

**Mandates of Working Group on Enforced or Involuntary Disappearances; 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 right of everyone to the enjoyment of the highest attainable standard of physical and mental health; 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; the Special Rapporteur on minority issues; the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment; the Special Rapporteur on violence against women and girls, its causes and consequences and the Working Group on discrimination against women and girls**

Ref.: UA IRN 1/2023  
(Please use this reference in your reply)

30 January 2023

Excellency,

We have the honour to address you in our capacity as Working Group on Enforced or Involuntary Disappearances; 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 right of everyone to the enjoyment of the highest attainable standard of physical and mental health; Special Rapporteur on the situation of human rights defenders; Special Rapporteur on the situation of human rights in the Islamic Republic of Iran; Special Rapporteur on minority issues; Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment; Special Rapporteur on violence against women and girls, its causes and consequences and Working Group on discrimination against women and girls, pursuant to Human Rights Council resolutions 45/3, 43/4, 50/17, 51/21, 43/16, 49/24, 43/8, 43/20, 50/7 and 50/18.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning 16 individuals, of which 13 are women, namely **Ms. Elham Modarresi, Ms. Pouran Nazemi, Ms. Elham and Mr. Vahid Afkari, Mr. Younes Mashayekhi, Ms. [REDACTED], Ms. [REDACTED], Ms. Soha Mortezaei, Ms. Zhina Modares Gorji, Ms. Bahareh Hedayat, Mr. Saeid Madani, Ms. Mozghan Kavusi, Ms. Raha Asgarizadeh, Ms. Alieh Motalebzadeh, Ms. Sepideh Qoliyan, and Ms. Narges Mohammadi.**

According to the information received:

*Case of Ms. Elham Modarresi*

Ms. Elham Modarresi aged 32, was reportedly arrested on 22 November 2022 at her home in Karaj, Alborz province and has been held in Kachoei prison since then. Seven Ministry of Intelligence agents reportedly stormed Elham Modarresi's home on 22 November 2022 and took her by force while restraining her family members who tried to stop them. The agents did not show an arrest or search warrant, nor explain the reasons for her arrest. The agents confiscated her laptop and her mobile phone as well as the mobile phones of her relatives,

present during arrest. For the first four days of her detention, her family didn't know where she was being held.

Elham Modarresi suffers from ulcerative colitis and primary sclerosing cholangitis, two chronic liver diseases that worsen without regular medical specialized supervision, which the authorities are denying her in detention. While in detention, her health severely deteriorated and she was taken to the Raja'i Shahr Hospital in Karaj. Against the advice of her doctors at the hospital who believed Elham Modarresi's condition to be critical, the authorities returned her to prison the next day. On 26 December 2022, Ms. Modarresi informed her family in a voice message that her health had deteriorated. She said that she was vomiting everything she was eating and that her liver values, which must be constantly checked through various tests, had not been monitored during her detention. Her doctor reportedly advised the authorities that she required to be hospitalized otherwise as she was risking liver failure and death. She said that her interrogator mocked and taunted her for expressing her urgent need for healthcare.

Between 2-9 January 2023, Ms. Modarresi was on hunger strike due to the authorities' refusal to act on the advice of doctors and allow her to receive the healthcare she urgently needed for her chronic liver condition. After her hunger strike, she was reportedly subjected to torture or other ill-treatment with the aim of pressuring her to end her protest, and to sign a "confession" including through beatings. Her interrogators reportedly tied her arms and legs, blindfolded her and kept her in solitary confinement. On one occasion, they falsely claimed that her mother had died from a heart attack and her brother died after a liver transplant to force her to sign a "confession", conditioning her release to attend their funerals on her compliance. On another occasion, her interrogators also warned that one of her sisters, who is based in Sweden, "might be hit by a car" if she didn't sign a confession. Her interrogator has accused her of "gathering and colluding to commit crimes against national security", "spreading propaganda against the system" and "inciting violence". Elham Modarresi has denied all accusations against her. The interrogator in charge of her case also reportedly informed her that he would prolong her arbitrary detention by a month to punish her for her protest action.

To date, information about her being referred to trial is not yet known. She is reportedly being denied access to a lawyer.

#### *Case of Ms. Pouran Nazemi*

Woman human rights defender, Ms. Pouran Nazemi, was arrested on 19 October 2022 from her home in Tehran. The agents who arrested her confiscated her laptop, mobile and books. Prior to her arrest, she had published a video and given two media interviews about human rights concerns in Iran. In a video, which she released shortly after the news of Ms. Mahsa Zhina Amini's hospitalization emerged on 13 September 2022, she demanded that the

authorities release CCTV footage of Ms. Mahsa Zhina Amini's time in custody following her arrest by the "morality" police. In an interview with Voice of America on 17 October 2022, she addressed women police officers questioning their perception of safety in light of their awareness that their male colleagues assault women. A clip of the interview was published online on Voice of America's website. On 15 October 2022, she also gave an interview to New York Times about the fire at Evin prison.

Shortly after her arrest on the morning of 19 October 2022, she briefly called her family to inform them of her arrest and noted that she was on speaker in the presence of Ministry of Intelligence agents. She called her family later that evening informing them that she was being held in section 209 of Evin Prison. Afterwards, her family did not receive any news from her for until Ms. Poursan Nazemi was allowed to briefly call them around 24 October 2022. During the call, she told them that prison authorities had starved her and deprived her of sufficient water. She specified that she was only given one meal since her arrest, six days prior. In a subsequent call on 26 October 2022, she informed her family that the authorities had begun providing her with food, but she was unable to determine where she was being held due to the reported refusal of the authorities to provide her with that information. On 1 November 2022, she made another brief call to her family conveying the authorities' ban on any family visits for 30 days, during which time she would remain in solitary confinement.

Since Ms. Poursan Nazemi's arrest, her family members and lawyer have repeatedly attempted to obtain information on her fate and whereabouts, her conditions and the reasons for her detention from the Office of the Prosecutor located in Evin prison. Despite this, the authorities have reportedly refused to provide them with any information about her place of detention and the charges against her.

