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Iran: New arrests and convictions highlight ongoing repression of basic freedoms

New arbitrary arrests and convictions after unfair trial of Iranians on the ground of their peaceful beliefs or activities highlight the ongoing failures in the administration of justice in Iran.

Amnesty International calls on the Iranian authorities to initiate immediate steps to uphold freedoms of belief and expression as guaranteed in international law, to release immediately and unconditionally all prisoners of conscience and to allow the newly-appointed UN human rights expert on Iran to visit the country.

Arrests of women artists

Amnesty International deplores the recent wave of arrests of women artists and cultural figures. The organization is calling for the immediate and unconditional release of **Marzieh Vafamehr** as it considers her to be a prisoner of conscience, held solely on account of the peaceful exercise of her rights to freedom of expression. It is also calling for any charges related to similar activities to be dropped against **Maryam Majd, Mahnaz Mohammadi and Pegah Ahangarani**.

Actress **Marzieh Vafamehr**, who has also produced documentary programmes, is believed to have been arrested in late June 2011, though her arrest only became public on 18 July. Her husband Nasser Taghvai, also a filmmaker, has said that Marzieh Vafamehr had been contacted by telephone several times and told to report for questioning, although she never received a formal written summons. Nasser Taghvai said on 26 July that the case judge had told him that her arrest was related to her appearance in the film *My Tehran For Sale*, in which she appears in one scene without the mandatory head covering women in Iran are required to wear and appears to drink alcohol in another, although Nasser Taghvai denied she had actually drunk any alcohol. The consumption of alcohol is a criminal offence in Iran. Amnesty International considers the imposition of mandatory dress codes, such as that in Iran, a violation of the internationally recognized rights to freedom of expression and belief.

According to the *Kaleme* news website on 20 July 2011, Marzieh Vafamehr appeared before the newly established Culture and Media Prosecutor's Office in Tehran. The investigating magistrate did not grant bail on the grounds that her case had featured in the media, and told her family that they did not have the right to publicize her situation. Her temporary detention order was extended for a month in late July. Other people in Iran who were connected with the film *My Tehran For Sale* have also reportedly been summoned, and interrogated.

The arrests of women involved in the arts and culture started with the 17 June 2011 arrest of photojournalist and women rights advocate, **Maryam Majd**. She has promoted greater participation by women in sporting events through her work. Maryam Majd was arrested when security officials raided her family's house the day before she was due to travel to Germany where she was accredited to take photographs at the 2011 Women's Football World Cup, she was taken to Section 2A of Tehran's Evin Prison. Held there for 30 days in solitary confinement, possibly in a very small space, her health declined precipitously. On 5 July 2011, Maryam Majd told her family

that she was accused of engaging in “propaganda against the system”. She was released on bail of 1,000 million Iranian rials (equivalent to around US\$ 100,000) on 18 July 2011, in part on account of her ill-health. She is not believed to have been formally charged.

Mahnaz Mohammadi, 37, is a documentary filmmaker and women’s rights activist. She was detained on 26 June and is believed to be held in solitary confinement in Section 2A of Evin Prison, a section of the prison under the control of Iran’s Revolutionary Guards. So far, she has been denied access to her family, and to legal representation. Mahnaz Mohammadi was previously arrested in 2007 and 2009. Reports indicate that her passport had been seized in May 2011 to prevent her from travelling to the Cannes Film Festival for a screening of Reza Serkanian's "*Marriage Ephemeral*," in which she played a leading role. She appeared before the Tehran Prosecutor on 3 July 2011. Maryam Kianersi, her lawyer, was not present. Mahnaz Mohammadi is reported to suffer from a multiple sclerosis-like illness for which she requires specific medication. Mahnaz Mohammadi was released on bail on 27 July 2011 equivalent to the value of her home.

