

Mandates of 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 independence of judges and lawyers; the Special Rapporteur on violence against women, its causes and consequences; Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment 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 right of everyone to the enjoyment of the highest attainable standard of physical and mental health; Special Rapporteur on the independence of judges and lawyers; Special Rapporteur on violence against women, its causes and consequences; Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment and Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, pursuant to Human Rights Council resolutions 24/6, 26/7, 23/25, 25/13 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 arrest and detention of Ms. **Nazanin Zaghari-Ratcliffe**.

Ms. Nazanin Zaghari-Ratcliffe, aged 37, is a project manager for the Thomson-Reuters Foundation, where she deals with training projects. She is a dual Iranian-British national and her daughter, [REDACTED], is a British citizen.

According to the information received:

On 3 April 2016, Ms. Zaghari-Ratcliffe was reportedly detained by security agents at Imam Khomeini Airport in Tehran, as she was getting ready to return to the United Kingdom with her 22-month old daughter, [REDACTED]. The two had been visiting family in Iran for approximately two weeks. At the moment of their arrests, authorities confiscated their passports, and Ms. Zaghari-Ratcliffe was forced to give her daughter to her family before going into custody.

Ten days after her arrest, authorities reportedly informed Ms. Zaghari-Ratcliffe's family by telephone that she was in the custody of the Revolutionary Guards for reasons of national security, and that she had been transferred to a detention facility in the southeastern city of Kerman (approximately 1000 kilometers southeast of Tehran). On 15 June 2016, the Intelligence Unit of Kerman's Revolutionary Guards issued a statement confirming they had arrested Ms.

Zaghari-Ratcliffe and transferred her to Kerman for investigations, where she was allowed "regular telephonic contact and visits" with her family. In the statement the Revolutionary Guards accused her of plotting the "soft overthrow of the Islamic Republic" through "membership in foreign companies and institutions." It is not known where Ms. Zaghari-Ratcliffe is currently being detained. On 26 June 2016, State media quoted judiciary officials saying that Ms Zaghari-Ratcliffe was arrested for her involvement in the 2009 post-election unrests.

Ms. Zaghari-Ratcliffe is believed to have spent, at least, 45 days in solitary confinement, during which time she was interrogated by the authorities, before being transferred to the women's wing of the Central Prison in Kerman. She allegedly suffered from severe weakness and blackouts on at least two occasions during her time in solitary confinement.

It appears that Ms. Zaghari-Ratcliffe has not been able to speak to, or meet with, a lawyer since her arrest. On 11 May 2016, the authorities allowed her family, including her daughter, to meet with her in Kerman, but they have not seen her in person since that visit. Ms. Zaghari-Ratcliffe has been allowed to speak to her family by telephone on several occasions, but the communication has been irregular and unpredictable.

We wish to express serious concern at the arrest and detention of Ms. Zaghari-Ratcliffe without due process, charge and trial as well as without contact with her legal representative. Grave concern is expressed about the physical and psychological integrity of Ms. Zaghari-Ratcliffe due to her alleged placement in prolonged solitary confinement, and the restrictions imposed on family visits, all of which has had detrimental consequences on her health condition.

While we do not wish to prejudge the accuracy of these allegations, we would like to appeal to your Excellency's Government to take all necessary measures to guarantee the right of Ms. Zaghari-Ratcliffe not to be deprived arbitrarily of her liberty and to fair proceedings before an independent and impartial tribunal, in accordance with articles 9 and 14 of the International Covenant on Civil and Political Rights (ICCPR) ratified by Iran on 24 June 1975 and articles 9, 10 and 11 of the Universal Declaration of Human Rights (UDHR). The right to have access to a lawyer is also enshrined in the Basic Principles on the Role of Lawyers, in particular principles 7 and 8.

We would furthermore like to remind the Government of the Islamic Republic of Iran of the absolute and non-derogable prohibition of torture and cruel, inhumane or degrading treatment or punishment, as codified, inter alia, in the ICCPR and, in Human Rights Council Resolution 25/13 and in paragraph 1 of General Assembly Resolution 68/156. In particular, with regards to the placement of Ms. Zaghari-Ratcliffe in prolonged solitary confinement and the resulting deterioration of her health condition, we would like to refer Your Excellency's Government 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 (beyond 15 days) in itself runs afoul of the absolute prohibition of torture and other ill-treatment. Furthermore, we would like to recall the updated United Nations Standard Minimum Rules for the Treatment of Prisoners (the Mandela Rules, 2015) which lay out generally accepted principles and practice in the treatment of prisoners and prison management. In particular, we would like to refer to Rules 43.1(b), 43.3, 44, 45 and 46 which refer to the use of disciplinary sanctions or restrictive measures, including solitary confinement, and the role of health-care personnel regarding any adverse effect of disciplinary sanctions or other restrictive measures on the physical or mental health of prisoners subjected to such sanctions or measures.

The full texts of the international 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 would appreciate a response on the initial steps taken by your Excellency's Government to safeguard the rights of Ms Zaghari-Ratcliffe 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 the details of the proceedings against Ms. Zaghari-Ratcliffe, including the charges against her and the grounds for which she has been arrested and detained.
3. Please provide detailed information on the measures taken to provide Ms. Zaghari-Ratcliffe with the guarantees of due process and fair trial, as provided in particular in articles 9 and 14 of the ICCPR. Please also explain why she has not had access to legal counsel.
4. Please provide detailed information on whether Ms. Zaghari-Ratcliffe has had adequate access to family members and medical personnel in detention, including number of visits, purpose, and duration.
5. Please indicate what measures have been taken to ensure the physical and psychological integrity of Ms. Zaghari-Ratcliffe while in detention, in particular during the time she was held in prolonged solitary confinement.

6. Please indicate which measures your Excellency's Government has adopted to respect and protect Ms. Zaghari-Ratcliffe's in compliance with international human rights norms and standards.

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

We also take this opportunity to inform your Excellency's Government that a copy of this letter will be shared with the authorities of the United Kingdom of Great-Britain and Northern Ireland.

Your Excellency's Government's response will be made available in a report to be presented to the Human Rights Council for its consideration.

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

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

Mónica Pinto

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