Poursan Nazemi suffers from a number of health conditions, including chronic neck and back pain which, according to her family members have resulted from torture and other ill-treatment during her previous arrests; respiratory problems; and fibroids which could lead to severe bleeding requiring urgent hospital care. She requires regular medication for her conditions. During her phone call to her relatives on 1 November 2022, Ms. Nazemi said that the authorities were not providing her with her prescribed medication, but with other medication. Her family fears that her health may deteriorate further as a result of her detention in solitary confinement and denial of adequate medical care.

#### *Cases of Ms. Elham Afkari and Mr. Vahid Afkari*

Ms. Elham Afkari, 39-year-old mother-of-one, is detained at Adelabad prison in Shiraz, Fars province, and reportedly at risk of a trial not meeting fair trial standards before a Revolutionary Court and prolonged unjust imprisonment in connection to her family ties. The Afkari family has been vocal in seeking justice for the death of her brother, Mr. Navid Afkari, at the hands of the Iranian

authorities. On 10 November 2022, Ministry of Intelligence agents in Shiraz arrested Ms. Elham Afkari along with her husband and child. Ministry of Intelligence agents reportedly held her in solitary confinement for nine days at a detention facility in Shiraz, known as “Pelak-e 100”, where an investigator accused her of “spreading propaganda against the system” for her Instagram posts on the unlawful killings perpetuated by the authorities. On 22 November 2022, an official announced she was charged with “gathering and colluding to commit crimes against national security” in connection with the uprising. She is reportedly being denied a fair trial, including her rights to adequate defence, to an independent lawyer of her choosing and to be tried by an independent, impartial tribunal.

Between September and December 2018, three of Ms. Elham Afkari’s brothers, namely, Mr. Vahid Afkari, Mr. Navid Afkari, and Mr. Habib Afkari were arrested in the aftermath of their participation in protests in Shiraz between 2016 and 2018. On 5 September 2020, Mr. Vahid Afkari and Mr. Habib Afkari were severely beaten and moved to solitary confinement. Mr. Navid Afkari was reportedly executed on 12 September 2020. On 5 March 2022, Mr. Habib Afkari was released from prison after over 550 days in solitary confinement. Mr. Vahid Afkari remains in solitary confinement completely isolated from other prisoners in Adelabad prison, in apparent reprisal for refusing authorities’ demands for him to publicly admit “his crimes” and denounce his and his family’s supporters in Iran and across the world. He is reportedly being denied adequate healthcare, including for torture-related injuries.

In its Opinion 20/2022, the Working Group on Arbitrary Detention has found the deprivation of liberty of Mr. Vahid Afkari and Mr. Habib Afkari arbitrary, being in contravention of articles 3, 5, 6, 8, 9, 10 and 11 of the Universal Declaration of Human Rights and articles 2, 7, 9, 14, 19 and 21 of the International Covenant on Civil and Political Rights, is arbitrary and falling within categories I, II and III.

#### *Case of Mr. Younes Mashayekhi*

On 6 November 2022, the agents of the Ministry of Intelligence arrested Mr. Younes Mashayekhi, aged 36, at his home in Isfahan following his participation in peaceful protests at the University of Isfahan on 28 October 2022. During the arrest, the agents reportedly pushed Mr. Younes Mashayekhi's mother violently, resulting in injuries to her ribs. The agents also confiscated his laptop and mobile phone and the mobile phones of his mother, brother, and sister-in-law, who were present in the house at the moment of arrest. During the arrest, the agents threatened Mr. Mashayekhi and his family and warned them against "communicating with London," where Mr. Younes Mashayekhi's sister, Ms. Safoura Mashayekhi, lives and works. Ms. Safoura Mashayekhi has, on multiple occasions, given interviews to 'Iran International,' a UK- based Persian language TV channel, about the recent protests sparked by Ms. Mahsa Zhina Amini's death in custody. Ministry of Intelligence agents also summoned and

questioned Ms. Safoura Mashayekhi's father-in-law in connection with her activities in London.

Since his arrest on 6 November 2022, authorities reportedly refuse to provide Mr. Younes Mashayekhi's family with information about his fate and whereabouts. They further state that visitors were not allowed without specifying where he was being held. The prosecutor's office in Isfahan has only provided his family with his case number without sharing further details about his legal status or the charges he faces. On 5 January 2023, Mr. Mashayekhi was reportedly temporarily released after posting bail.

*Case of Ms. [REDACTED]*

On 29 September 2022, Ministry of Intelligence agents arrested journalist Ms. [REDACTED] outside her home in Tehran. Ms. [REDACTED] was working on a report for her employer (i.e. Ham-Mihan national newspaper), regarding the funeral of Ms. Mahsa Zhina Amini in the city of Saqqez. In the days prior to her arrest, agents from the Ministry of Intelligence had summoned Ms. [REDACTED] for interrogations several times in relation to her reporting on Ms. Amini's death. She was on her way to an interrogation session when she was arrested. Ministry of Intelligence agents subsequently searched her house and confiscated her laptop, mobile phone, books, and handwritten notes.

Ms. [REDACTED] was reportedly taken to Ward 209 of Tehran's Evin prison, run by the Ministry of Intelligence, and held in solitary confinement for 17 days while being subjected to interrogations without access to a lawyer. On the day of her arrest, Ms. [REDACTED] was permitted a brief phone call to her family and informed them that she was being held in Ward 209. For the next ten days, authorities reportedly denied her requests for phone calls to her family. During this period, her family and lawyer repeatedly went to the office of the prosecutor in Evin prison, but authorities are reported to have refused to provide any information.

On 28 October 2022, the Ministry of Intelligence and the Intelligence Unit of the Revolutionary Guards issued a joint statement in which they accused [REDACTED] identified by her initials of E.M, of "being immediately present in the city of Saqqez under the pretext of journalistic work, to provoke her relatives of the deceased Mahsa Zhina Amini by circulating the news and images of the funeral ceremony, and burial, directing some of the scenes and reflecting the news and images of the funeral and burial ceremonies and assemblies formed in the city in a biased manner." The statement claimed these were part of Ms. [REDACTED] "mission" for a foreign Government. The statement further accused her of receiving training from foreign governments and having been a "first-hand source for foreign media outlets."

