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Iran: Rights Defenders Sentenced for Questioning Covid Policies

Arbitrary Arrest and Unfair Prosecution
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(Beirut) – Iranian authorities sentenced five prominent human rights defenders to prison on June 19, 2022, for attempting to file a legal complaint against government agencies and officials for mismanagement of the Covid-19 crisis, Human Rights Watch said today. The authorities should quash the convictions of the human rights defenders, which are unjust.

Branch 29 of Tehran’s revolutionary court sentenced Mehdi Mahmoudian and Mostafa Nili to four years in prison and a two-year ban from media appearances,

Babak Paknia, Mahmoudian’s lawyer, told *Emtedad* news outlet. The court also sentenced the three other defendants, Arash Keykhosravi, Mohammadreza Faghihi, and Maryam Afrafaraz to two years, one year, and 95 days in prison respectively, and imposed a two-year ban on practicing law against Nili and one-year legal practice ban against Keykhosravi. Paknia said that the defendants are planning to appeal their convictions.

“Sending human rights defenders to prison for attempting to hold the government accountable for its dismal mismanagement of the Covid-19 crisis is sadly an unsurprising outcome in Iran,” said Tara Sepehri Far, Senior Iran Researcher at Human Rights Watch. “Iranian judicial authorities seem more concerned with protecting the state from scrutiny than delivering justice for ordinary people.”

On August 14, 2021, Iranian authorities arbitrarily arrested seven human rights defenders, four of them lawyers, as they prepared to file the complaint in court under Iranian law, over the authorities’



Paramedics work in a laboratory that tests samples taken from patients suspected of being infected with the new coronavirus, in the southwestern city of Ahvaz, Iran, March, 10, 2020.

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mismanagement of the pandemic response. The complaint was against the country's national task force against Covid-19, including the health minister and other officials.

Two rights defenders, Leila Heydari and Mohammad Hadi Erfanian, both lawyers, were released without charge after a few hours. The five others initially faced charges that included "establishing an illegal group" and "propaganda against the state." Keykhosravi, Nili, Faghihi, and Afrafaraz were released on bail in August 2021 while Mahmoudian remains in prison.

Mahmoudian is currently serving a four-year prison sentence he previously received on politically motivated charges of "propaganda against the state," and "assembly and collusion to act against national security." The charges were brought for his peaceful support for victims of state repression including for calling for a vigil for the victims of the Iranian Revolutionary Guard's downing of Ukraine International Airlines Flight 752 in January 2020. Mahmoudian should be freed, and his 2020 conviction should also be quashed, Human Rights Watch said.

On April 16, a judge at branch 29 of Tehran's revolutionary court dropped previous charges against the group but introduced the new charge of "assembly and collusion to act against national security" that can carry a penalty of up to five years in prison. This is the offense the five were convicted of in June. The judge reportedly did not allow Paknia, Mahmoudian's lawyer, to attend the second session of the trial, compromising Mahmoudian's right to an effective defense.

Paknia told *Emtedad* news that the judge also refused to allow the trial to be public. Under Iran's criminal procedure law, court hearings should be public unless they are for "forgivable crimes," such as certain categories of robbery, harassment, and intentional harm to property, or those that "disturb public safety or religious or ethnic sentiments."

Paknia told the media that the verdict cites the group's private conversations on the social media application Club House about their plans to file the complaint with the judiciary as evidence of their intent to act against national security.

Iran has been hit hard by Covid-19, with more than 140,000 deaths. Yet the government response was mired in a lack of transparency, and politicization of the pandemic, Human Rights Watch said. Iranian authorities initially banned procuring the US- and UK-produced vaccines and prioritized and publicly promoted the production of a domestic vaccine with substantial government resources. However, experts have raised concerns over the lack of transparency about the vaccine's safety and efficacy and the company's production fell seriously behind schedule without any clear explanation.

Under article 34 of the Iranian Constitution, "it is the indisputable right of every citizen to seek justice by recourse to the competent court." In addition, articles 170 and 173 of the constitution state that every citizen has the right to complain before a court when regulation of the government conflicts with laws or norms.

“Human rights defenders in Iran should be able to carry out their peaceful activities without fear of state reprisal,” Sepehri Far said.

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