

URGENT ACTION

SENTENCED TO YEARS IN PRISON FOR HER ART

Iranian prisoner of conscience Atena Farghadani has been sentenced to more than a decade in prison for her art and peaceful activism. She now has 20 days to appeal.

Atena Farghadani, a 29-year-old painter and activist, was sentenced on 1 June to 12 years and nine months in prison, on charges of “gathering and colluding against national security”, “insulting members of parliament through paintings”, “spreading propaganda against the system”, “insulting the President” and “insulting the Iranian Supreme Leader”. The charges stem from her peaceful activities, including her association with families of political prisoners, her anti-government posts on Facebook and her artwork. She held an art exhibition in memory of those killed in the crackdown that followed the contested 2009 presidential election, and drew a cartoon that satirized parliament’s efforts to pass a bill that criminalizes voluntary sterilization and restricts access to contraception and family planning services.

Atena Farghadani’s sentence follows an unfair trial before Branch 15 of the Revolutionary Court in Tehran that lasted less than half a day. It relied on evidence from lengthy interrogations that had been conducted when Atena Farghadani was held in solitary confinement in Section 2A of Evin Prison, without access to her family or lawyer. If her appeal is rejected, she will serve seven-and-a-half years in jail on the most serious charge, “gathering and colluding against national security”. This is under new sentencing guidelines in Iran’s 2013 Penal Code which stipulate that those convicted of multiple charges must just serve the lengthiest single sentence.

Please write immediately in Persian, English, Arabic, French, Spanish or your own language:

- Calling on the Iranian authorities to release Atena Farghadani immediately and unconditionally, as she is a prisoner of conscience held solely for the peaceful exercise of her rights to freedom of expression and association;
- Urging them to ensure that her conviction and sentence are quashed;
- Reminding them that Article 19 of the International Covenant on Civil and Political Rights, to which Iran is state party, protects the right to freedom of expression, which includes artistic activities.

PLEASE SEND APPEALS BEFORE 15 JULY 2015 TO:

Leader of the Islamic Republic of Iran
Ayatollah Sayed ‘Ali Khamenei
The Office of the Supreme Leader
Islamic Republic Street - End of Shahid
Keshvar Doust Street
Tehran, Islamic Republic of Iran
Email: (via website)
[http://www.leader.ir/langs/en/index.php?
p=letter](http://www.leader.ir/langs/en/index.php?p=letter)
Twitter: @khamenei_ir (English),
@Khamenei_ar (Arabic),
@Khamenei_es (Spanish).
Salutation: Your Excellency

Head of the Judiciary
Ayatollah Sadegh Larijani
c/o Public Relations Office
Number 4, 2 Azizi Street intersection
Tehran, Islamic Republic of Iran
Salutation: Your Excellency

And copies to:
President of the Islamic republic of Iran
Hassan Rouhani
The Presidency
Pasteur Street, Pasteur Square
Tehran, Islamic Republic of Iran
Twitter: @HassanRouhani (English),
@Rouhani_ir (Persian)

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation.

Please check with your section office if sending appeals after the above date. This is the first update of UA 49/15. Further information: www.amnesty.org/en/documents/MDE13/1094/2015/en/

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ADDITIONAL INFORMATION

Atena Farghadani had first been arrested on 23 August 2014 at her house in Tehran when she was returning from a hospital visit for a hand injury. She was then held in Section 2A of Tehran's Evin Prison, which is under the control of the Revolutionary Guards, for almost two months, including 15 days in solitary confinement, without access to her family or a lawyer. She was released on bail on 6 November. In a media interview in December, Atena Farghadani said that she had been interrogated for nine hours every day for a month and a half after her arrest.

She was rearrested on 10 January 2015 after she was summoned to a Revolutionary Court, possibly in reprisal for a video message she had published after her release, in which she explained how female prison guards had beaten her and subjected her to degrading body searches and other ill-treatment. According to her parents in media interviews, Atena Farghadani was subjected to beatings in the courtroom before being transferred to Gharchak Prison, in the city of Varamin, which does not have a section for political prisoners and where conditions are extremely poor.

Atena Farghadani started a "wet" hunger strike (taking water but not food) on 9 February in protest at her continued detention in Gharchak Prison. She apparently suffered a heart attack on 25 February and briefly lost consciousness as a result of her hunger strike. She was hospitalized outside prison and ended her strike. On 3 March, she was transferred from hospital to Section 2A of Evin Prison, where she spent another 11 weeks in solitary confinement. Since the issuance of her sentence on 1 June, she has been transferred to the General Ward of Evin Prison.

Atena Farghadani released a video message on YouTube on 28 December 2014 in which she described how she was ill-treated in prison. In this video, she said that during her detention, in order to be able to paint, she flattened and used the paper cups in which she was given milk. However, the prison guards confiscated her paintings and stopped giving her paper cups after they discovered that she had been doing this. As a result, on 17 October she hid in her clothes a couple of paper cups that she had found in the bathroom and took them to her cell. According to the video message, female prison guards went to her cell and asked her to strip naked for a body search while swearing and using insulting language. When she resisted the search, she said in her video message that the guards subjected her to beatings which resulted in her sustaining a bruised wrist and scratches on her chest. She said that the guards had learned about her taking the cups because they had installed cameras in the toilet and bathroom facilities. The prison officials had apparently told the detainees that the cameras were not operating.

Article 9 of the International Covenant on Civil and Political Rights (ICCPR), to which Iran is a party, provides that no one shall be subjected to arbitrary arrest or detention. Detention is considered arbitrary when a person is deprived of their liberty because they have exercised the rights and freedoms guaranteed in the ICCPR. Detention may also become arbitrary as a result of violation of the detainee's fair trial rights, including the rights to access legal counsel before trial, to be brought promptly before a judge, to challenge the lawfulness of detention and to have adequate time and facilities to prepare a defence. There is a presumption of release pending trial and detainees are entitled to compensation if they are held unlawfully.

Name: Atena Farghadani

Gender m/f: f

Further information on UA: 49/15 Index: MDE 13/1803/2015 Issue Date: 3 June 2015