

UA 312/99

Unfair tr.

**IRAN**Abdollah Nouri, publisher  
Mashallah Shamsolva'ezin, editor

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On 27 November 1999, prison sentences were handed down to Abdollah Nouri, the managing director of the daily newspaper *Khordad*, and Mashallah Shamsolva'ezin, the editor of the daily newspaper *Asr-e Azadegan* (Era of The Free). Amnesty International is concerned that they have been sentenced after unfair trials in courts whose procedures fall far short of minimum international standards for fair trial.

The organization believes that they have been imprisoned for the expression of the non-violent beliefs of themselves and other writers and theologians in an attempt by the authorities to limit social and political debate preceding the parliamentary (*Majles*) elections in February 2000, for which Abdollah Nouri is reported to have declared his intention to stand as a candidate (see News Release 225/99, MDE 13/29/99, 30 November 1999).

Abdollah Nouri, a former Interior Minister and Vice President, was sentenced to five years' imprisonment by the Special Court for The Clergy (SCC) (*Dadgah-e Vizhe-ye Ruhaniyat*) on charges which included publishing "anti-Islamic" articles and insulting government officials. The newspaper was also closed down. He was reported to have said that the Court was "illegal and incompetent".

Mashallah Shamsolva'ezin was sentenced to three years' imprisonment by the Press Court for "insulting Islam". This related to articles published in the now closed newspaper, *Neshat* (Happiness), for which he was editor, in which he questioned Iran's use of the death penalty. During his trial, he is reported to have challenged the authority and integrity of the court, whose judge was Said Mortavazi, and to have said "my lawyer and I find this press court unlawful due to the absence of the jury". Mashallah Shamsolva'ezin was also formerly the editor of the newspapers *Jameah* and *Tous*, both now also closed down.

#### **BACKGROUND INFORMATION**

Trials in special courts in Iran, such as the Press Court, Islamic Revolutionary Court and Special Court for the Clergy (SCC) frequently fall far short of minimum international standards for fair trial. The judges and prosecutor of the SCC are appointed by the Supreme Leader Ayatollah Ali Khamenei and are accountable to him. Abdollah Nouri's trial ended when the judge prevented him from reading out his defence and gave him 10 days to submit it instead as text. On 17 November, the jury was reported to have found him guilty, even before the final defence statement had been delivered.

In November 1999, four students were sentenced by a Press Court in Tehran to prison terms of between four months and three years. They had been convicted of having insulted Islamic beliefs in a play entitled "The Entrance Exam and the Time of Resurrection", which appeared in *Mowj* (Wave), a student journal with limited circulation, in August.

"In June 1999, Heshmatollah Tabarzadi, the editor of the newspaper *Hoveyat-e-Khish* (Our Identity) and Hossein Kashani, its Director, were detained after questioning at a revolutionary tribunal, for publishing "deceitful and offensive" articles. Both have now been released but Heshmatollah Tabarzadi was reportedly tortured in detention, as well as being denied access to his

family and to legal representation. It is not known whether official charges have been brought against them (see UA 141/99, MDE 13/13/99, 22 June 1999 and updates).

**RECOMMENDED ACTION: Please send telegrams/faxes/express/airmail letters in English or your own language:**

- expressing concern that Mashallah Shamsolva'ezin and Abdollah Nouri have been imprisoned solely for expressing their conscientiously held beliefs, and that as such you consider them to be prisoners of conscience;
- asking that they be released immediately and unconditionally;
- expressing concern that they were sentenced after unfair trials in courts whose procedures fall short of minimum international standards for fair trial;
- urging the authorities to ensure that they are granted access to their families and given any medical attention they require until they are released;
- urging the authorities to honour the guarantees of fair trial and freedom of expression in accordance with Articles 14 and 19 of the International Covenant on Civil and Political Rights (ICCPR), to which Iran is a state party.

**APPEALS TO:**

Leader of the Islamic Republic

His Excellency Ayatollah Sayed 'Ali Khamenei, The Presidency,  
Palestine Avenue, Azerbaijan Intersection, Tehran, Islamic Republic of Iran  
**Telegrams: Ayatollah Khamenei, Tehran, Islamic Republic of Iran**  
**Salutation: Your Excellency**

President

His Excellency Hojjatoleslam val Moslemin Sayed Mohammad Khatami  
The Presidency, Palestine Avenue  
Azerbaijan Intersection, Tehran, Islamic Republic of Iran  
**Telegrams: President Khatami, Tehran, Islamic Republic of Iran**  
**Salutation: Your Excellency**

Head of Judiciary

His Excellency Ayatollah Mahmoud Hashemi Shahruddi, Ministry of Justice  
Park-e Shahr, Tehran, Islamic Republic of Iran  
**Telegrams: Head of the Judiciary, Tehran, Islamic Republic of Iran**  
**Salutation: Your Excellency**

**COPIES TO:**

Minister of Foreign Affairs, His Excellency Kamal Kharrazi  
Ministry of Foreign Affairs, Sheikh Abdolmajid Keshk-e Mesri Avenue  
Tehran, Islamic Republic of Iran  
**Salutation: Your Excellency**

Mr Mohammad Hassan Zia'i-Far, Secretary, Islamic Human Rights Commission  
PO Box 13165-137, Tehran, Islamic Republic of Iran. **Faxes: + 98 21 204 0541**

and to diplomatic representatives of Iran accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 10 January 2000.