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Human rights situations that require the Council's attention

Written statement* submitted by the International Federation of Journalists, a non-governmental organization with special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[23 May 2018]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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Statement of the International Federation of Journalists on the persecution of BBC Persian staff and their families by the Islamic Republic of Iran to HRC 38

The British Broadcasting Corporation (BBC) and international legal experts from Doughty Street Chambers (DSC), together with the International Federation of Journalists (IFJ) and its constituent member the National Union of Journalists (NUJ), provide this briefing concerning persecution of BBC Persian staff and their families for HRC38. We urge members of the Council to raise the matter of BBC Persian with the Government of Iran in light of the concerning extra-territorial effect of Iran's persecution, which is undermining the right to freedom of expression in other countries where this right is protected by law. This is not just about the right to free speech for BBC journalists - it is about the ability of Iranian citizens and the international community to receive objective and impartial information about events in Iran, which is essential for democracy in Iran and for international policy-making.

In summary, we call upon United Nations (UN) member states and civil society representatives to raise the following issues with the Government of Iran during the Council session and in bilateral meetings:

1. Concern regarding the persecution of BBC Persian staff, the vast majority of whom are based in the United Kingdom of Great Britain and Northern Ireland (UK), and the vast majority of whom are dual nationals;
2. Concern regarding the persecution and harassment of families of BBC Persian staff, based in Iran;
3. A call for an end to the criminal investigation, financial sanctions and harassment; and
4. A request for diplomatic guarantees for their safe travel to and from Iran for family visits.

This briefing sets out the persecution suffered, the human rights violations involved, the steps taken by the BBC to raise this matter with the UN and in the Council during HRC38.

Targeted harassment of BBC Persian journalists by the Iranian authorities

The Iranian government has commenced a criminal investigation against journalists working for the BBC's Persian Service in London, alleging their work is a crime against Iran's national security. This investigation has been accompanied by an asset-freezing injunction preventing 152 named individuals, comprising mainly current and former BBC Persian staff, from buying or selling property inside Iran.

The Iranian authorities have been systematically targeting BBC Persian journalists in the UK, and their families in Iran, since the service launched satellite television in 2009. This recent escalation raises grave concerns about the personal safety and human rights of BBC Persian Service journalists, and has led to an urgent appeal to the UN.

The targeted harassment includes cases of the arbitrary arrest and detention of BBC Persian staff's families, the confiscation of passports and travel bans on family members leaving Iran to prevent them from seeing their relatives working for the BBC Persian Service, ongoing surveillance, and the spread of fake and defamatory news stories designed to undermine the reputation of BBC Persian staff and their families.

Background and timeline

- BBC Persian broadcasts news in Persian to Iran and the Persian speaking world from London on TV, radio and online, reaching an estimated audience of 18 million every week. In Iran, the service reached 13 million people in 2017 and is BBC News' seventh largest market worldwide.
- BBC Persian has won awards for its impartial coverage of critical events in Iran, including from the Association for International Broadcasting for its election coverage in 2009.
- Since Summer 2017 the harassment of BBC Persian staff and families has escalated raising grave concerns about their personal safety and human rights.
- In July 2017, the Iranian government started criminal investigations into the activities of journalists and other staff working for BBC Persian, alleging their work constituted a crime against Iran's national security.

