

Mandates of the Special Rapporteur on extrajudicial, summary or arbitrary executions; 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 defenders; 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

REFERENCE:
UA IRN 4/2020

5 March 2020

We have the honour to address you in our capacity as Special Rapporteur on extrajudicial, summary or arbitrary executions; 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 defenders; 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 35/15, 34/18, 41/12, 34/5, 40/18 and 41/17.

In this connection, we would like to bring to the attention of your Excellency's Government information received concerning attacks, harassment and serious threats made against staff members of the BBC Persian Service and the BBC World Service by the authorities of the Islamic Republic of Iran. The harassment and threats reportedly stem from the BBC Persian Service's coverage of the November 2019 protests in Iran, including the extent of casualties caused by Iranian security forces in response to the protests.

We wish to highlight that this case has been included in the 2019 Secretary-General's report on reprisals (A/HRC/42/30, main report para. 59, Annex I paras. 54-57) for harassment and threats in relation to action taken by Special Procedures mandate-holders and for the journalists' statements made at the 37th, 38th and 39th sessions of the Human Rights Council. Threats against family members, including warning them about their participation in United Nations advocacy work, were also reported at the time.

Further, concerns about threats and harassment against staff working for overseas-based Farsi language news outlets on the grounds of their affiliation with these networks were raised by several Special Procedures mandate holders in joint communication IRN 17/2019; with specific concerns about harassment and threats of BBC Persian Service staff raised in joint communications IRN 29/2017; and IRN 4/2017.

According to the information received:

The BBC Persian Service, launched in 1940, is one of the BBC's oldest non-English language services. In 2009, the BBC launched satellite television channel BBC Persian Television to complement its existing radio and online services.

Since the launch of BBC Persian Television, journalists of the BBC Persian Service, particularly women journalists, and their families, both within and outside Iran, have been systematically targeted by the Iranian authorities. The journalists and their families have reportedly experienced surveillance, harassment, the spread of false and defamatory news stories to undermine their reputation, arbitrary arrest and detention, death threats, confiscation of passports and travel bans.

In 2017, criminal investigations were launched by Iranian authorities into the activities of journalists and other staff working for the BBC Persian Service on the grounds that their work constituted a "conspiracy against national security" of the Islamic Republic of Iran. Iranian authorities also brought an injunction to freeze the assets of 152 individuals, predominantly current and former BBC Persian Service staff members, preventing them from buying, selling or inheriting property in the country.

Acts of harassment and intimidation against BBC Persian Service staff members, their families or those accused of having links with them, have reportedly continued on a regular basis. They allegedly intensify following BBC coverage of particular events, such as most recently, the street protests that took place across the Islamic Republic of Iran in November 2019.

In this regard, it is reported that approximately one week after the protests began on 15 November 2019, there was an escalation in intimidation of journalists and broadcasters based outside the Islamic Republic of Iran, including from the BBC Persian Service. In particular, journalists of the BBC Persian Service reported instances where their family members in Iran were brought in for interrogation by Iranian authorities. These family members were deprived of their liberty and were held in degrading conditions for up to ten hours. Some elderly parents of BBC Persian Service journalists with medical problems were allegedly held without access to medication. In one instance a 70-year-old mother of a journalist was allegedly left for over ten hours with only water from a toilet to drink. All were reportedly given clear messages that their relatives should stop working for the BBC Persian Service.

Serious threats, including death threats against journalists of the BBC Persian Service have also been reported between January and February 2020, particularly

against the journalist Ms. Rana Rahimpour. She reportedly received a written message in February 2020 threatening that she, her children and her husband would be assassinated within a month. Threats were also addressed to her elderly parents based in the Islamic Republic of Iran, with a warning that they were “within reach”. The message also said that Ms. Rahimpour will be the first employee of the BBC to be killed, and, after her assassination, it will be the turn of other BBC Persian Service employees.