On 9 November 2022, the judiciary's spokesperson, in response to a question regarding Ms. [REDACTED] and Ms. [REDACTED] (case details below), stated that they had been arrested on the charges of "spreading propaganda against the system" and "gathering and colluding in order to commit crimes against national security." He further added that they were detained under temporary detention orders and that "a final decision on the cases was about to be made and if, in the interim, other charges are brought up they will be investigated and if it is proven that they have engaged in criminal acts, there will be investigations."

On 18 December 2022, Ms. [REDACTED] was informed that she and Ms. [REDACTED] would be transferred from Evin prison to Shahr-e Rey prison where women convicted of violent crimes are held in reportedly overcrowded and unsanitary conditions. No indictment has been issued against her.

*Case of Ms. [REDACTED]*

On 21 September 2022, Ministry of Intelligence agents arrested journalist Ms. [REDACTED] at her home in Tehran. Ms. [REDACTED] worked at the national Shargh newspaper. At the time of arrest, agents failed to show their identification and arrest, or search warrants. They searched her house and confiscated Ms. [REDACTED] electronic devices as well as those belonging to her husband. She was subsequently taken to the Ward 209 of Evin Prison, where she was held in solitary confinement for around ten days before being transferred into another cell of Ward 209 with other detainees until 18 December 2022, when she was transferred to Shahr-e Rey prison. She was permitted a phone call to her family on the day of the arrest. No indictment has been issued against Ms. [REDACTED]. Authorities have not allowed her lawyer to meet with her nor to access her casefile.

In the joint statement issued on 28 October 2022, the Ministry of Intelligence and the Intelligence Unit of the Revolutionary Guards accused Ms. [REDACTED] who was identified by her initials N.H, of having received trainings from foreign governments. The statement claimed that Ms. [REDACTED] had published the first image of Ms. Mahsa (Zhina) Amini on her hospital bed and that she had "used the pretext of journalistic work and provoked the relatives of the deceased and published targeted news". The statement further accused her of being a "first-hand source for foreign media outlets." The editor of Shargh newspaper has stated they initially did not publish photographs of Ms. Mahsa (Zhina) Amini and subsequently did so only when other media outlets printed the pictures.

On 9 November 2022, the judiciary's spokesperson, in response to a question regarding the detained journalists, Ms. [REDACTED] and Ms. [REDACTED] stated that they had been arrested on the charges of "spreading propaganda against the system" and "gathering and colluding in order to commit

crimes against national security.” He added that they were detained under temporary detention orders and that “a final decision on the cases was about to be made and if, in the interim, other charges are brought up they will be investigated and if it is proven that they have engaged in criminal acts, there will be investigations.”

Over 80 days since Ms. [REDACTED] arrest, officials at the office of the prosecutor have refused to provide her family and lawyer with any information about the case. Her husband stated that his wife was held without a detention order having been renewed. Ms. [REDACTED] has reportedly developed a skin condition (infection) in detention, but authorities have refused to take her to the prison hospital despite her repeated requests.

#### *Case of Ms. Bahareh Hedayat*

Ms. Bahareh Hedayat is a prominent women human rights defender and political activist who worked on the One Million Signatures campaign to change laws that discriminate against women in Iran. She has been arrested and imprisoned several times. She was arrested on 3 October 2022, by security forces who reportedly violently raided her home. They broke the door to her apartment and arrested her without presenting a search or arrest warrant. Ms. Hedayat has been an influential student activist in Iran for the past decade and has been arrested and imprisoned many times. She was previously arrested and sentenced to prison following the presidential elections in 2009 and was released after serving 7 years in prison.

In its Opinion 2/2016, the Working Group on Arbitrary Detention has found her deprivation of liberty arbitrary, in contravention of articles 9, 10, 11, 19, and 20 of the Universal Declaration of Human Rights, and articles 9, 10, 14, 19, and 21 of the International Covenant on Civil and Political Rights, falling under categories I, II, and III.

In 2021, Ms. Hedayat was arrested again after attending a peaceful demonstration to protest the Islamic Revolutionary Guards Corps’ missile attack on the Ukrainian Airline Flight 752. On 25 July 2020, she was sentenced to 4 years and 8 months in prison by the revolutionary court on charges of "Propaganda against the State," and "assembling and colluding to act against national security". At the time of her arrest on 3 October 2022, Ms. Hedayat was on temporary release on bail and working on her Master's thesis.

#### *Case of Ms. Soha Mortezaei*

Ms. Mortezaei was a doctoral candidate and the Secretary of the Central Student Council of the University of Tehran when she was banned from education in 2019. Ms. Mortezaei was arrested on multiple occasions: namely in 2014, 2018 and 2019 because of her student activism.

On 21 November 2022, Ministry of Intelligence agents arrested her on her way to work in Tehran and transferred her to Evin Prison to serve a six-year prison sentence pronounced by Branch 15 of the Islamic Revolutionary Court presided over by Judge Salavati on 9 November 2020 and upheld by the Court of Appeals in February 2021. Reportedly, during her arrest she was reportedly sexually assaulted and abused, severely beaten and suffered numerous bruises and wounds to the head, hands, and feet, as well as buttocks and genitals. She is currently being held in Qarchak prison. Her lawyer, Mostafa Nili, was arrested on 7 November 2022 and is also serving a prison term.

