

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

PROCEDURES SPECIALES DU
CONSEIL DES DROITS DE L'HOMME

**Mandates of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran and the
Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment.**

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

SPECIAL PROCEDURES OF THE
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Excellency,

We have the honour to address you in our capacity as Special Rapporteur on the situation of human rights in the Islamic Republic of Iran and Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment pursuant to Human Rights Council resolutions 19/12 and 16/23.

In this connection, we would like to draw the attention of your Excellency's Government to information we have received regarding **Mr. Maziar Ebrahimi**, who has reportedly been held incommunicado since his apprehension on 12 June 2012.

According to information received:

On 12 June 2012 Mr. Maziar Ebrahimi, of Kurdish descent, was arrested in Tehran by the Ministry of Intelligence and has since been held incommunicado without legal counsel or contact with family. He was reportedly arrested for reasons of national security. On 6 August 2012, Iranian state-sponsored television broadcasted a public confession by Mr. Ebrahimi and eleven other suspects for collaboration in the murder of five nuclear scientists since 2010. The documentary reportedly did not contain any evidence to verify the confession.

It is reported that Mr. Ebrahimi, the founder of a cinema and television production company in Iraqi Kurdistan and resident of Suleimaniyah (Iraq), was working there at the time of his arrest with a local broadcasting equipment provider, Ahoura. In that capacity, Mr. Ebrahimi was reportedly involved in large-tender contracts with the Iranian State Broadcasting Service, including a multi-million dollar project with Press TV. It is further alleged that complications during contract negotiations led to threats from other parties to the negotiations that if Mr. Ebrahimi didn't comply with certain business demands, that he would be accused of "collaboration with Zionists."

While we do not wish to prejudge the accuracy of these allegations, we wish to draw your Excellency's Government's attention to the right to physical and mental integrity of Mr. Maziar Ebrahimi.

In this connection, we would like to reiterate our concerns, about the possibility that Mr. Ebrahimi has been subjected to torture or ill-treatment while in detention due to his appearance during his televised “confession,” and also about the possibility that he will face execution, given the lack of permission for external contact since his detention.

With respect to the allegation that Mr. Ebrahimi has been held incommunicado and denied access to contact his family, we would like to draw the attention of your Excellency’s Government to rule 37 of the UN Standard Minimum Rules for the Treatment of Prisoners which states “prisoners shall be allowed under necessary supervision to communicate with their family and reputable friends at regular intervals, both by correspondence and by receiving visits.”

We would also like to draw the attention of your Excellency's Government to paragraph 7.c of Human Rights Council Resolution 8/8 of 18 June 2008, which reminds all States that “Prolonged incommunicado detention or detention in secret places may facilitate the perpetration of torture and other cruel, inhuman or degrading treatment or punishment and can in itself constitute a form of such treatment, and urges all States to respect the safeguards concerning the liberty, security and the dignity of the person”.

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 Mr. Ebrahimi 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 summary of the case accurate?
2. Please indicate the specific crimes that Mr. Maziar Ebrahimi has been charged with and the legal basis of his apparent enforced disappearance and prolonged incommunicado detention. Please indicate how his detention is compatible with international human rights law, specifically with the requirement in article 9 of the ICCPR.
3. Please provide the details, and where available the results, of any investigation(s) and judicial or other inquiries carried out in relation to the allegations of assassination in this case. If no inquiries have taken place, or if they have been inconclusive, please explain why this is the case and why, in light of this, he remains in detention.
4. Please provide information on the measures undertaken to ensure that any statement of confession possibly obtained under torture or duress is excluded from judicial proceedings.

We undertake to ensure that your Excellency's Government's response to each of these questions is accurately reflected 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 Mr. Ebrahimi 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.

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

Juan E. Méndez
Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment