

**Mandates of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the situation of human rights defenders; the Special Rapporteur on freedom of religion or belief and the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran**

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Excellency,

We have the honour to address you in our capacity as Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Special Rapporteur on the situation of human rights defenders; Special Rapporteur on freedom of religion or belief and Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, pursuant to Human Rights Council resolutions 25/2, 25/18, 22/20 and 28/21.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning the serious health status of Mr. **Mohammed Ali Taheri**.

Mr. Taheri is an honorary doctor and author of alternative medicine theories diffused both in Iran and abroad. He is the founder of Erfan-e-Halgheh (inter-universalism) and was the subject of six previous urgent appeals sent by several Special Procedure mandate holders on 10 July 2013 (See case IRN/11/2013 HRC report A/HRC/25/74), 22 August 2013 (case IRN 13/2013, HRC report A/HRC/25/74), 24 March 2014 (see case IRN 4/2014, HRC report A/HRC/27/72), 25 November 2014 (see case IRN 28/2014, HRC report A/HRC/28/85, 10 August 2015 (see IRN 12 /2015, HRC report A/HRC/31/79) and 13 October 2015 (see IRN 18/2015, HRC report A/HRC/31/79 respectively. We would like to thank the Gouvernement of Your Excellency for the responses sent to all these communications.

According to the information received:

On 28 September 2016, Mr. Taheri started a hunger strike to protest against the authorities' refusal to release him even though he had completed serving his five-year prison sentence, which was imposed on him in 2011 for "insulting Islamic sanctities" for establishing a spiritual doctrine and group called Erfan-e Halgheh. In June 2016, he was acquitted of a second charge of "spreading corruption on earth", for which he had been previously sentenced to death in August 2015.

It is reported that before starting his hunger strike, Mr. Taheri had been detained in solitary confinement in Section 2A of Tehran's Evin Prison. Since 16 October, he has been deprived of all contact with his family.

Mr. Mohammad Ali Taheri was reportedly transferred to the hospital (Baghiatollah Military hospital) at an unknown date. He is reported to be in a very serious health condition.

We express serious concern about Mr. Taheri's worsening health condition after he engaged in a hunger strike to protest against the refusal to release him from jail though he had served his prison sentence. The above allegations appear to be in contravention with international law, in particular the right not to be deprived arbitrarily of 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 (UDHR) and articles 9 and 14 of the International Covenant on Civil and Political Rights (ICCPR), which Iran ratified on 24 June 1975.

We express concern that the refusal to release him appears to be directly connected to Mr. Taheri's exercise of his rights to freedom of expression and freedom of religion and belief, as well as representing a violation of his due process guarantees under international human rights law and is therefore unlawful. We reiterate our concerns that the legal basis for Mr. Taheri's original sentencing represents a criminalization of the legitimate right to freedom of expression and is therefore a violation of Iran's obligations under international human rights law.

In view of the urgency of the matter and the fact that Mr. Taheri is at risk of dying, we call upon your Excellency's Government as a matter of urgency to proceed with the immediate release of Mr. Taheri and to ensure that he receives the medical care he urgently requires.

Without making any judgement as to the accuracy of the information made available to us, the above allegations appear to be in contravention with international law, in particular the right of every individual to life and security as set out in article 3 of the Universal Declaration of Human Rights (UDHR) and article 6.1 of the International Covenant on Civil and Political Rights (ICCPR).

The above allegations also appear to be in contravention of his right to be free from torture or to cruel, inhuman or degrading treatment or punishment, as set out in article 7 of the ICCPR. We would also like to refer to the report by the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment (A/66/268), in which it is stated that the use of prolonged solitary confinement in itself runs afoul of this absolute prohibition.

Furthermore, Mr. Taheri's detention for his beliefs appears to contravene article 18 of the ICCPR, which protects "the right to freedom of thought, conscience and religion". This right includes the freedom to manifest the belief in observance, practice and teaching, either individually or in community with others, in public or private. It also contravenes article 19 of ICCPR, hence violating Mr. Taheri's legitimate enjoyment of his right to freedom of opinion and expression. In this connection, we would like to remind your Excellency's Government that criminal sanctions, in particular

imprisonment, for insulting religious figures is not compatible with article 19(3) of the ICCPR.

We would also like to refer to the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, also known as the UN Declaration on Human Rights Defenders, in particular articles 1, 2, 6 and 12.

The full texts of the human rights instruments and standards recalled above are available on [www.ohchr.org](http://www.ohchr.org) or can be provided upon request.

As it is our responsibility, under our mandate 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. Please provide any additional information and any comment you may have on the above mentioned allegations;
2. Please explain the reasons why Mr. Taheri has been maintained in prison after serving his prison sentence and provide the details of the legal basis for his continuous imprisonment.
3. Please indicate where Mr. Taheri is currently detained and the reasons why he was denied family visits.

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 investigations support or suggest the allegations to be correct, to ensure the accountability of any person responsible for the alleged violations.

Your Excellency's Government's response to the present communication will be reflected in the mission report it will present at the next session of the Human Rights Council for its consideration.

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

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

Michel Forst  
Special Rapporteur on the situation of human rights defenders

Ahmed Shaheed  
Special Rapporteur on freedom of religion or belief

Asma Jahangir  
Special Rapporteur on the situation of human rights in the Islamic Republic of  
Iran