Acclaimed actress and film maker **Pegah Ahangarani**, 27, was arrested on 10 July 2011 and taken to Evin Prison’s Section 2A. . She had made a film about a controversial political figure in Iran, and founder of Iran’s Ansar-e Hezbollah, which was broadcast by the BBC’s Persian service several weeks before her arrest. She had also been planning to travel to Germany and attend the Women’s Football World Cup where she was to blog for *Deutsche Welle’s* Persian service. A day before her flight, she was reportedly contacted by officials and told not to travel. She was reportedly released on bail on 27 July 2011. Pegah Ahangarani was briefly detained and interrogated in July 2009, possibly in connection with her support of Mir Hossein Mousavi’s presidential candidacy.

Gholam-Hossein Mohseni-Ejei, Iran’s Prosecutor General, stated on 25 July that the arrest of Pegah Ahangarani and Marzieh Vafamehr had been requested by an unnamed security body, but that preliminary investigations into their cases had been completed.

Christian pastor reportedly ordered to ‘repent’

Amnesty International is concerned about a recent Supreme Court judgement passed in the case of **Yousef Naderkhani (or Nadarkhani)**, 32, a man who converted to Christianity over a decade ago. That judgement reportedly overturned his death sentence imposed after conviction for “apostasy from Islam”, apparently citing procedural flaws, including that the no examination of his faith had been carried out which would provide him with the opportunity to recant and ‘return’ to Islam. The case was returned to Branch 11 of the Provincial Criminal Court in Rasht for re-examination. The Supreme Court verdict reportedly provides for the death sentence to be re-imposed should Yousef Naderkhani refuse to recant.

Yousef Naderkhani was a pastor in an evangelical church in Iran prior to his arrest on 12 October 2009, which took place after he had complained about his child being forced to read the Qur’an at school, which he claimed was a breach of the right to freedom of belief.

“Apostasy” is not defined as a crime in the Iranian Penal Code, but individuals are occasionally convicted of this “offence” on the basis of religious works or edicts by senior Islamic clerics, in accordance with Article 167 of the Constitution which requires judges to use their knowledge of Islamic law to try cases where no codified law exists.

Freedom of belief, which includes the right to change one’s religion, is protected under Article 18 (1) of the International Covenant on Civil and Political Rights (ICCPR), to which Iran is a state party, which states: "Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice [..]"

Amnesty International urges the Iranian authorities to review all legislation to ensure that it fully complies with this international obligation to protect freedom of belief and to release anyone held solely on account of their religious beliefs.

First report of a conviction relating to ‘cyber-crime’

The organization also deplores the recent conviction of **Ashkan Delanvar**, a student banned from further education for his political views. Following his arrest in July 2010 when he was held for about 14 days and reportedly ill-treated, in late June 2011, Branch 27 of the Appeal Court in Tehran upheld his sentence of four month’s imprisonment for distributing software designed to circumvent restrictions placed on internet access by the Iranian Government and six month’s imprisonment for providing training into how to use such software. Ashkan Delanvar undertook these activities to get round the Iranian authorities’ sweeping restrictions on access to the internet which violate the right to freedom of expression. This is the first such conviction which has come to Amnesty International’s attention based on the 2009 “Law on Cyber-crime”. If arrested to serve this sentence, Amnesty International would consider him a prisoner of conscience and would call for his immediate and unconditional release.

Amnesty International is also calling on the authorities to review the Law on Cyber Crime and other relevant legislation to ensure that it does not unduly restrict the right to freedom of expression, including by limiting access to the internet. Freedom of expression is guaranteed by Article 19 of the ICCPR. In June 2011, four international Special Rapporteurs released a Joint Declaration on Freedom of Expression and the Internet, which reiterated “that freedom of expression applies to the internet” and that “restrictions on freedom of expression on the Internet are only acceptable if they comply with established international standards, including that they are provided for by law, and that they are necessary to protect an interest which is recognised under international law (the ‘three-part’ test)”.

Public Document

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