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Iran must overturn conviction of prominent woman human rights defender

Amnesty International is calling on the Iranian authorities to overturn immediately the conviction of a leading human rights defender (HRD) who is a member of the Centre for Human Rights Defenders (CHRD) and other civil society organizations.

Narges Mohammadi, the Centre's Executive Chairperson, was originally sentenced by Tehran's Revolutionary Court to 11 years' imprisonment in September 2011. Her sentence consisted of two five-year prison terms on separate counts of "gathering and colluding to commit crimes against national security" and a further year in prison for "spreading propaganda against the system".

She appealed this ruling and on 4 March 2012, her lawyer was informed that a 15 January 2012 ruling of Branch 54 of the Appeal Court had reduced her sentence to six years. Her lawyer, Mohammad Sharif, successfully argued that two separate "gathering and colluding" charges would be unfair and she was acquitted of one count, reducing her sentence to six years. She remains at liberty pending a summons to start serving her sentence. If imprisoned to serve this sentence, she would be a prisoner of conscience.

Since the CHRD was forcibly closed in December 2008, the Iranian authorities have been carrying out a campaign of prosecutions and harsh sentences against anyone with actual or perceived links to the Centre.

Amnesty International continues to call for Iranian human rights defenders to be allowed to carry out their work without fear of persecution or harassment. Any human rights defender prosecuted in Iran for merely carrying out their peaceful and legitimate human rights work should have their convictions overturned and all individuals detained or imprisoned for such reasons should be released immediately and unconditionally, as they are prisoners of conscience.

Over the years, Narges Mohammadi's work has earned her prizes in several countries, but she was banned from travelling and had her passport confiscated in 2009. Besides her work at the CHRD, she also co-founded its End Child Executions committee, as well as the National Peace Council, which aims to relax international tensions over Iran's nuclear policy, and the Committee to Defend Free, Healthy and Fair Elections.

Narges Mohammadi has previously spoken to Amnesty International about her ongoing health issues resulting from the time she has spent behind bars in recent years. She said many other Iranians have also come out of prison with serious medical problems.

The CHRD was co-founded by prominent Iranian lawyers and activists. Since the authorities closed the Centre, which was headed by Nobel Peace Laureate **Shirin Ebadi**, its members have continued to carry out their work in support of human rights. Shirin Ebadi is currently outside Iran, as she believes she could not adequately carry out her human rights work if she returned to Iran.

The news of Narges Mohammadi's appeal court verdict came just days after it was revealed that her colleague **Abdolfattah Soltani** – one of the CHR D's founders – had been sentenced to 18 years of imprisonment in a remote location and banned from practising law for 20 years.

Abdolfattah Soltani was arrested on 10 September 2011 on charges including “spreading propaganda against the system”, setting up an illegal opposition group” and “gathering and colluding with intent to harm national security”. He also faced charges of “accepting an illegal prize and illegal earnings” relating to his acceptance of the Nuremberg International Human Rights Award in 2009.

Amnesty International has previously recognized the 58-year-old lawyer as a prisoner of conscience, held solely for the peaceful exercise of his right to freedom of expression and association, including his work as a defence lawyer and in the Centre. Under the recent court ruling, Abdolfattah Soltani is to be transferred from Tehran's Evin Prison to a prison in the remote city of Borazjan, some 620 miles south-west of the capital which will make it hard for his family to visit him. His family have told the media he plans to appeal the ruling.

Abdolfattah Soltani's conviction came ahead of elections on 8 March for the leadership of Iran's Bar Association. Several prominent human rights lawyers had been barred from standing, including a CHR D member, **Mohammad Ali Dadkhah**, and Abdolfattah Soltani's associate Ferideh Gheyrat, who is also well-known for her work in support of human rights initiatives.