#### *Case of Ms. Zhina Modares Gorji*

On 21 September 2022, the Islamic Revolutionary Guard Corps arrested Ms. Zhina Modares Gorji in Sanandai. Ms. Modares Gorji is a prominent woman human rights defender belonging to the Kurdish minority who has focused on prevention of violence against women. Ms. Modares Gorji runs a bookstore in her city and was an active member of the One Million Signatures Campaign in Sanandaj. Following the killing of Ms. Mahsa Zhina Amini, Ms. Modares Gorji had been threatened by security forces on multiple occasions, by contacting her by phone and showing up at her place of work. They had warned her not to continue her activism, and not to participate in protests otherwise she would face arrest. Ms. Modares Gorji wrote a moving piece about the death of Ms. Mahsa Zhina Amini and declared that she would protest this unjust killing and continue to amplify the demands of women. On 25 September 2022, Ms. Modares Gorji was able to call her family and said that she was being held in a youth detention center in Sanandaj, denouncing abhorrent conditions. She stated she would go on hunger strike to denounce poor prison conditions and ill and inhuman treatment. On 30 October 2022, she was temporarily released on bail. She has been charged with "assembly and collusion against national security," and is awaiting trial.

#### *Case of Mr. Saeid Madani*

Mr. Saeid Madani is a well-respected and leading sociologist and researcher who has worked extensively to document and analyze social challenges and social vulnerabilities. His social research over the last 30 years has approached social problems from a rights-based perspective and as a result has been well regarded. In particular, his research on women and especially the most vulnerable and marginalized groups of women has been groundbreaking. His work includes extensive research on sex workers in early 2000s, research on domestic violence, and research on women's roles in advancing social movements and their roles in protests. At the time of his arrest, he was working on a book that documented the progress of women and women's agency, despite deep discrimination against them in law and practice. His other works have focused on poverty, inequality, children's rights, drug abuse and addictions, among other issues. Most recently Mr. Madani published a series of articles documenting the driving factors behind mass national protests in 2019. Besides



research, writing and teaching at Allameh Tabatabai University, Mr. Madani also served as a consultant and advisor to the United Nations in Iran, in particular to UNDP and advised a number of women's NGOs, including those working on women's economic empowerment. He has been arrested several times and has served many years in prison.

Mr. Saeid Madani was arrested on 16 May 2022, was tried on 9 November 2022 and sentenced to eight years and one year of imprisonment respectively for allegedly establishing and managing anti-Government groups and spreading propaganda against the State. One of Mr. Madani's lawyers has also been arrested. Despite being arrested long before the current protests in Iran, the Deputy Minister of Intelligence recently named him as one of the leaders of the protests who through his research contributed purposefully to the creation of networks and the emergence of protest movements.

#### *Case of Ms. Mozghan Kavusi*

Ms. Mozghan Kavusi, a Kurdish researcher, writer, and documentary maker, was arrested on 22 September 2022, after security forces raided her home in Noshahr, Mazandaran. On 27 October 2022, she was transferred to Tonekabon Prison after completing the interrogation, and on 16 December 2022, she was moved to Qaem Shahr Prison. Ms. Kavusi was charged with "Spreading Corruption on Earth" by Sari Revolutionary Court in the initial hearing. The Nowshahr Prosecutor's Office accused her of "provoking people to depravity by publishing posts on social media" as part of this charge. However, on 29 December 2022, she was acquitted of the charge of "spreading corruption on earth," and her sentence was reduced to five years and five months in prison with the following details: 39 months for "assembly and collusion," 18 months for "insulting the Supreme Leader of Iran," and 8 months for "propaganda against the state." Ms. Kavusi was temporarily released on bail on 4 January 2023.

#### *Case of Ms. Raha Asgarizadeh*

Ms. Raha Askarizadeh, a photographer and woman human rights defender was arrested at Khomeini International Airport on 28 November 2019 and was transferred to Ward 209 of Evin Prison run by the Ministry of Intelligence. Security forces also confiscated her personal belongings (a number of books, CDs, and photographs) and some electronics, including her sister's laptop and external hard drive. While in detention in Branch 2 of Evin Prison, she was charged with "acting against national security through meetings and collusion." Branch 15 of the Islamic Revolutionary Court presided over by Judge Abolghasem Salavati, who sentenced her to two years in prison on the same charges. The same court also sentenced her to a two-year ban on press activity, presence on social media and political groups, and a two-year ban on leaving the country. On 8 January 2021, the Tehran Court of Appeals upheld the verdict of the initial court. Ms. Askarizade was also reportedly banned from traveling,

activity on social media and participation in political and press groups for an additional two-years once she has fully served her two-year prison sentence. She was released on bail 31 December 2019. On 7 April 2022, Ms. Raha Askarizadeh was summoned to start serving a two-year prison sentence.

*Case of Ms. Sepideh Qolijan*

Ms. Sepideh Qolijan, who is 26-years-old, is a labor rights activist and an Iranian Woman Human Rights Defender. She is currently serving a five-year prison sentence in Evin Prison. She began serving this sentence in June 2020. She has been arrested on numerous occasions. In November 2018 she was arrested in Shush city, during labor rights protests and detained for a month. She was released on bail a month later, pending trial. After her release, she spoke up about the ill-treatment and torture of political prisoners, which resulted in another arrest on 20 January 2019 and a ten-month detention. She was eventually released in October 2019 pending trial and after posting bail. On 10 August 2019, she was charged with security related offences by Branch 28 of Islamic Revolutionary Court headed by Judge Mogheyseh. On 14 December 2019, Tehran Appellate Court (Branch 36) upheld her sentence of five years' imprisonment for "assembly and collusion against national security"

*Case of Ms. Alieh Motalebzadeh:*

Ms. Alieh Motalebzadeh is a woman human rights defender who is serving a three-year prison sentence in Evin Prison. Ms. Motalebzadeh reportedly attempted suicide in protest of the severe security pressure on political prisoners following the fire in Evin prison on 15 October 2022 as well as the termination of contact and meetings of prisoners with their family members. On 15 August 2017, Ms. Alieh Motalebzadeh was sentenced to three years in prison by Branch 26 of the Revolutionary Court on charges of "assembly and collusion against national security" and "disseminating propaganda against the state". The sentence was upheld by Branch 36 of the Court of Appeals of Tehran Province headed by Judge Seyyed Ahmad Zargar. She was accused of "organizing and participating in women's empowerment workshops abroad". She began serving her two-year prison sentence on 11 October 2020 and was subsequently issued an additional year of prison in relation to new charges. She was allowed a five-day furlough in May 2021, but has been denied furlough ever since.

