

URGENT ACTION

ACTIVIST RELEASED ON BAIL, AWAITS APPEAL OUTCOME

Anti-death penalty activist Atena Daemi was released on bail on 15 February 2016. She is awaiting the outcome of her appeal against the 14-year prison sentence imposed for her peaceful activism. If returned to prison, she will be a prisoner of conscience.

Atena Daemi, human rights defender and anti-death penalty activist, was released from Tehran's Evin Prison on 15 February after securing a bail of five billion rials (equivalent of 166,000 USD) pending the outcome of her appeal. While in prison, Atena Daemi had been complaining of several health problems including kidney pain, heart problems, weakness in her hands and feet, teeth and gum issues and spells of blurred vision but did not receive adequate medical care. Her family had requested that she would be granted medical leave but the authorities apparently said that she could not be granted leave until the outcome of her appeal. She risks being jailed again if her sentence is upheld on appeal.

Atena Daemi was informed on 12 May 2015 that she had been sentenced to 14 years in prison by Branch 28 of the Revolutionary Court of Tehran. Her trial, held in March 2015, was grossly unfair and lasted no more than 15 minutes. The court sentenced her to seven years in prison for "gathering and colluding against national security" and "spreading propaganda against the system" without clarifying the exact punishment for each charge. She was also sentenced to three years for "insulting the founder of the Islamic Republic of Iran and the Supreme Leader" and to four years for concealing evidence. The charges stem from her criticism on Facebook and Twitter of human rights violations and the recourse to the death penalty in Iran, as well as her participation in gatherings outside prison in solidarity with families of death row prisoners. Distribution of anti-death penalty pamphlets and her association with human rights defenders and relatives of those killed during the crackdown that followed the 2009 election were also used as evidence against her. Atena Daemi was arrested in October 2014. She was only allowed to call her family a week after her arrest and was not permitted to meet them until 25 days after her arrest. She was held in Section 2A of Evin Prison under the control of the Revolutionary Guards for 86 days, including 51 days in solitary confinement. She had no access to a lawyer during this period even though she was repeatedly interrogated.

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

- Calling on the Iranian authorities to quash Atena Daemi's conviction and sentence as they arise solely from the peaceful exercise of her rights to freedom of expression, association and peaceful assembly;
- Calling on them to investigate her subjection to prolonged solitary confinement and the alleged denial of medical care, which may amount to torture and other ill-treatment;
- Reminding them that Articles 19, 21 and 22 of the International Covenant on Civil and Political Rights (ICCPR), to which Iran is a state party, protect the right to freedom of expression, association, and peaceful assembly.

PLEASE SEND APPEALS BEFORE 17 MAY 2016 TO:

Office of the Supreme Leader

Ayatollah Sayed 'Ali Khamenei

Salutation: Your Excellency

Head of the Judiciary

Ayatollah Sadegh Larijani

Salutation: Your Excellency

And copies to:

President

Hassan Rouhani

Please send your appeals to the care of diplomatic representatives accredited to your country, listed below. If there is no Iranian embassy in your country, please mail the letter to the Permanent Mission of the Islamic Republic of Iran to the United Nations, 622 Third Avenue, 34th Floor, New York, NY 10017, US.

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 127/15. Further information: <https://www.amnesty.org/en/documents/MDE13/1808/2015/en/>

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

Atena Daemi was arrested by 11 agents, 10 men and one woman, all belonging to Iran's Revolutionary Guards, on 21 October 2014. The agents then conducted a search of her home for three hours and confiscated several mobile phones belonging to her and her relatives. They also searched the house of another member of her family as well as her work place even though they did not have a search warrant. Atena Daemi was then blindfolded and transferred to Section 2A of Evin Prison. The next day she was taken to the Office of the Prosecutor where she was charged with "gathering and colluding against national security", "spreading propaganda against the system", "insulting the founder of the Islamic Republic of Iran and the Supreme Leader", "insulting Islamic sanctities", "insulting the Revolutionary Guards", "connection with the people's Mojahedin Organization of Iran" and "concealing evidence".

For the first 28 days, Atena Daemi said she was held in a cell that was infested with insects and had no toilet facilities. She said her interrogators offered to grant her easier access to the toilet in exchange for her "co-operation". With the exception of the weekends, she was interrogated every day for a period of a month and a half, often for long hours at a time. During most of her lengthy interrogations, she had to sit blindfolded, facing a wall.

The charge of "insulting the founder of the Islamic Republic of Iran and the Supreme Leader" appears to relate to Facebook posts where Atena Daemi made a pun on a famous statement by Ayatollah Khomeini in order to condemn Iran's execution record over the past three decades, and another where she said his successor, Ayatollah Khamenei, was widely regarded by Iranians as a dictator. According to the court verdict, the charge of concealing evidence related to her "changing the passwords to the Facebook and email accounts" of another activist. Atena Daemi's trial in March 2015 took place at the same time as the trial of other three human rights activists.

If the sentence is upheld on appeal, she will have to serve the lengthiest single sentence. This is because of new sentencing guidelines in Iran's 2013 Penal Code which stipulate that those convicted of multiple charges must serve the lengthiest single sentence.

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 "membership of an illegal group". These overly broad and vague offences are frequently used to curb the peaceful exercise of the rights to freedom of expression, association, and peaceful assembly. Such laws and practices violate Iran's international obligations, including those under Articles 19, 21 and 22 of the ICCPR, which guarantee the rights to freedom of expression, peaceful assembly and association. Article 19 states that "Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice". Article 21 states that "The right of peaceful assembly shall be recognized" and Article 22 grants that "Everyone shall have the right to freedom of association with others".

Name: Atena Daemi

Gender m/f: f

Further information on UA: 127/15 Index: MDE 13/3777/2016 Issue Date: 5 April 2016