The issue of threats and harassment against BBC Persian Service staff has been raised in recent years by the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran. In his 2019 report to the Human Rights Council, the Special Rapporteur stated that he “received reports of arrests and intimidation of journalists and media workers within the country. Journalists outside of the country have also been targeted, such as the staff of the [BBC Persian Service]. A collective criminal investigation and a purportedly temporary asset-freezing injunction initiated in 2017 against over 150 staff still remains in place. In some cases, staff members’ families based in the Islamic Republic of Iran have been interrogated and harassed. Staff have also been threatened and defamatory news stories have been circulated on social media about them”. The Special Rapporteur called on the Government of the Islamic Republic of Iran to cease all legal action and harassment against journalists, including BBC Persian Service staff. The Special Rapporteur also raised the issue of threats and intimidation against BBC Persian Service staff, including reported gendered attacks against women journalists and reprisals for United Nations advocacy work, in his 2019 report to the General Assembly.

The United Nations Secretary-General has also raised these issues. In his 2019 report to the General Assembly on the situation of human rights in the Islamic Republic of Iran, the United Nations Secretary-General stated that: “The injunction against former and current staff members of the [BBC Persian Service] remains in place, despite some individuals having been taken off the list. In addition to the threats and defamatory statements targeting them, the impact of the investigation, the freezing of their assets and the threat of arrest upon return to the Islamic Republic of Iran have had a significant negative impact upon such staff and their families”.

Previously, in a joint statement dated 27 October 2017, 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 called on Iranian authorities to stop intimidation of BBC staff members and urged them to cease all legal action against BBC Persian Service staff and their families.

At present, BBC Persian Service staff members fear they may be arrested, interrogated and placed in detention if they travel to the Islamic Republic of Iran. This, combined with the travel ban on some of their family members in Iran, has meant that many BBC Persian Service staff members have been separated from their families for a number of years. Furthermore, family members of BBC Persian Service staff members are routinely threatened, including with death, that they should tell their relatives to cease working for the BBC. The family of one BBC Persian Service staff member, for instance, were told that if their daughter did not resign within 24 hours, they would bring her back to the Islamic Republic of Iran by force from London.

While journalists of the BBC Persian Service have been the target of harassment and threats, similar intimidations have also reportedly been directed against other international media organisations, journalists, and their families, such as those working for other Farsi language news outlets. It is believed that steps taken against the BBC Persian Service are in fact used to intimidate and deter other journalists and media professionals from reporting or investigating issues that the Iranian authorities do not want disclosed. Within this context, it is reported that an injunction, similar to the one placed upon BBC Persian Service staff in 2017, has been recently imposed on individuals linked to one other broadcast agency.

Reports also indicate there is a pattern of gender-based violence that targets women journalists in Iran in particular since 2009. The attacks are carried out through the dissemination of false stories, rumors and slander, usually with highly misogynistic content and of a sexual nature. The threats received by women journalists are also of a gendered nature and tend to include references to sexual violence.

While we do not wish to prejudge the accuracy of these allegations, we wish to express our concern that, if confirmed, they may be in contravention of the rights of every individual to life, liberty and security, as set forth in Articles 6 and 9 of the International Covenant on Civil and Political Rights (ICCPR), ratified by the Islamic Republic of Iran in 1975; the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment, as set forth in Article 7 of the ICCPR; the right to freedom of movement, as set forth in Article 12 of the ICCPR; the right to recognition as a person before the law, as set forth in Article 16 of the ICCPR; the right to privacy, as set forth in Article 17 of the ICCPR; the right to freedom of opinion and expression, as set forth in Article 19 of the ICCPR; the right to freedom of peaceful assembly and of association, as set forth in Articles 21 and 22 of the ICCPR.

With regard to the right to freedom of expression, we wish to recall that while it is not an absolute right, it may only be derogated from in the exceptional circumstances provided for in Article 4 of the ICCPR, or subject to the specific restrictions set out in

article 19 (3) of the same Covenant. The Human Rights Committee categorically stated in its General Comment no. 34 that under no circumstances can an attack on a person, because of the exercise of his or her freedom of opinion or expression, including such forms of attack as arbitrary arrest, torture, threats to life and killing, be compatible with article 19 of the ICCPR. We wish to stress that the obligation to respect and to ensure respect of the human rights of journalists, media professionals and all human rights defenders rests on the State. It encompasses a positive duty of States to ensure that persons are protected from any act that would impair the enjoyment of their rights, including by taking effective measures or exercising due diligence to prevent any harm caused by private persons or entities. In this regard, we also note that the obligation to protect is particularly important in the case of threats and attacks made against journalists by non-State actors.