*Case of Ms. Narges Mohammadi:*

Prominent woman human rights defender, Ms. Narges Mohammadi, is currently serving several prison terms. On 9 October 2022, she was sentenced to fifteen months in prison, followed by a two-year travel ban, a two-year ban on joining political and social groups, community service cleaning trash from streets and cities with no inhabitants, and regularly reporting to the police for a 2-year term. Prior to this, Ms. Mohammadi had been sentenced in two different cases, including one in which she was sentenced to thirty months in prison and

80 lashes and another one in which she was sentenced to six years in prison and 70 lashes. All these sentences were issued in absentia as, in protest, Ms. Mohammadi has refused to show up for court hearings, and has claimed that she does not view the courts and their rulings as legitimate. She has been arrested on multiple occasions and had already served six years in prison between 2015 and 2021. Ms. Mohammadi was last detained on 16 November 2021, while attending an event to commemorate the death of a protester killed in November 2019. She is currently serving her multiple prison terms.

*Cases of harassment and intimidation of BBC News Persian staff and their families*

Journalists of BBC News Persian, particularly women journalists, and their families, both within and outside Iran, have reportedly been systematically targeted by Iranian authorities. The harassment includes intimidation of family members of journalists who reside in Iran, increased financial pressure (in the form of asset freezing), criminal investigations into activities of journalists and other staff working for BBC News Persian and the use of counter-intelligence activity aimed at undermining the professional reputation of BBC News Persian staff, and online attacks via social media. According to reports, this harassment has spiked in times of turmoil such as the recent protests in the aftermath of the killing of Mahsa Zhina Amini, as well as the nationwide protests in Iran in November 2019.

While we do not wish to prejudge the accuracy of the above-mentioned allegations in relation to the 16 individuals mentioned above, 13 of which are women, we are concerned at the number and scale of recent and past cases, and patterns of alleged arbitrary arrest and subsequent detention without access to basic safeguards including access to a lawyer, in addition to serious allegations of torture or inhuman treatment prior to or after arrest and detention, including sexual torture. We are further concerned at the lack of access to medical treatment. These concerns are compounded by the increased risk faced by women human rights defenders, protesters, journalists, and their families of being subjected to arbitrary detention, enforced disappearance and torture or other cruel, inhuman or degrading treatment or punishment.

We also raise our concerns about arrests without a warrant, lack of due process and imprisonment, which is incompatible with international human rights law. We reiterate our concerns about the number of cases of women human rights defenders who have been targeted and arrested for their political beliefs and advocacy efforts in recent months, in public spaces, including online.

We express concerns about the reported physical and sexual violence against women, during the protests and in detention, and the denial of their fundamental human rights and dignity when enforcing gender-discriminatory policies, including regarding the compulsory hijab. We are equally alarmed at the reported high number of alleged arbitrary arrests, some of which may amount to enforced disappearance of peaceful protesters in general, and women in particular.

We express great concern about the deliberate targeting of journalists and the discrediting and criminalization of legitimate journalistic work. We urge your Excellency's Government to immediately release all journalists and media workers detained for doing their job, to uphold media freedom, including by ensuring the safety of journalists and ceasing the harassment of journalists both inside and outside Iran. We are also alarmed by the efforts to silence media coverage about Iran from abroad, *inter alia* through harassment and intimidation of Iranians with ties to foreign countries and media outlets operating from outside Iran. 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 sent on 18 December 2019; with specific concerns about harassment and threats of BBC Persian Service staff raised in joint communications IRN 10/2022; IRN 4/2020; IRN 29/2017; and IRN 4/2017, sent on 28 July 2022, 5 March 2020, 24 October 2017 and 27 January 2017. We regret that, to date, we have not received responses to those communications. This issue has also been raised by the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran in reports to the 40th and 49th Human Rights Council Sessions in 2019 (A/HRC/40/67) and 2022 (A/HRC/49/75), and a report to a General Assembly in 2019 (A/74/188).

The reported allegations would be in contravention of the rights of every individual to life, physical integrity, and recognition as a person before the law, the absolute prohibition of torture and other cruel, inhuman or degrading treatments or punishment, and of arbitrary deprivation of liberty, to humane treatment when deprived of liberty, and of enforced disappearance, and the right to equal recognition before the law, as laid down, *inter alia*, in articles 3, 5, 6, 9 and 14 of the Universal Declaration of Human Rights (UDHR), as well as articles 6, 7, 9, 10, 14, 16, 17, 19, 24, 26 and 27 of the International Covenant on Civil and Political Rights (ICCPR), ratified by your Excellency's Government on 24 June 1975. We remind that the right to life, the right not to be subjected to torture and the prohibition of enforced disappearance are *jus cogens* norms, also enshrined in international customary law, from which no derogation is permitted, regardless of contexts of internal political instability or any other public emergency (Human Rights Committee, General comment No. 36, paragraph 2). The Islamic Republic of Iran, as a State party to the ICCPR, is required to undertake all necessary measures to prevent arbitrary deprivation of life by law enforcement officials. The duty to protect the life of all detained individuals includes providing them with the necessary medical care and appropriate regular monitoring of their health. A heightened duty to protect the right to life also applies to individuals quartered in liberty-restricting State-run facilities, such as mental health facilities (Human Rights Committee, General comment No. 36).

According to the Human Rights Committee, the ICCPR requires States parties to ensure that individuals have accessible and effective remedies to vindicate their rights as provided under the Covenant and that there is a general obligation to investigate allegations of violations promptly, thoroughly and effectively through independent and impartial bodies (see CCPR/C/21/Rev.1/Add.13, para. 15). Where investigations find

human rights violations, States parties must ensure that those responsible are brought to justice. Importantly, investigations should explore, inter alia, the legal responsibility of superior officials with regard to violations of the right to life committed by their subordinates. They must be aimed at ensuring that those responsible are brought to justice, at promoting accountability and preventing impunity, at avoiding denial of justice and at drawing necessary lessons for revising practices and policies with a view to avoiding repeated violations. Also, under international law, States have a duty to investigate allegations of enforced disappearance, acts of torture and other cruel, inhuman or degrading treatment or punishment via prompt, independent, transparent and impartial investigations wherever there is a 'reasonable ground' to believe that one of these crimes has been committed even in the absence of a formal complaint. We would like to recall that article 19 of the ICCPR guarantees the right to opinion and expression. In the General comment 34, the Human Rights Committee stated that States parties to the ICCPR are required to guarantee the right to freedom of opinion and expression, including inter alia 'political discourse, commentary on one's own and on public affairs, canvassing, discussion of human rights, journalism', subject only to admissible restrictions as well as the prohibition of propaganda for hatred and incitement to hatred, violence and discrimination.

