

PUBLIC

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UA 298/07 **Prisoner of conscience/ flogging**

IRAN **Delaram Ali (f) aged 24, social worker and women's rights activist**

Delaram Ali has been told to present herself to court in order to start serving a prison sentence which has not formally been conveyed to her. She has been told that if she does not attend court by 10 November, she will be arrested. There is also a risk that she will be flogged. If she is detained, Amnesty International would consider her to be a prisoner of conscience, detained solely for the peaceful exercise of her right to freedom of expression and association for her activities promoting women's rights in Iran. The Head of the Judiciary has the power to suspend Delaram Ali's sentence and to order a reinvestigation of the case.

Delaram Ali, a social worker, was arrested on 12 June 2006 during a peaceful demonstration in the capital, Tehran, which called for an end to discriminatory legislation against women. She and other demonstrators were beaten by police, and her left hand was broken as a result. She was released shortly afterwards, but was tried in June 2007 by Branch 16 of the Revolutionary Court in Tehran, which found her guilty of "participation in an illegal gathering", "propaganda against the system" and "disrupting public order and peace". In July 2007, the court sentenced her to 34 months' imprisonment and 10 lashes. Delaram Ali has said that her defence lawyer was not allowed to speak during her trial.

She remained free pending an appeal, but on 4 November 2007, reports indicated that judiciary officials had told Delaram Ali and her lawyers by telephone that an appeal court had ruled on her appeal. The verdict has not been sent in writing to Delaram Ali. Some reports suggest that the appeal court has overturned the flogging sentence, and reduced the prison term to 30 months. Delaram Ali was told to report to the court for implementation of the verdict, at the latest by 10 November, or face arrest. Under Iranian legislation, it is illegal for a person to serve a sentence prior to it being delivered in writing to the person concerned.

Delaram Ali lodged a complaint against her ill-treatment during arrest, along with the others who were beaten, but in October 2007, a court dismissed all charges against the police officers who had been present at the demonstration.

In July, Delaram Ali said in an interview that her sentence of flogging, although "not much when compared to the prison term, [was] an insult to civil society and the women's movement". She also said in another interview that "[t]his verdict bears a huge cost for me. I, like our attorneys, could only think that this sentence is more like a warning for other women's rights activists. ..Another issue is the allegations against me which are the same three allegations that other activists have been accused of. However, other activists have been cleared of two of the charges: "propaganda against the state" and "disrupting the public order". I was convicted on these charges as well and received a sentence for them. This is a discrepancy, because I, alone, could not distribute propaganda against the state or disrupt public order. These verdicts are more like a warning from the state to remind us that this is also one of the positions the state can take against us, so that others get intimidated and learn their lessons".

BACKGROUND INFORMATION

On 12 June 2006 the Iranian security forces forcibly broke up a peaceful demonstration by women and men advocating an end to legal discrimination against women in Iran. The demonstrators had gathered in the "Seventh of Tir" Square in Tehran to call, among other things, for changes in the law to give a woman's testimony in court equal value to that of a man; and for married women to be allowed to choose their employment and to travel freely without obtaining the prior permission of their husband.

Delaram Ali was among 70 people arrested during the demonstration on 12 June 2006. Several others were also beaten during their arrest. Photographs of their arrest can be seen at <http://www.khosoof.com/archive/281.php#000281>. Most, including Delaram Ali, were released shortly afterwards, but Sayed Ali Akbar Mousavi-Kho'ini was held for over four months and alleges that he was tortured in detention (see Urgent Action 181/06, AI Index: MDE 13/075/2006, 30 June 2006 and follow ups).

Several other participants in the demonstration have also been sentenced, although none is currently detained.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Persian, Arabic, English, French or your own language:

- expressing concern that Delaram Ali is facing imprisonment on 10 November;
- stating that if she is imprisoned for her peaceful participation in a demonstration on 12 June 2006, Amnesty International will consider her to be a prisoner of conscience, detained solely for the peaceful exercise of her right to freedom of expression and association for her activities on behalf of women's rights in Iran;
- calling on the authorities to overturn her conviction and sentence, including the sentence of flogging, if it has been upheld;
- urging the authorities to abolish flogging as a punishment, as it constitutes cruel, inhuman or degrading treatment amounting to torture.

APPEALS TO:

Head of the Judiciary

His Excellency Ayatollah Mahmoud Hashemi Shahroudi
Ministry of Justice, Panzdah Khordad (Ark) Square,
Tehran, Islamic Republic of Iran

Salutation: Your Excellency

Email: info@dadgostary-tehran.ir (In the subject line: FAO Ayatollah Shahroudi)

Fax: +98 21 3390 4986 (please keep trying, if the called is answered, say "fax please")

COPIES TO:

Leader of the Islamic Republic

His Excellency Ayatollah Sayed 'Ali Khamenei, The Office of the Supreme Leader
Islamic Republic Street - Shahid Keshvar Doust Street
Tehran, Islamic Republic of Iran

Email: info@leader.ir

Salutation: Your Excellency

President

His Excellency Mahmoud Ahmadinejad
The Presidency
Palestine Avenue, Azerbaijan Intersection
Tehran, Islamic Republic of Iran

Fax: +98 21 6 649 5880

Email: dr-ahmadinejad@president.ir

E-mail: via website: <http://www.president.ir/email/>

Speaker of Parliament

His Excellency Gholamali Haddad Adel
Majles-e Shoura-ye Eslami, Baharestan Square, Tehran, Islamic Republic of Iran

Fax: +98 21 3355 6408

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and to diplomatic representatives of Iran accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 20 December 2007.