Mohammad Ali Dadkhah, a co-founder of the CHR D, was sentenced in July 2011 to nine years' imprisonment on charges relating to his alleged involvement in seeking the “soft overthrow” of the government and “spreading propaganda against the system”. He was also banned from teaching and from his profession as a lawyer for 10 years. He is currently at liberty and told Amnesty International in February 2012 that although his appeal court hearing had been held three months earlier, he had not received notification of the verdict.

At least nine defence lawyers are thought to remain behind bars in Iran, including **Mohammad Seyfzadeh** (also a CHR D member), legal representative Javid Houtan Kiyani and Mostafa Daneshjou. Most, if not all, are recognized as prisoners of conscience by Amnesty International. Other lawyers and legal representatives have felt that they had to leave Iran following the June 2009 demonstrations.

Mohammad Seyfzadeh is currently serving a two-year prison sentence, reduced on appeal from nine years, for his role in establishing the CHR D. He was arrested in April 2011 for allegedly attempting to leave the country illegally and was held in a detention facility in Oroumieh, north-west Iran, in conditions amounting to enforced disappearance for around two weeks. He had previously been sentenced in October 2010 to nine years' imprisonment for “forming and being a member of an association... whose aim is to harm national security” in relation to the CHR D and “spreading propaganda against the system”. At the same time, he was also sentenced to a 10-year ban on practising law.

Nasrin Sotoudeh, a prominent female human rights lawyer who has represented CHR D co-founder Shirin Ebadi in the past, is currently serving a six-year jail term, reduced on appeal from 11 years, in Tehran's Evin Prison. Among the charges against her were that she also had links to the CHR D, which she denies. She was also banned from practising law and from leaving the country for 20 years, reduced on appeal in September 2011 to 10 years.

In a report released on 28 February 2012, Amnesty International documented the ongoing crackdown by the Iranian authorities on freedom of expression, assembly and association.

In recent years, harassment, arrest and imprisonment of human rights defenders, including women's rights defenders, has intensified and several NGOs, including the CHRD, have been shut down.

Background

Human rights defenders (HRDs) can be anyone, regardless of their occupation. They are identified primarily by what they do rather than by their profession. Defenders may act on their own or in association with others, in a professional or personal capacity but must uphold the principle of universality - that all human beings are equal in dignity and rights, regardless of gender, race, ethnicity, or any other status and their actions must be peaceful.

In his February 2012 report to the UN Human Rights Council, the UN Special Rapporteur on the situation of human rights in the Islamic Republic of Iran identified HRDs and prisoners of conscience as a group at risk in Iran.

In November 2011, the UN Human Rights Committee, which oversees implementation of the International Convention on Civil and Political Rights, expressed concern "*about continuing reports of harassment or intimidation, prohibition and forceful breaking up of demonstrations, and arrests and arbitrary detentions of human rights defenders*". The committee added that '*human rights defenders and defence lawyers often serve prison sentences based on vaguely formulated crimes such as "mohareb" (enemy of God) or the spreading of propaganda against the establishment*', and recommended that all human rights defenders detained solely for the peaceful exercise of their rights to freedom of assembly and association should be released immediately and unconditionally and that threats, harassment, and assault on HRDs should be promptly, effectively and impartially investigated, with the prosecution of perpetrators where appropriate.

Amnesty International has repeatedly called on Iran to end the persecution of HRDs for their peaceful and legitimate work in defending the human rights of others. The UN Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms adopted by the General Assembly in December 1998 recognizes the rights of everyone individually and in association with others – including by forming, joining and participating in non-governmental organizations, associations or groups – to “know, seek, obtain, receive and hold information about all human rights and fundamental freedoms, including having access to information as to how those rights and freedoms are given effect in domestic legislative, judicial or administrative systems; ... freely to publish, impart or disseminate to others views, information and knowledge on all human rights and fundamental freedoms; and to study, discuss, form and hold opinions on the observance, both in law and in practice, of all human rights and fundamental freedoms and ... to draw public attention to those matters”.

Public Document

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