Restrictions on the right to freedom of expression must be compatible with the requirements set out in article 19 (3), that is, they must be provided by law, pursue a legitimate aim, and be necessary and proportionate. The State has the burden of proof to demonstrate that any such restrictions are compatible with the Covenant. In her report A/HRC/50/29, the Special Rapporteur for the right to freedom of opinion and expression expressed her concern about the criminalization of journalists including through laws that prohibit the criticism of state institutions or officials, negatively impacting media freedom and damaging democratic discourse and public participation.

We further recall that sanctions should not be misused against individuals peacefully exercising their rights to freedom of expression as well as of peaceful association and assembly. We express our concern about the alleged misuse of state security powers to limit the legitimate exercise of their fundamental freedoms.

We would like to refer your Excellency's Government to article 12, in conjunction with article 2, of the International Covenant on Economic, Social and Cultural Rights (ICESCR), ratified by the Islamic Republic of Iran on 24 June 1975, which establishes the obligation for State Parties to respect the right to health without discrimination by, inter alia, refraining from denying or limiting equal access for all persons, including those deprived of their liberty, to preventive, curative and/or palliative health services.<sup>1</sup> The CESCR interprets the right to health as "an inclusive with extending not only to timely and appropriate health care but also to the underlying determinants of health, such as access to safe and potable water and adequate sanitation, an adequate supply of safe food [and] nutrition" among others (CESCR, General comment No. 14, para. 11).

---

<sup>1</sup> See Committee on Economic, Social and Cultural Rights (CESCR), General Comment No. 14, The right to the highest attainable standard of health (article 12 of the International Covenant on Economic, Social and Cultural Rights), E/C.12/2000/4: <https://digitallibrary.un.org/record/425041?ln=en>

In addition, we would like to underline the Basic Principles for the Treatment of Prisoners, adopted by the General Assembly in resolution 45/111, according to which prisoners are to be treated humanely and should have access to health services available in the country without discrimination on the grounds of their legal situation (principle 9).

Additionally, we would like to refer to the Mandela Rules, adopted unanimously by the UN General Assembly (A/RES/70/175), which recognize the responsibility of States to provide health care for prisoners, free of charge without discrimination (rule 24), paying special attention to those with special healthcare needs or with health issues that hamper their rehabilitation (rule 25) and indicate that prisoners requiring specialized treatment shall be transferred to specialized institutions or to civil hospitals (rule 27). In prison, women face significant challenges in accessing health care and are extremely vulnerable to different forms of violence in these institutions. Clear policies and regulations on the conduct of prison staff aimed at providing maximum protection for women prisoners from any gender-based physical or verbal violence, abuse and sexual harassment shall be developed and implemented. We wish to also remind rule 46 that stresses that health-care personnel shall “pay particular attention to the health of prisoners held under any form of involuntary separation, including by visiting such prisoners on a daily basis and providing prompt medical assistance and treatment at the request of such prisoners or prison staff” and that “[h]ealth-care personnel shall report to the prison director, without delay, any adverse effect of disciplinary sanctions or other restrictive measures on the physical or mental health of a prisoner subjected to such sanctions or measures and shall advise the director if they consider it necessary to terminate or alter them for physical or mental health reasons.” The United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders ('the Bangkok Rules') provide providing for the specific characteristics and needs of women deprived of liberty.

We would also like to refer to the report of the former Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, in which the Special Rapporteur made reference to the fact that “[i]n contexts of confinement and deprivation of liberty, violations of the right to health interfere with fair trial guarantees, the prohibition of arbitrary detention and of torture and other forms of cruel, inhuman or degrading treatment, and the enjoyment of the right to life” and that [v]iolations of the right to health emerge as both causes and consequences of confinement and deprivation of liberty”. The Special Rapporteur also stressed that “for the right to health to be enjoyed in detention centres, health-care facilities, goods and services must be available, accessible, acceptable and of good quality”; and urged States to “[f]ully abide by, and implement, the Nelson Mandela Rules, in particular as regards the provision of health care in prisons”.<sup>2</sup>

---

<sup>2</sup> See Report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, A/HRC/38/36, para. 18: <https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2F38%2F36&Language=E&DeviceType=Desktop&LangRequested=False>

We also like to bring to your Excellency's Government attention the legal and procedural safeguards against torture and ill-treatment including the right to legal counsel and to contact one's family from the outset of arrest provided in the UN Body of Principles for the Protection of Persons under Any Form of Detention or Imprisonment (Body of Principles). According to body of principles the "Communication of the detained or imprisoned person with the outside world, and in particular his family ... shall not be denied for more than a matter of days." (principle 15). Notwithstanding, the right to immediately inform a person of his choice of the arrest (principle 16.1) and to further correspond with family "detained or imprisoned person shall have the right to be visited by and to correspond with, in particular, members of his family and shall be given adequate opportunity to communicate with the outside world." (principle 19). We also refer to paragraph 28 of the General Assembly resolution 68/156 (2014), which emphasizes that conditions of detention must respect the dignity and human rights of persons deprived of their liberty and calls upon States to address and prevent detention conditions that amount to torture or cruel, inhuman or degrading treatment or punishment. These rights, in addition to the right of detainees to safely submit a complaint and having it examined promptly by the competent authorities are reiterated in Mandela Rules 56, 57 and 58, respectively. Furthermore, Solitary confinement should only be used in exceptional cases, as a measure of last resort, and for no longer than 15 days, with due consideration to the absolute prohibition of solitary confinement for persons suffering of mental or physical disabilities, children and pregnant (Mandela Rule 45).

