

URGENT ACTION

UNJUST PRISON TERMS FOR DETAINED DUAL NATIONALS

Activists German-Iranian Nahid Taghavi and British-Iranian Mehran Raof have been arbitrarily detained in Tehran's Evin prison since 16 October 2020, solely for peacefully exercising their human rights. In August 2021, a Revolutionary Court convicted them of national security related charges and sentenced them to 10 years and eight months in prison, following a grossly unfair trial. Nahid Taghavi is suffering chronic back pain and is denied surgery on her spine, which specialist doctors said she urgently requires. Both are prisoners of conscience and must be immediately and unconditionally released.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

Head of judiciary, Gholamhossein Mohseni Ejei

c/o Embassy of Iran to the European Union

Avenue Franklin Roosevelt No. 15, 1050 Bruxelles, Belgium

Dear Mr Gholamhossein Mohseni Ejei,

German-Iranian Nahid Taghavi, aged 67, and British-Iranian Mehran Raof, aged 64, both prisoners of conscience, are serving unjust sentences in Tehran's Evin prison for peacefully exercising their rights to freedom of expression and association, including supporting workers' and women's rights. On 4 August 2021, Branch 26 of the Revolutionary Court of Tehran convicted them of "forming a group composed of more than two people with the purpose of disrupting national security", in apparent reference to a social media account that posts about women's rights and "spreading propaganda against the system" and sentenced them to 10 years and eight months in prison. Both denied all accusations. Their trial was grossly unfair: they were denied their right to adequate defence and to communicate with their lawyer prior to the first trial session on 28 April. Mehran Raof was barred from meeting his lawyer throughout trial and only met him during hearings. Following their arbitrary arrests in October 2020, they were held in prolonged solitary confinement in violation of the absolute prohibition of torture and other ill-treatment. During this period, interrogators repeatedly subjected them to coercive questioning without the presence of lawyers. Nahid Taghavi's daughter said interrogators accused her mother of "national security offences" in relation to the peaceful exercise of her human rights, including meeting others to discuss women's and labour rights and possessing literature about these issues. Amnesty International learned that interrogators subjected Mehran Raof to torture and other ill-treatment including by threatening to harm him if he did not cooperate and holding him in a room with the lights on 24 hours a day, which caused him mental distress.

Prison and prosecution authorities, who are both supervised by the judiciary, are denying Nahid Taghavi adequate health care, despite specialist doctors in September 2021 saying she needs urgent surgery on her spinal column. Her daughter said her chronic back pain had been exacerbated by the Revolutionary Guards forcing her to sleep on a thin blanket on the floor in section 2A of Evin prison.

I ask you to immediately and unconditionally release Mehran Raof and Nahid Taghavi as they are prisoners of conscience detained solely in connection with peacefully exercising their rights to freedom of expression and association. Pending their release, ensure they are provided adequate health care, including transfer to outside facilities for treatment unavailable in prison, and given regular access to a lawyer of their choosing and family, and ensure that they are granted access to relevant consular assistance.

Yours sincerely,

ADDITIONAL INFORMATION

After months of ignoring Nahid Taghavi's complaints of back pain and requests for access to specialized medical care, the prison authorities transferred her to a hospital outside prison for an MRI in early June 2021. She was subsequently denied all information about the MRI results until 21 September 2021 when without notice she was transferred to a hospital outside prison to receive the results and transferred back to prison the same day. In late October 2021, the head of Evin prison's medical clinic informed Nahid Taghavi that he had approved her back surgery but needed the advice of the Legal Medicine Organization of Iran, a state forensic institute under the authority of the judiciary. On 21 July 2021, following a Covid-19 outbreak in the women's ward of Evin prison, Nahid Taghavi tested positive for Covid-19. At that time, she was denied her requests to either be transferred to a hospital outside of prison or to be granted medical leave from prison given her poor health, older age and pre-existing conditions, namely diabetes and high blood pressure. Prosecution officials told her that she was not permitted medical leave because she had not yet been issued a verdict following her trial; however, Article 217 of Iran's Criminal Code of Procedure provides prosecution officials a number of alternatives for release from detention prior to verdict, including release on bail. On 1 September 2021, prison officials informed Nahid Taghavi that her request for medical leave made in July 2021 was approved and instructed her to arrange surety for bail. She remains denied medical leave despite providing bail.

Following their arbitrary arrests, Mehran Raof and Nahid Taghavi spent nearly nine months and over six months, respectively, in section 2A of Evin prison, which is under the control of the Revolutionary Guards. During this time, with the exception of about one month when she was held with one other person, Nahid Taghavi was in prolonged solitary confinement. Mehran Raof was held in prolonged solitary confinement for one month before being moved to a room with at least one other person. Nahid Taghavi's daughter reports that while in section 2A, her mother underwent at least 80 interrogation sessions without access to a lawyer, and that interrogators blindfolded Nahid Taghavi, made her face a wall or questioned her through a two-way mirror. On 26 March 2021, Nahid Taghavi was transferred to the women's ward of Evin prison, where she remained detained until 15 April 2021 when she was suddenly transferred back to solitary confinement in section 2A. She remained in solitary confinement until 16 May 2021, except for her attendance of the first hearing in her trial on 28 April 2021. Mehran Raof was transferred to the public ward of Evin prison from section 2A on 12 June 2021, less than 24 hours before the final trial session on 13 June 2021, and denied the right to meet with his lawyer during trial. Nahid Taghavi did not appeal her conviction and sentence, including because she considered the proceedings unjust. Mehran Raof's appeal remains pending.

Branch 26 of the Revolutionary Court in Tehran sentenced and convicted a number of labour rights activists arbitrarily arrested between October 2020 and December 2020 to prison terms for their human rights activities, including three who were tried alongside Nahid Taghavi and Mehran Raof, namely Somayeh Kargar to six years and eight months in prison; Bahareh Soleimani to six years and eight months in prison; and Nazanin Mohammadnejad to three years and four months in prison. Activist Arash Johari was convicted in a separate case and sentenced to 16 years in prison.

Amnesty International has documented a pattern of systematic fair trial rights violations in Iran, beginning from the time of arrest right up until when defendants stand trial. Detainees are often arrested without warrants and held in prolonged solitary confinement in undisclosed locations without access to their families. Individuals detained, investigated and prosecuted, especially those arrested on politically motivated charges, including human rights defenders, are subjected to grossly unfair judicial proceedings. Prosecution authorities and interrogators belonging to security and intelligence bodies, including the Revolutionary Guards, systematically deny detainees their right to access a lawyer from the time of arrest during the investigation phase. Torture and other ill-treatment are widespread and systematic, especially during interrogations. Iran's police, intelligence and security forces, and prison officials have subjected detainees to prolonged solitary confinement, beatings, floggings, suspension, forced administration of chemical substances, electric shocks and sexual violence. Prison and prosecution authorities have also deliberately denied prisoners of conscience and other prisoners held for politically motivated reasons access to adequate health care.

PREFERRED LANGUAGE TO ADDRESS TARGET: Persian, English

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 31 December 2021

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: Nahid Taghavi (she/hers) & Mehran Raof (he/him)

LINK TO PREVIOUS UA: <https://www.amnesty.org/en/documents/mde13/3588/2021/en/> and <https://www.amnesty.org/en/documents/mde13/3743/2021/en/>