

URGENT ACTION

FILM PRODUCER GIVEN JAIL TERM AFTER UNFAIR TRIAL
Iranian writer and film producer Mostafa Azizi, a permanent resident of Canada, has been sentenced to eight years' imprisonment. He has been convicted of vague and overly broad national security-related offences for peacefully exercising his right to freedom of expression, including by posting on Facebook.

Mostafa Azizi, former chair of the Iran chapter of the International Animated Film Association, was sentenced on 8 June by Branch 15 of the Revolutionary Court in Tehran to eight years in prison; five years for "gathering and colluding against national security", two years for "insulting Iran's Supreme Leader", and one year for "spreading propaganda against the system". The sentence came after an unfair trial on 1 June which lasted a few hours and relied on evidence gathered by Revolutionary Guard officials during the 33 days they held Mostafa Azizi in solitary confinement in Section 2A of Tehran's Evin Prison with no access to his family or a lawyer. An appeal is pending before Branch 54 of the Revolutionary Court of Appeals.

Mostafa Azizi, now held in Section 8 of Evin Prison, told his son that during his trial, the prosecutor included as "evidence" at least two printouts of his Facebook posts. One was a photo of Mostafa Azizi with his hair shaved in solidarity with the men whose hair was forcibly shaved after the April 2014 Evin Prison incident, when security officials subjected some inmates of the prison to sustained brutality and assaults, and the other post was a photo of Mostafa Azizi during the Pride Parade in Toronto, Canada.

Mostafa Azizi has pre-existing health conditions, including asthma, eczema, rheumatism and high blood sugar levels. Section 8 of Evin Prison is severely overcrowded, poorly ventilated, the cells are filthy and infested with insects and lack adequate sleeping and sanitation facilities.

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

- Calling on the Iranian authorities to release Mostafa Azizi immediately and unconditionally as he is held solely for peacefully exercising his right to freedom of expression, including by posting on Facebook;
- Urging them to quash his conviction and sentence;
- Reminding them that the UN Minimum Rules on the Treatment of Prisoners require that all prison accommodations, include sleeping accommodation, meet all requirements of health.

PLEASE SEND APPEALS BEFORE 25 SEPTEMBER 2015 TO:

Leader of the Islamic Republic

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:
<http://www.leader.ir/langs/en/index.php?p=suggest>
 Twitter: @khamenei_ir (English) or
 @Khamenei_es (Spanish)

Salutation: Your Excellency

Head of the Judiciary

Ayatollah Sadegh Larijani
 c/o Public Relations Office
 Number 4, Deadend of 1 Azizi
 Above Pasteur Intersection
 Vali Asr Street
 Tehran, Islamic Republic of Iran
 Email: info@humanrights-iran.ir

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) and
 @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 117/15. Further information:

<https://www.amnesty.org/en/documents/mde13/1745/2015/en/>

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ADDITIONAL INFORMATION

Mostafa Azizi has been detained in Evin prison since 1 February 2015, when he was summoned to the Prosecutor's Office at Evin Prison. A permanent resident of Canada, he had travelled to Iran in late December 2014 to visit his ailing father and consider the possibility of moving back to Iran. Prior to his return to Iran, Mostafa Azizi deleted his social media accounts.

In November 2013, Iran's Deputy Foreign Minister for Consular, Parliamentary, and Iranian Expatriate Affairs, Hassan Qashqavi, announced the formation of a committee in Iran's Ministry of Intelligence to encourage the return of Iranians living abroad as per the electoral promises of President Hassan Rouhani. Linking the reluctance to return among Iranian expats to "the fear-inducing messages of foreign opposition groups", he said "many of these fears are self-inflicted and have no basis." In August of the same year, Iran's Minister of Intelligence, Mahmoud Alavi, said, "we guarantee that any individual who has not committed an offence would not face problems [upon return to the country]." Previous to that, in July 2013, Iran's Spokesperson for the Judiciary, Gholamhossein Mohseni Ejei, had said that "Iran's judiciary never bans any Iranian who has committed an offence from entering the country... However, his or her charges will be dealt with as soon as he or she enters the country."

Since President Rouhani took office in August 2013, many individuals with dual nationality or foreign residency status have been detained or imprisoned after their return to Iran. These have included, but are not limited to, Iranian-British women's rights activist, Ghoncheh Ghavami; University of Liege (Belgium) Ph.D. student Hamid Babaei; and journalists Sajedeh Arabsorkhi, Serajeddin Mirdamadi and Hossein Nourani Nejad.

One of Mostafa Azizi's Facebook posts that was presented as "evidence" against him came after Iranian security officials subjected inmates of the Evin Prison to sustained brutality and assaults while ostensibly conducting a search of their cells. According to information from prisoners' open letters and from family members who subsequently gained access to the prisoners, a large group of security officials assaulted prisoners over a period of several hours after entering Section 350 early on the morning of 17 April 2014. Afterwards, some of the injured men did not receive medical attention, despite their injuries, but rather were subjected to forcible shaving of their heads and facial hair and then placed in solitary confinement. See "*Justice is an alien word: Ill-treatment of political prisoners in Evin Prison*" (MDE 13/023/2014), 15 May 2014, <https://www.amnesty.org/en/documents/mde13/023/2014/en/>.

Iran's Islamic Penal Code, adopted in May 2013, maintains vaguely worded "crimes" such as "spreading propaganda against the system", "creating unease in the public mind", "insulting Islamic sanctities" and "defamation of state officials". These ill-defined "crimes" are frequently used to curb the peaceful exercise of the right to freedom of expression. Such laws and practices violate Iran's obligations under Articles 18, 19, 21 and 22 of the International Covenant on Civil and Political Rights (ICCPR), to which Iran is a state party, guaranteeing freedom of thought, expression, assembly and association.

Article 10 of the UN Minimum Rules for the Treatment of Prisoners states that "all accommodation provided for use of prisoners and in particular all sleeping accommodations shall meet all requirements of health, due regard being paid to climatic conditions and particularly cubic content of air, minimum floor space, lighting, heating and ventilation." Additionally, serious overcrowding, unsanitary environment and absence of sleeping facilities, when combined with the length of the period during which a prisoner is held in such conditions, can amount to cruel, inhuman and degrading treatment, contrary to Article 7 of the ICCPR which prohibits torture and other ill-treatment.

Name: Mostafa Azizi
Gender m/f: m

Further information on UA: 117/15 Index: MDE 13/2272/2015 Issue Date: 14 August 2015