Moreover, we wish to refer to the report of the former Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health( A/HRC/38/36), in which he makes reference to the fact that "[i]n contexts of confinement and deprivation of liberty, violations of the right to health interfere with fair trial guarantees, the prohibition of arbitrary detention and of torture and other forms of cruel, inhuman or degrading treatment, and the enjoyment of the right to life" and that [v]iolations of the right to health emerge as both causes and consequences of confinement and deprivation of liberty". He also stresses that "for the right to health to be enjoyed in detention centres, health-care facilities, goods and services must be available, accessible, acceptable and of good quality". In addition, the Special Rapporteur urges States to "[f]ully abide by, and implement, the Nelson Mandela Rules, in particular as regards the provision of health care in prisons".

We also wish to bring to your Excellency's Government's attention General comment No. 14 adopted by CESCR, which interprets the right to health as "an inclusive with extending not only to timely and appropriate health care but also to the underlying determinants of health, such as access to safe and potable water and adequate sanitation, an adequate supply of safe food [and] nutrition" among others (CESCR, General comment No. 14, para. 11).

The Working Group on discrimination against women and girls also noted in its thematic report on women deprived of their liberty (A/HRC/41/33) that deprivation of liberty is deeply linked to gender and that women experiencing intersectional forms of discrimination are more vulnerable to discriminatory norms and practices. The Working

Group also underlined that women human rights defenders, perceived as challenging traditional notions of family and gender roles in society, are increasingly at risk of facing criminalisation and detention as a result of their legitimate public activism, including online activism, and are likely to be subject to criminal prosecution and imprisonment. It recommended that States support women's participation in public and political life, and eliminate any laws or policy measures aimed at criminalizing women's public role.

We wish to draw your attention to General Assembly resolution 68/181, in which it expressed particular concern about systemic and structural discrimination and violence faced by women human rights defenders. States should take all necessary measures to ensure the protection of women human rights defenders and to integrate a gender perspective into their efforts to create a safe and enabling environment for the defence of human rights. This should include the establishment of comprehensive, sustainable and gender-sensitive public policies and programmes that support and protect women defenders (OP5, 19 and 20).

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 and fundamental freedoms, including the rights to non-discrimination and equality set out in 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 further would like to draw your attention to Human Rights Council resolution 31/32, in which States expressed particular concern about systemic and structural discrimination and violence faced by women human rights defenders. States should take all necessary measures to ensure the protection of women human rights defenders and to integrate a gender perspective into their efforts to create a safe and enabling environment for the defence of human rights. This should include the establishment of comprehensive, sustainable and gender-sensitive public policies and programmes that support and protect women defenders. Such policies and programmes should be developed with the participation of women defenders themselves.

We would also like to recall to your Excellency's Government that the Working Group on discrimination against women and girls, in its report on participation in public life (A/HRC/23/50) stated that women human rights defenders are often the target of gender-specific violence such as intimidation, attacks, and death threats which are sometimes condoned or perpetrated by State actors. The Working Group has further called upon States to eliminate all forms of violence against women in order to fulfil women's human rights and to improve the enabling condition for women's participation in political and public life. In addition to these provisions, we would like to remind your Excellency's Government of the General Assembly resolution 68/181, on the protection of women human rights defenders. Specifically, we would like to refer to articles 7, 9 and 10, whereby States are called upon to, respectively, publicly acknowledge the important role played by women human rights defenders, take practical steps to prevent threats, harassment and violence against them and to combat impunity for such violations and abuses, and ensure that all legal provisions, administrative measures and



policies affecting women human rights defenders are compatible with relevant provisions of international human rights law.

We would like to further recall to your Excellency's Government that the Working Group on discrimination against women and girls, in its report on Girls' and young women's activism (A/HRC/50/25) expressed that young women are mobilizing worldwide to demand and catalyse change on critical global issues. They are at the forefront of initiatives aimed at transforming societies towards social justice, gender equality and sustainability. The realization of girls' and young women's human right to participate in public and political life, including organizing and engaging actively with a variety of State and non-State actors, is essential for the protection of their human rights. The Working Group has called on States to ensure that mechanisms are in place to solicit the views of girls and young women in all matters of public interest affecting them directly or indirectly and to give due weight to those views.

Furthermore, in her report on violence against women in politics (A/73/301), the Special Rapporteur on violence against women, its causes and consequences, stated that women in politics that are dissenting or hold controversial views are deemed to be more exposed to risks of gender-based violence than others. She further highlighted that while men and women can both experience violence in politics, such acts of violence against women target them because of their gender and take gender-based forms, such as sexist threats or sexual harassment and violence. She highlighted that the latter "aim is to discourage women from being politically active and exercising their human rights and to influence, restrict or prevent the political participation of individual women and women as groups".

We would also like to remind your Excellency's Government that article 9 of the ICCPR guarantees the right not to be subjected to arbitrary arrest or detention, and that the prohibition of arbitrary detention is absolute. We also recall that the arrest or detention of an individual as punishment for the legitimate exercise of the rights guaranteed by the ICCPR, including the right to freedom of expression and opinion (art. 19), the right of peaceful assembly (art. 20), and the right to freedom of association (art. 21) is arbitrary (see CCPR/C/GC/35, para. 17 and the jurisprudence of the Working Group on Arbitrary Detention). In addition, as reiterated by the Working Group on Arbitrary Detention, a deprivation of liberty is arbitrary when it constitutes a violation of international law on the grounds of discrimination, including discrimination based on gender or political or other opinion.

The reported serious human rights violations and impunity for such violations during the ongoing protests indicate a reoccurring pattern of State practice. Past demonstrations have seen similar acts of repression and violence against protesters from the authorities, with a use of excessive force and exacerbated forms of gender-based violence, resulting in deaths and injuries of protesters, including women. In this regard, we are concerned that the lack of holding accountable State actors involved in the excessive lethal use of force and resulting arbitrary killings may create an enabling environment in which the violations outlined may be repeated.

