

Briefing on individuals detained in Iran, in violation of their human right to freedom of religion or belief and free expression

The Iranian government has arrested and sentenced to death countless human rights defenders, peaceful activists, journalists and bloggers over the years on the basis of posts made online which are found to insult Islam or are more broadly critical of the Iranian regime.

Under normal circumstances, those imprisoned for crimes of conscience in Iran face appalling prison conditions. Instances of torture and denial of subsequent medical care are commonplace.¹ Many of those in prison feel they have no option but to undertake life-threatening hunger strikes in protest.² In light of the rapid spread of COVID-19 in Iran, the threats to these individuals are even more pronounced. We seek to highlight the plight of the following detained individuals who we understand are not amongst the 100,000 inmates who have been granted clemency or temporary release by the Iranian government during the COVID-19 outbreak.³

All states are obliged by international law to protect the right to life of citizens, and to avoid preventable deaths when individuals are placed in their custody. International law is clear that aside from being deprived of liberty, people in prison have the same rights as everyone else.

The Human Rights Committee stresses in [General Comment 21](#) that:

respect for the dignity of [persons deprived of their liberty] must be guaranteed under the same conditions as for that of free persons. Persons deprived of their liberty enjoy all the rights set forth in the Covenant, subject to the restrictions that are unavoidable in a closed environment.

In November 2013, Iranian blogger **Soheil Arabi** was sentenced to death for "insulting the Prophet" in Facebook posts. In July 2015, his death sentence was reduced to seven and a half years in prison

¹ See, e.g., UN Human Rights Council, *Report of the Special Rapporteur on the Situation of Human Rights in the Islamic Republic of Iran*, 24 February - 20 March 2020, UN doc no. A/HRC/43/61, pp. 12-19, <<https://undocs.org/en/A/HRC/43/61>>; Centre for Human Rights in Iran, *Letter from Evin Prison Highlights Grim Plight of Political Prisoners in Iran*, 22 February 2018, <<https://www.iranhumanrights.org/2018/02/letter-from-evin-prison-highlights-grim-plight-of-political-prisoners-in-iran/>>; Human Rights Watch, *Torture, Detention and the Crushing of Dissent in Iran*, <<https://www.hrw.org/legacy/campaigns/torture/iran/>>.

² Reporters Without Borders, *Iranian Authorities Neglect Health of Imprisoned Journalists*, 27 September 2017, <<https://rsf.org/en/news/iranian-authorities-neglect-health-imprisoned-journalists>>

³ Centre for Human Rights in Iran, *Political Prisoners Excluded from Mass Release as COVID-19 Spreads*, 6 March 2020, <<https://www.iranhumanrights.org/2020/03/political-prisoners-excluded-from-mass-release-as-more-inmates-exhibit-covid-19-symptoms/>>; Human Rights Watch, *Iran: Free Wrongfully Detained Prisoners*, 12 March 2020, <<https://www.hrw.org/news/2020/03/12/iran-free-wrongfully-detained-prisoners>>

and two years of religious studies to “cure” him of his atheism.⁴ His health has suffered greatly as a result of being tortured and severely beaten. His injuries included blunt trauma to his testicles and a broken nose, among other health complications arising from the many hunger strikes he has undertaken to protest against his continued detention. He has bravely continued his activism while in prison and has been outspoken about the dire prison conditions and the failure of Iranian authorities to adequately protect prisoners during the COVID-19 pandemic. He resumed his hunger strike on April 4 2020.⁵

In 2016, author and human rights activist **Golrokh Ebrahimi Iraee** was convicted of “insulting the sacred” based on one of her unpublished stories about stoning in which the protagonist burns a copy of the Qur’an. She was initially imprisoned in Evin prison to serve a 6 year sentence. In January 2017, she was briefly released but was arrested soon afterwards. During her imprisonment she continues to protest her treatment through repeated hunger strikes. In the latest turn of events, Ebrahimi Iraee was released on bail in April 2019, only to be arrested again in November 2019 on the basis of new charges against her of “insulting the leader”, “disturbing public opinion” and “propaganda against the state”, which originate from her protest carried out while in detention against the execution of three Kurdish dissidents. This time, she was taken to Gharchak prison, where she remains in detention.⁶

Though we are unable to establish up to date information about their current whereabouts and status, we remain concerned about the following two individuals who have been sentenced to death for crimes of apostasy or “insulting the sacred” online:

Sina Dehghan, who was sentenced to death at 21 years old for messages he sent on an instant messenger app. Sina’s court-appointed lawyer failed to adequately defend him at trial, as he failed to plead a key defence in Article 263 of the Islamic Penal Code which states that the death sentence for insulting the prophet can be reduced if the insults were the result of anger or a mistake. Furthermore, during his trial the Iranian authorities reneged on their promise to Sina that he would be pardoned if he signed a confession and showed remorse. They instead used his subsequent confession to justify the death sentence against him, which was upheld by the Supreme Court in January 2017⁷ Sina’s co-defendant **Mohammed Nouri**, was also sentenced to death in February 2017 for “insulting the prophet” on social media.⁸

⁴ Iran Prison Atlas, *Profile of Soheil Arabi*, <<https://ipa.united4iran.org/en/prisoner/1917/>>; International Liberty Association, *Prisoner of Conscience, Soheil Arabi, Sentenced to extra 3 years imprisonment*, 4 October 2018, <<https://ilibrary.org.uk/prisoner-of-conscience-soheil-arabi-sentenced-to-extra-3-years-imprisonment/>>.

⁵ New Humanists, *Thousands were released in Iran, but not atheist prisoner Soheil Arabi*, 16 April 2020, <<https://newhumanist.org.uk/articles/5606/thousands-were-released-in-iran-but-not-atheist-prisoner-soheil-arabi>>.

⁶ Front Line Defenders, *Imprisonment of Golrokh Ebrahimi Iraee*, <<https://www.frontlinedefenders.org/en/case/imprisonment-golrokh-ebrahimi-irae>>; Iran Prison Atlas, *Profile of Golrokh Ebrahimi Iraee* <<https://ipa.united4iran.org/en/prisoner/761/>>.

⁷ Article 19, *Iran: Death sentence imposed on Sina Dehghan is an affront to Iran’s own criminal code*, 29 March 2017, <<https://www.article19.org/resources/iran-death-sentence-imposed-sina-dehghan-affront-irans-criminal-code/>>; Iran Prison Atlas, *Profile of Sina Dehghan*, <<https://ipa.united4iran.org/en/prisoner/2734/>>.

⁸ Iran Prison Atlas, *Profile of Mohammed Nouri*, <<https://ipa.united4iran.org/en/prisoner/2773/>>.