

URGENT APPEAL - THE OBSERVATORY

IRN 008 / 0910 / OBS 115.1

Imprisonment / Release

Iran

December 16, 2010

The Observatory for the Protection of Human Rights Defenders, a joint programme of the International Federation for Human Rights (FIDH) and the World Organisation Against Torture (OMCT), has received new information and requests your urgent intervention in the following situation in **Iran**.

New information:

According to the information received, on December 5, 2010, Mr. **Emadeddin Baghi**, founder of the Centre for the Defence of Prisoners' Rights, laureate of the 2009 Martin Ennals Award for Human Rights Defenders as well as of the 2005 Human Rights Prize of the French Republic, began to serve a one-year prison sentence and a five-year ban from journalism and civil activities (see background information).

On November 30, 2010, Emadeddin Baghi had been called by the judiciary to present himself at Evin Prison on December 4 or 5, to begin serving his sentence.

The Observatory denounces Mr. Baghi's deprivation of liberty following an unfair trial, as it seems to merely aim at sanctioning his human rights activities, and calls for his immediate and unconditional release.

The Observatory was also informed that Ms. **Sara (Hajar) Sabaghian** and Ms. **Maryam Kianersi**, who had been arrested on November 13, 2010, were released on December 14.¹ No information could be obtained as to whether charges were brought against them.

The Observatory nonetheless deplores that Ms. **Nasrin Sotoudeh**, prominent human rights lawyer, known for defending juveniles facing death penalty, prisoners of conscience, human rights activists and children victims of abuse, remains arbitrarily detained since September 4, and recently started a new hunger strike. It therefore calls for her immediate and unconditional release.

Background information:

On December 28, 2009, Mr. Emad Baghi was arrested on charges related to an interview with the late Grand Ayatollah Hussein-Ali Montazeri amid a wave of arrests that hit dozens of human rights defenders. During his detention, he reportedly spent five months out of his six-months in solitary confinement, and has been suffering from heart and breathing problems, as well as of severe back pain.

On June 23, 2010, Mr. Emad Baghi was released on health grounds, and following the payment of a bail of about 200,000 dollars.

On September 21, 2010, he was summoned by Branch 1057 of the Tehran Revolutionary Court regarding the closure in 2009 of the Centre for the Defence of Prisoners' Rights. He was then informed that on August 17, 2010 he had been sentenced by the Branch 26 of the Revolutionary Court to six years of imprisonment on charges of "propaganda against the system" and "colluding against the security of the regime" in relation to the interview with the late Grand Ayatollah Montazeri.

¹ See Urgent Appeal IRN 006 / 0910 / OBS 108.2

On July 27, Mr. Baghi had also been sentenced by the Branch 15 of the Revolutionary Court to one year of prison and five years of deprivation of civil activities in another case for heading the Centre for the Defence of Prisoners' Rights, and was to serve a total of seven years in prison.

Actions requested:

Please write to the Iranian authorities and ask them to:

i. Guarantee in all circumstances the physical and psychological integrity of Mr. Emad Baghi and Ms. Nasrin Sotoudeh as well as all other human rights defenders in Iran;

ii. Put an end to acts of harassment - including at the judicial level - against them as well as against all human rights defenders in Iran;

iii. Conform in any circumstances with the provisions of the Declaration on Human Rights Defenders, adopted on December 9, 1998 by the United Nations General Assembly, in particular:

- Article 1 which states that “everyone has the right, individually or in association with others, to promote the protection and realization of human rights and fundamental freedoms at the national and international levels”,
- Article 5 (b) which provides that “for the purpose of promoting and protecting human rights and fundamental freedoms, everyone has the right, individually and in association with others, at the national and international levels to form, join and participate in non-governmental organizations, associations or groups”,
- Article 6 (b and c) which states that “everyone has the right, individually and in association with others [...] as provided for in human rights and other applicable international instruments, freely to publish, impart or disseminate to others views, information and knowledge on all human rights and fundamental freedoms; to study, discuss, form and hold opinions on the observance, both in law and in practice, of all human rights and fundamental freedoms and, through these and other appropriate means, to draw public attention to those matters”,
- Article 9.1, which reads that “In the exercise of human rights and fundamental freedoms, including the promotion and protection of human rights as referred to in the present Declaration, everyone has the right, individually and in association with others, to benefit from an effective remedy and to be protected in the event of the violation of those rights”,
- and Article 12.2 which provides that “the State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration”.

iv. Comply in all circumstances with the Standard Minimum Rules for the Treatment of Prisoners, the Basic Principles for the Treatment of Prisoners, and the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment as well as with international instruments ratified by Iran

Addresses:

- Leader of the Islamic Republic, His Excellency Ayatollah Sayed Ali Khamenei, The Office of the Supreme Leader, Shoahada Street, Qom, Islamic Republic of Iran, Faxes: + 98 21 649, + 98 21 649 / 21 774 2228, Email: info@leader.ir / istiftaa@wilayah.org /

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- Head of the Judiciary, His Excellency Ayatollah Sadeq Larijani, Ministry of Justice, Park-e Shahr, Tehran, Islamic Republic of Iran, Fax: +98 21 879 6671 / +98 21 3 311 6567, Email: lrjpr@iranjudiciary.com
- Minister of Foreign Affairs, His Excellency Manouchehr Mottaki, Ministry of Foreign Affairs, Sheikh Abdolmajid Keshk-e Mesri Av, Tehran, Islamic Republic of Iran, Fax: + 98 21 390 1999, Email: matbuat@mfa.gov
- Permanent Mission of the Islamic Republic of Iran, Chemin du Petit-Saconnex 28, 1209 Geneva, Switzerland, Fax: +41 22 7330203, Email: mission.iran@ties.itu.int
- Embassy of Iran in Brussels, 15 a avenue Franklin Roosevelt, 1050 Bruxelles, Belgium, Fax: + 32 2 762 39 15. Email: iran-embassy@yahoo.com

Please also write to the diplomatic representations of Iran in your respective countries.

Paris-Geneva, December 16, 2010

Kindly inform us of any action undertaken quoting the code of this appeal in your reply.

The Observatory, a FIDH and OMCT venture, is dedicated to the protection of Human Rights Defenders and aims to offer them concrete support in their time of need.

To contact the Observatory, call the emergency line:

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