

**NATIONS UNIES**  
**HAUT COMMISSARIAT DES NATIONS UNIES**  
**AUX DROITS DE L'HOMME**

**PROCEDURES SPECIALES DU**  
**CONSEIL DES DROITS DE L'HOMME**

**UNITED NATIONS**  
**OFFICE OF THE UNITED NATIONS**  
**HIGH COMMISSIONER FOR HUMAN RIGHTS**

**SPECIAL PROCEDURES OF THE**  
**HUMAN RIGHTS COUNCIL**

**Mandates of the Working Group on Arbitrary Detention; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; and the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran.**

REFERENCE: UA G/SO 218/2 G/SO 214 (67-17) Iran (2011-16)  
IRN 3/2014

11 March 2014

Excellency,

We have the honour to address you in our capacity as Chair-Rapporteur of the Working Group on Arbitrary Detention; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; and Special Rapporteur on the situation of human rights in the Islamic Republic of Iran pursuant to Human Rights Council resolutions 24/7, 16/4, and 22/23.

In this connection, we would like to draw the attention of your Excellency's Government to information we have received **regarding the closure of the daily *Aseman* and the arrest of 16 Information Technology (IT) activists** in Kerman on 3 December 2013.

According to that information:

On 21 February 2014, Tehran media court closed the reformist daily *Aseman* (*Sky*) for publishing an article on 18 February 2014, in which a university lecturer criticized *qisas* (retribution in kind) punishment. The daily had received permission to publish on 15 February 2014, and was closed down after publishing six issues.

On 3 December 2013, officials from the intelligence ministry allegedly arrested 16 activists working with new information technologies in Kerman. Seven of them, including Mr. Aliasghar Honarmand, Mr. Abbas Vahedi, Mr. Hossein Nozari, Mr. Reza Nozari, Mr. Amir Sadeghpour, Mr. Mehdi Faryabi, Mr. Ehsan Paknejad and Ms. Malieh Nakhei had all worked for the technology website *Narenji.ir*. They were accused of being in contact with "enemy media". Since their arrest, the detainees have been kept in solitary confinement, had no access to a lawyer and were subjected to psychological pressure. They are reportedly interrogated daily and their family members were told not to talk about the arrest, otherwise they could also face arrest.

On 6 January 2014, the Head of the Kerman's justice department, Mr. Hojjat ul-Islam Ali Tavakoli, accordingly to the ISNA news outlet, stated that the arrests of the group of activists was related to their cooperation with the *BBC*, and called for a maximum sentence. He also allegedly referred to the individuals as a "gang" that was carrying out plans for the "counter-revolutionary diaspora" on behalf of the Persian service of the *BBC*.

Without expressing at this stage an opinion on the facts of the case and on whether the detention of the above mentioned persons is arbitrary or not, we would like to appeal to your Excellency's Government to take all necessary measures to guarantee their right not to be deprived arbitrarily of their liberty and to fair proceedings before an independent and impartial tribunal, in accordance with articles 9 and 10 of the Universal Declaration of Human Rights, and articles 9 and 14 of the International Covenant on Civil and Political Rights, which Iran ratified in 1975

We would also like to appeal to your Excellency's Government to take all necessary steps to secure the right to freedom of opinion and expression in accordance with fundamental principles as set forth in article 19 of the International Covenant on Civil and Political Rights, which provides that "Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice."

We wish to reiterate the principle enunciated by Human Rights Council Resolution 12/16, which calls on States, while noting that article 19, paragraph 3, of the International Covenant on Civil and Political Rights provides that the exercise of the right to freedom of opinion and expression carries with it special duties and responsibilities, to refrain from imposing restrictions which are not consistent with paragraph 3 of that article, including on (ii) the free flow of information and ideas, including practices such as the banning or closing of publications or other media and the abuse of administrative measures and censorship.

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 the above international instruments.

Moreover, 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. Since we are expected to report on these cases to the Human Rights Council, we would be grateful for your cooperation and your observations on the following matters, when relevant to the case under consideration:

1. Are the facts alleged in the above summary of this case accurate?
2. Please provide the full details of any legal basis for the charges brought against Mr. Aliasghar Honarmand, Mr. Abbas Vahedi, Mr. Hossein Nozari, Mr. Reza

Nozari, Mr. Amir Sadeghpour, Mr. Mehdi Faryabi, Mr. Ehsan Paknejad, and Ms. Malieh Nakhei.

3. Please provide information concerning the legal grounds for the arrest and detention of Mr. Aliasghar Honarmand, Mr. Abbas Vahedi, Mr. Hossein Nozari, Mr. Reza Nozari, Mr. Amir Sadeghpour, Mr. Mehdi Faryabi, Mr. Ehsan Paknejad, and Ms. Malieh Nakhei and how these measures are compatible with international norms and standards as stated, inter alia, in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights.

4. Please provide full details of any legal basis for the closure of *Aseman* and whether such closure is compatible with the provisions of the International Covenant on Civil and Political Rights and the Universal Declaration of Human Rights.

We undertake to ensure that your Excellency's Government's response will be available in the report we will submit to the Human Rights Council for its consideration.

While waiting for your response, we urge your Excellency's Government to take all necessary measures to guarantee that the rights and freedoms of the above mentioned persons are respected and, in the event that your investigations support or suggest the above allegations to be correct, the accountability of any person responsible of the alleged violations should be ensured. We also request that your Excellency's Government adopt effective measures to prevent the recurrence of these acts.

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

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

Frank La Rue  
Special Rapporteur on the promotion and protection of the right to freedom of  
opinion and expression

Ahmed Shaheed  
Special Rapporteur on the situation of human rights in the Islamic Republic of Iran