We also draw your Excellency's Government's attention to the United Nations Declaration on the Protection of All Persons from Enforced Disappearances, which establishes that no State shall practice, permit or tolerate enforced disappearances. We further recall that the Declaration sets out the necessary guarantees to be offered by the State, in particular, its articles 3, 7, 9 to 13 and 19. We also recall the General comment on women affected by enforced disappearances which emphasizes that a gender perspective is crucial in explaining, understanding and dealing with unique disadvantages and obstacles that women face in the exercise of their human rights. We also make reference to the Working Group's study on Enforced disappearance and economic, social and cultural rights (A/HRC/30/38/Add.5), in particular paragraph 33-37 which highlights the chilling effect of the disappearance of journalists and human rights defender and states are called on to, "ensur[e] the existence of and respect for cultural diversity and the existence of space where multiple opinions, positions and interpretations of history can find their expression in the public sphere diminishes the level of vulnerability of those questioning in one way or another mainstream ideas and positions, and so prevents against targeting of human rights defender" (para. 49).

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.

**Under these circumstances, we respectfully call on your Excellency's Government to immediately provide access to adequate medical attention to all persons included in this communication and to immediately inform families of Mr. Younes Mashayekhi, Ms. [REDACTED] and Ms. [REDACTED] about their current whereabouts and the legal charges pressed against them. We also call on your Excellency's Government to stop any criminalisation of peaceful protesters or their family members and to end intimidation, punishment of protestors that cause severe physical or mental pain and suffering. In addition, we request the competent authorities to immediately initiate impartial investigations into the above-mentioned allegations, which amount to torture or cruel, inhuman or degrading treatment or punishment, prosecute those responsible and provide redress and compensation to victims. We also reiterate the long-standing call on the Government of the Islamic Republic of Iran to end discrimination in law and in practice against women and girls and the use of excessive force against Iranians, including women and girls that challenge the discriminatory institutional policies, including those pertaining to the dress code. We, moreover, call on your Excellency's Government to adopt all necessary measures to prevent any irreparable harm to the life and personal integrity of persons deprived of their liberty.**

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. Please provide any additional information and any comment you may have on the above-mentioned allegations.
2. Please provide information on the factual and legal basis for the arrest and detention of Mr. Younes Mashayekhi, Ms. [REDACTED] and Ms. [REDACTED], and explain how this is compatible with Iran's obligations under international law as stated above.
3. Please provide detailed information on the state of health of the detained persons and on the measures taken to ensure that they have adequate access to medical care and treatment, including for victims of reported sexual violence.
4. Please provide detailed information on the legal and procedural safeguards granted to the above-mentioned individuals from the outset of their arrest, including their access to a lawyer, to a medical doctor and to their families. Please also clarify any delays in the provision of such safeguards.
5. Please provide detailed information, and where available the results, of any investigation carried out in order to search for, and clarify the fate and whereabouts of those who appear to be subjected to enforced disappearance. If no investigation has been initiated, please explain why and how this is compatible with the international human rights obligations of Iran.
6. Please provide details, and where available, the results of any investigation and judicial or other inquiry undertaken in relation to the allegations of excessive use of force, torture and other cruel, inhuman or degrading treatment or punishment and unlawful killings in the context of the above- mentioned demonstrations, including the steps taken to bring to account the alleged perpetrators, including those who ordered the violations. If no independent and impartial investigations have been carried out, please explain why. Please provide information on any reparations provided to the victims of the above violations in the contexts of the protests.
7. Please provide further information on the measures taken by the Iran authorities to prevent the alleged re-occurrence of excessive use of force, torture and other cruel, inhuman or degrading treatment or punishment and unlawful killings in the context of the above- mentioned demonstrations.
8. Please indicate what measures have been taken to ensure that human rights defenders in general, and women and minorities human rights defenders in particular, and other civil society actors, including

journalists and lawyers, in Iran are able to carry out their legitimate work in a safe and enabling environment without fear of threats or acts of intimidation and harassment of any sort.

9. Please provide information on the arrest of journalists in the context of the demonstrations and how this complies with international human rights law.
10. Please provide detailed information on the right of the above-mentioned individuals, including other detained protesters to lodge a complaint and have their complaints investigated promptly and impartially, by the competent judicial authorities.
11. Please provide information on where detained protesters, human rights defenders, journalists and in particular women human rights defenders are being held, including the names of the facilities and the number of detainees held in each facility vis-a-vis its official capacity, and the charges they are held under. Please also provide information as to what measures have been taken to ensure that the rights of all detained individuals to due process and a fair trial have been respected, and how such measures comply with the obligations of your Excellency's Government under international human rights law.

While awaiting a reply, we urge that all necessary interim measures be taken to prevent any irreparable harm to the life and the personal integrity of the persons concerned 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 also urge the authorities to publicly condemn the violence against peaceful protesters, to establish clear guidelines for the intervention of the authorities in said protests with focus on peaceful and non-violent means, and to immediately remove the military and security units and personnel allegedly involved in the human rights violations from managing or policing the protests.

We would like to bring to the attention of your Excellency's Government that should sources submit the allegations of disappearances for the consideration of the Working Group on Enforced or Involuntary Disappearances under its humanitarian procedure, the case will be examined by the Working Group according to its methods of work, in which case your Excellency's Government will be informed by separate correspondence.

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.

Aua Baldé

Chair-Rapporteur of the Working Group on Enforced or Involuntary Disappearances

Irene Khan

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

Clement Nyaletsossi Voule

Special Rapporteur on the rights to freedom of peaceful assembly and of association

Tlaleng Mofokeng

Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health

Mary Lawlor

Special Rapporteur on the situation of human rights defenders

Javaid Rehman

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

Fernand de Varennes

Special Rapporteur on minority issues

Alice Jill Edwards

Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment

Reem Alsalem

Special Rapporteur on violence against women and girls, its causes and consequences

Dorothy Estrada-Tanck

Chair-Rapporteur of the Working Group on discrimination against women and girls