

Mandates of the Working Group on Arbitrary Detention; the Special Rapporteur in the field of cultural rights ; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the rights to freedom of peaceful assembly and of association; the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran; and the Special Rapporteur on violence against women, its causes and consequences

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Excellency,

We have the honour to address you in our capacity as Chair-Rapporteur of the Working Group on Arbitrary Detention; Special Rapporteur in the field of cultural rights; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Special Rapporteur on the rights to freedom of peaceful assembly and of association; Special Rapporteur on the situation of human rights in the Islamic Republic of Iran; and Special Rapporteur on violence against women, its causes and consequences pursuant to Human Rights Council resolutions 24/7, 19/6, 25/2, 24/5, 25/24, and 23/25.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning the **arrest, detention, and sentencing of six individuals for appearing in a video** and Ms. **Ghoncheh Gavami** for participating in a peaceful protest.

According to the information received:

On 19 May 2014, the police arrested Mr. **Sassan Soleimani**, Ms. **Reyhaneh Taravadi**, Ms. **Neda Motameni**, Ms. **Afshin Sohrabi**, Mr. **Bardia Moradi**, and Mr. **Roham Shamekhi** for appearing dancing in a video, which the police claimed was vulgar and offended public chastity. The video, a tribute to Pharrell Williams' hit song "Happy", showed young men and unveiled women dancing and singing together and was uploaded on Youtube. Their lawyers complained about brutal police treatment and raids on their homes at the time of the arrests. They were released on bail the following day, after a publicized forced apology. The bail was set between 300 million and 500 million rials each (USD 10,000 and 16,600).

On 18 September 2014, Ms. Taravati was sentenced to a one-year prison term for her alleged possession of alcohol and role in distributing the video, whereas the remaining five were sentenced to six months' imprisonment. The sentences are suspended for three years. They were also sentenced to 91 lashes each.

On 20 June 2014, Ms. **Ghoncheh Gavami**, a British-Iranian woman was arrested outside the Azadi Stadium in Iran after protesting against a State ban on Iranian women's watching of volleyball and football games in stadiums. She was arrested along with several protesters by policemen, who allegedly resorted to excessive force to disperse the protesters. Following her arrest, Ms Gavami was held in Vozara Detention Centre for several hours. She was later transferred to Evin prison, where she is currently held. She was arrested for "propaganda against the state" by participating in protest and was kept in solitary confinement and without access to lawyer for 41 days. She was allegedly subjected to psychological pressure and threats to be transferred to Garchak Prison in Varamin, Tehran Province, where prisoners convicted of serious criminal offenses are held.

On 1 September, Ms. Gavami challenged the prosecutor's decision to extend her imprisonment for another two months. The case is being examined by Branch 15 of the Revolutionary Court in Tehran. On 1 October 2014, Ms. Gavami went on hunger strike in protest at her continued detention, without access to her lawyer or the opportunity to post bail.

While we do not wish to prejudge the accuracy of these allegations, we would like to express concern about the arrest, conviction and sentencing of Mr. Sassan Soleimani, Ms. Reyhaneh Taravadi, Ms. Neda Motameni, Ms. Afshin Sohrabi, Mr. Bardia Moradi, Mr. Roham Shamekhi and Ms. Ghoncheh Gavami. Grave concerns are expressed that these individuals might have been targeted due to the exercise of their right to freedom of expression, including in the form of art, as set out in article 19 of the International Covenant on Civil and Political Rights (ICCPR), and their right to take part in cultural life, as set out in article 15 of the International Covenant of Economic, Social and Cultural Rights (ICESCR), without any discrimination based on sex and gender (article 2-1 of the ICCPR and 2-2 and 3 of the ICESCR). Particular concerns are expressed about the sentencing of Mr. Sassan Soleimani, Ms. Reyhaneh Taravadi, Ms. Neda Motameni, Ms. Afshin Sohrabi, Mr. Bardia Moradi, Mr. Roham Shamekhi to lashing and also the treatment of Ms Gavami, who is currently held in detention and was denied access to a lawyer.

While we do not wish to express an opinion on whether or not the detention of the above mentioned persons is arbitrary, the above allegations appear to be in contravention of the right not to be deprived arbitrarily of their liberty as set forth in article 9 of the Universal Declaration of Human Rights (UDHR) and article 9 of the ICCPR, as well as the right to fair proceedings before an independent and impartial tribunal, as set forth in article 10 of the UDHR and article 14 of the ICCPR.

We would also like to refer to your Excellency's Government to article 21 of ICCPR, which guarantees the right to peaceful assembly.

Finally, we would like to make reference to article 7(c) of the Convention on the Elimination of all Forms of Discrimination against Women which explicitly provides for the promotion and protection of women in freely participating in public matters.

The full texts of the human rights instruments and standards recalled above are available on www.ohchr.org or can be provided upon request.

In view of the urgency of the matter, we would appreciate a response on the initial steps taken by your Excellency's Government to safeguard the rights of the above-mentioned persons in compliance with international instruments.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Are the facts alleged in the above summary of these cases accurate?
2. Please provide details on the legal basis for the conviction of the "Happy" video participants and their sentencing. Please also explain how this is compatible with international human rights law, in particular relevant provisions enshrined in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the International Covenant on Economic Social and Cultural Rights.
3. Please provide details on the legal basis for the detention of Ms. Ghavami. Please also explain how this is compatible with international human rights law, in particular relevant provisions enshrined in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the International Covenant on Economic Social and Cultural Rights.
4. Please provide details on the grounds that justify the State ban on Iranian women's watching of volleyball and football games in stadiums, and how these are compatible with international standards, in particular the right of all to freedom of peaceful assembly and to take part in cultural life, without discrimination based on sex and gender.
5. Please provide information on the legal grounds and reasons invoked for the solitary confinement of Ms. Ghavami was detained in solitary confinement and her lack of access to a lawyer after her arrest. Please also explain if allegations of psychological pressure against Ms. Ghavami have been investigated and verified.

6. Please indicate which measures have been taken to ensure that the rights to freedom of expression, including in the form of art and through the Internet, to peaceful assembly and to take part in cultural life without any discrimination based on sex and gender, are granted to all citizens of the Islamic Republic of Iran.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person responsible of the alleged violations.

Your Excellency's Government's response will be made available in a report to be presented to the Human Rights Council for its consideration.

Please accept, Excellency, the assurances of our highest consideration.

Mads Andenas
Chair-Rapporteur of the Working Group on Arbitrary Detention

Farida Shaheed
Special Rapporteur in the field of cultural rights

David Kaye
Special Rapporteur on the promotion and protection of the right to
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