- In tandem, the Iranian authorities brought an injunction to freeze the assets of 152 named individuals – predominantly current and former BBC Persian staff – preventing them from buying, selling or inheriting property in Iran. The vast majority of those named are also UK nationals.
- The injunction was initially set to remain in place until 20 December 2017 when the authorities would determine whether the criminal charges would be brought. However, the injunction continues to apply pending a later decision. There is no indication of when a decision will be taken.
- In October 2017, in response to this recent escalation, the BBC World Service filed an urgent appeal with the UN Special Rapporteur on freedom of expression, David Kaye, and the then UN Special Rapporteur on human rights in Iran, the late Asma Jahangir. The grounds for the appeal were that BBC Persian staff were being targeted because of their work as journalists for the BBC.
- The urgent appeal set out that the harassment and arbitrary arrest, and the imposition of measures against journalists such as the criminalisation of their work, restrictions on freedom of movement, financial sanctions and the deprivation of property rights each constitute separate human rights violations.
- The two UN Special Rapporteurs in question, David Kaye and Asma Jahangir, said in a joint statement in October 2017: *"We are concerned at recent reports that the action has now escalated to direct targeting of family members of BBC Persian staff. The measures are clearly aimed at targeting the BBC and at preventing journalists from continuing their legitimate work with BBC Persian."*
- In December 2017 the UK Foreign Secretary, Boris Johnson, visited Iran. In a statement to the Parliament on his return, he said he had raised with Foreign Minister, Mr Zarif, *'the official harassment of journalists working for BBC Persian and their families inside Iran'*. Foreign Office Minister, Lord Ahmad, confirmed in the House of Lords that Boris Johnson had also raised the issue with Vice-President Salehi.
- In March 2018 the BBC, the International Federation of Journalists (IFJ) and Doughty Street Chambers organised a series of events during the UN Human Rights Council session in Geneva (HRC37) including a side event at which Jamie Angus, Director of the World Service, called on the Iranian authorities to stop the harassment and discuss any grievances they may have about BBC Persian Service coverage. UN Special Rapporteur, David Kaye, journalist and human rights campaigner, Maziar Bahari, were among the speakers and the UK Ambassador to the UN in Geneva, Julian Braithwaite, spoke to the UK's position.
- BBC journalists also addressed the Human Rights Council, for the first time ever, to call upon member states to take action to protect BBC staff and to ensure their ability to report freely.
- In her final report to the Council, the late UN Special Rapporteur on the Human Rights Situation in Iran, Asma Jahangir wrote about how she was *"disturbed"* by the stories she heard from BBC Persian staff in London and the level of fear created by the extra-territorial intimidation and persecution by the Iranian authorities.
- The UN Secretary-General, António Guterres, in his report to the UN Human Rights Council in March 2018 said: *"...individuals working for the Persian Service of the BBC and their families in Iran had been harassed and intimidated by authorities, and threatened if they continued to work for the Service...[UN Special Rapporteurs] issued a statement calling upon the Islamic Republic of Iran to cease all legal action against the BBC staff and their families..."*
- Iran had failed to respond to the communication from the UN Special Rapporteurs arising from the BBC's urgent appeal. Iran's first formal response to the complaints raised about its treatment of BBC Persian by the UN came in its response to Asma Jahangir's report during the Council session. In its response, Iran directly accused the BBC of *"dissemination of false information"* to justify its criminal investigation of BBC Persian staff and falsely suggested BBC staff are engaging in *"destructive activities beyond the media"*. Iran also denied any harassment of the families of BBC Persian staff in Iran. However, Iran's response also stated that the asset freeze injunction was *"temporary"*.

- In his response to UN Rapporteur on Iran's response, the UK ambassador called upon Iran to immediately cease its harassment and persecution of BBC Persian staff and their families and to stop placing restrictions on independent media.
- Iran's Human Rights Chief, Ardeshir Larijani, confirmed that its accusations of conspiracy against BBC staff and asset freeze were temporary pending an investigation. However it has been almost a year since the BBC Persian staff became aware of these accusations and the asset freeze and there has been no response from the Iranian judiciary.
- Since HRC37 in March, there have been further incidents of harassment of family members in Iran.

We respectfully request that UN members call for: (a) an immediate end to the harassment of the families of BBC Persian staff, including questioning and detention; (b) the injunction to be lifted immediately; (c) an end to the criminal investigation; (d) an end to the targeting of BBC Persian staff; and (e) a request for diplomatic guarantees for the safe travel of BBC Persian staff to and from Iran for family visits.

We will be hosting a side event during HRC38 highlighting the extra-territorial impact of Iran's persecution of journalists across borders. If you would like to attend the event or wish to receive any further information, please contact sarah.hardcastle@bbc.co.uk.

Please also follow updates about BBC Persian on social media: @bbcpersian and the campaign @BBCPersian152 as well as the hashtag **#journalismisnotacrime**.