With regard to the right to freedom of assembly and of association, we wish to recall that journalists covering protests are considered monitors, and enjoy the same rights and protections as participants in an assembly. This protection extends also to the families of monitors and observers. In this regard, the State has two obligations; a positive obligation to protect all participants in protests, along with all bystanders, monitors and observers, as well as a negative obligation to prevent any kind of reprisals or harassment against those who cover assemblies and associations. The latter requires that the State promptly investigate all threats and attacks against the victims, emanating from State or non-State sources.

We are additionally concerned by the sexualised and gendered nature of the threats received by the BBC Persian Service's women journalists. In this context, we would like to refer to report A/HRC/38/47 of the Special Rapporteur on violence against women that specifically tackles the issue of online violence against women, and explains that the violent and gendered nature of the threats against women journalists often leads to self-censorship and recommends "that human rights and women's rights protected offline must also be protected online and should fully integrate the right to live free from emerging forms of online and information and communications technology-facilitated violence against women, while respecting the right to freedom of expression and the right to privacy and data protection".

With regards to concerns raised for the safety of women journalists, we remind your Excellency's Government of the legal obligations of States under international human rights law to respect, protect and fulfil women's rights, including the rights to non-discrimination and equality set out in Articles 1 and 2 of the Universal Declaration of Human Rights; Article 3 and 26 of the ICCPR and Article 3 of the International Covenant on Economic, Social and Cultural Rights, ratified by the Islamic Republic of Iran in 1975.

We would also like to refer your Excellency's Government to the fundamental principles set forth in 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, we would like to refer to articles 1, 2, 6, 9, paragraph 1, and 12, paragraph 2 of the Declaration.

Lastly, we wish to emphasize that States have an obligation to investigate threats and acts of violence against all those who promote, protect and defend human rights, including journalists, promptly, thoroughly and effectively through independent and impartial bodies. Following investigations, States must ensure that those responsible are brought to justice so as to prevent impunity, and make reparation to individuals whose rights have been violated. The latter generally entails appropriate compensation and can involve, where appropriate, restitution, rehabilitation and measures of satisfaction, such as public apologies, guarantees of non-repetition and changes in relevant laws and practices.

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 are asking that your Excellency's Government take all necessary measures to put an end to these repeated threats and harassment against journalists living abroad and their families living in the Islamic Republic of Iran. We would appreciate a response on the initial steps taken by your Excellency's Government to safeguard the rights of the above-mentioned person in compliance with international instruments.

As it is our responsibility, under the mandate provided to us by the Human Rights Council, 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 provide detailed information on what measures have been taken by Your Excellency's Government in order to protect the right to life of Ms. Rana Rahimpour and her relatives. Please also explain whether any investigation was launched into the reported threats against her and her family and provide detailed information on the results of such investigation. If no measures were taken and/or no investigation was conducted, please explain how this is compatible with the international human rights obligation of the Islamic Republic of Iran.
3. Please explain whether any investigations have been launched into the reported threats and acts of harassment and intimidation against other BBC

Persian Service staff members and their families and provide detailed information on the results of such investigations. If no investigations were conducted, please explain how this is compatible with the international human rights obligations of the Islamic Republic of Iran.

4. Please provide information on measures taken by Your Excellency's Government to ensure BBC Persian Service staff members and their families can work in, and travel to and from, the Islamic Republic of Iran without any fear of reprisal and/or undue restrictions as a result of their legitimate journalistic work and/or affiliation to the BBC Persian Service. In this connection, please explain how the criminal investigation and the injunction of 2017, particularly the decision to keep the investigation open and the injunction pending, are compatible with the international human rights obligations of the Islamic Republic of Iran.
5. Please provide detailed information as to the specific measures that have been put in place to ensure human rights defenders, including journalists covering human rights issues in the Islamic Republic of Iran, can carry out their legitimate work in a safe and enabling environment without fear of judicial harassment of any kind.

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.

We may publicly express our concerns in the near future as, in our view, the information upon which the press release will be based is sufficiently reliable to indicate a matter warranting immediate attention. We also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations. The press release will indicate that we have been in contact with your Excellency's Government to clarify the issue/s in question.

This communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#) within 60 days. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

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

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