith, comments from the High Council for Human Rights of the Islamic Republic of Iran to this 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, 28 May 2024



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### In the Name of the Almighty

In connection with the joint communication dated April 8, 2024 of some Special Rapporteurs of the Human Rights Council relating to Mr. Reza Shahabi, Davoud Razavi and Hassan Saeidi, the following points are forwarded for due consideration and attention:

1. Messrs. Hassan Saeidi, Reza Shahabi and Davoud Razavi, kept continuing their criminal acts in line with the goals of anti-Iranian groups under the guise of "pursuing the demands of the hard-working class of bus drivers" and in the form of a syndicate known as the Tehran and Suburbs City Bus Company. The individuals were in continuous contact with the elements and communication points of the terrorist group of the Munafeqin (MKO) abroad, and through forming a group and receiving financial aid from certain sources, they hold meetings with the aim of organizing riotous gatherings and confronting State and disrupting the country's security, including through calling for riots and encouraging and persuading people not to participate in the elections. In those meetings, which were held with the presence of some foreign nationals, organizing methods and experiences of struggles in some countries were taught. In one of the discovered communications (containing organizational orders), it was stated that **"the three of you should create a special support working group. Here, those who used to donate 50 Euros, now they contribute 200 Euros; and by identifying the local organizers of the strikes, distribute aid through them; because this movement is not only charity and aid, but it is a continued struggle."**
2. Considering the effects of the crime committed and the impact of the criminal acts carried out by those individuals, the relevant judicial authorities have sentenced each of the mentioned individuals to 5 years of imprisonment. Upon objection of Mr. Hassan Saeidi to the issued verdict, the Supreme Court of the country has referred the case to the parallel court branch for re-examination, but it has not yet resulted in a final decision.
3. The use of medical treatment facilities, inside and outside the prison, is in such a way that according to Article 136 of the Executive Regulations of the Organization of Prisons and Measures and Security and Education of the country, adopted in

2021, "The health and medical needs of sick prisoners shall be provided, to the possible extent, by the health and medical treatment unit of the institution (Prisons Organization) ..."; and according to Article 137 of the said Code of Conduct, the prisoner's departure from the institution (prison), for medical treatment, shall remain with the approval of the head of the health and treatment unit and the consent of the relevant authorities; and according to Article 148 of this Code of Conduct, the institution (Prisons Organization) shall be responsible to cover the costs of the rendered medical treatment of sick prisoners. In addition, Article 149 of the above-mentioned Code of Conduct "the health and medical treatment Unit is duty bound to monitor the health situation of all the detained defendants and inmates of the institution (prison) and carry out the required medical treatments on a permanent and daily basis. The Head of this Unit who is selected from amongst the physicians, and if it is not possible, from amongst the nurses, is duty bound to visit all the sick prisoners hospitalized in the institution's medical treatment centers (prison) every day at the beginning of office hours, and after examining their condition and ensuring the good quality of services rendered by doctors and nurses, to have complete and continuous supervision over the medical treatment and proper feeding of patients." According to the recorded information, Mr. Davoud Razavi had a history of gastrointestinal disease before entering the prison, and, so far, he has been dispatched to treatment centers outside the prison about 20 times, including to the Taleghani Hospital (heart consultation for endoscopy and biopsy, etc., for the treatment of gastritis or treatment for joint pain. Mr. Reza Shahabi, was also introduced to be sent to medical treatment centers outside the prison, but he himself rejected this possibility. Therefore, the allegations raised in connection with the medical treatment of the physical condition of the mentioned individuals are not correct.

4. The enjoyment of parole is possibility upon realization of the legal requirements (Article 58 of the Islamic Penal Code). In the case of Mr. Shahabi, the matter is under consideration and in case the anticipated legal conditions are realized, he shall benefit from this possibility.



حکم صادره پرونده وی از سوی دیوان عالی کشور به شعبه همعرض جهت رسیدگی مجدد ارسال شده است لیکن به صدور رأی قطعی منتج نگردیده است.

۳- استفاده از امکانات درمانی داخل و خارج از زندان به گونه‌ای است که طبق ماده ۱۳۶ آیین نامه اجرایی سازمان زندانها و اقدامات و تأمینی و تربیتی کشور مصوب ۱۴۰۰ "نیازمندی‌های درمانی و بهداشتی زندانیان بیمار تا حد امکان توسط واحد بهداشت و درمان مؤسسه (سازمان زندانها) تأمین می‌شود... " و به صراحت ماده ۱۳۷ آیین نامه مذکور، خروج زندانی از مؤسسه (زندان) برای درمان و معالجه با تأیید رئیس واحد بهداشت و درمان و موافقت مقامات ذیربط صورت می‌گیرد و وفق ماده ۱۴۸ این آیین نامه، تأمین هزینه معاینه و در صورت نیاز معالجه زندانیان بیمار بر عهده مؤسسه (سازمان زندانها) است. به علاوه به صراحت ماده ۱۴۹ آیین نامه فوق‌الذکر "واحد بهداشت و درمان موظف است به صورت دائمی و روزانه تمام متهمان بازداشتی و زندانیان مؤسسه (زندان) را از حیث بیماریابی و مداوا مورد بررسی و پایش قرار دهد. مسئول این واحد که از میان پزشکان و در صورت عدم امکان، از میان پرستاران انتخاب می‌شود، مکلف است هر روز اول وقت اداری با تمام زندانیان بیمار بستری در مراکز درمانی مؤسسه (زندان) ملاقات کرده و پس از اطلاع از وضعیت آنان و حصول اطمینان از حسن مراقبت پزشکان و پرستاران، بر امر معالجه و تغذیه صحیح بیماران نظارت کامل و مستمر داشته باشد." آقای داوود رضوی برابر اطلاعات ثبت شده قبل از ورود به زندان سابقه بیماری گوارشی داشته و تاکنون حدود ۲۰ نوبت به مراکز درمانی خارج زندان از جمله بیمارستان طالقانی (برای مشاوره قلب جهت اندوسکوپ و بیوپسی و غیره برای درمان التهاب معده یا انجام امور درمانی برای درد مفاصل) اعزم شده است یا آقای رضا شهابی که جهت اعزام به مراکز درمانی خارج زندان معرفی

شده لیکن خود به اختیار، از این امکان صرف نظر نموده است. لذا ادعاهای مطرح شده در مورد رسیدگی‌های درمانی به وضعیت جسمانی نامبردگان صحیح نیست.

۴- امکان استفاده از آزادی مشروط با احراز شرایط قانونی (ماده ۵۸ قانون مجازات اسلامی) میسر می‌گردد. در مورد آقای شهابی این موضوع مطرح رسیدگی است و در صورت کسب شرایط قانونی مصرح، نامبرده از این امکان بهره‌مند خواهد گردید.