

WLUML Sample letter

Your Excellency,

We call on you, the Honourable Ayatollah Sadeq Larijani, to do everything in your powers, as head of the Judiciary of the Islamic Republic of Iran, to address our grave human rights concerns and immediately release Shiva Nazar Ahari. Shiva Nazar's trial, due to take place on Sunday 23 May 2010 at Revolutionary Court No. 26, has been postponed without a future date being set.

Shortly after the contested June 2009 presidential elections in Iran, Nazar Ahari was arrested and kept for months in solitary confinement and subjected to extreme methods of interrogation. After spending more than 100 days in prison, she was released on a \$200,000 bail in September 2009. Nazar Ahari was arrested once more on 20 December 2009 along with other members of Committee of Human Rights Reporters (CHRR) when a bus taking several political and civil activists to Ayatollah Montazeri's funeral in Qom was stopped by security forces in Tehran's Enghelab Square. She was kept for a long period in a cage-like cell so small that she could barely move her limbs.

The 3rd Branch of Evin Court has informed Nazar Ahari of two charges. One is 'creating public anxiety through writing on CHRR's website and other sites,' a charge which other members share. Her second charge is 'actions against national security through participation in gatherings on 4 November 2009 and 7 December 2009 gatherings.' She has denied these charges because she wasn't present at those gatherings and the Evin Court Judge has concluded the case as such.

Shahrzad Kariman, Nazar Ahari's mother, told the *International Campaign for Human Rights in Iran* that: "Her lawyers keep going to court, but when they go to Branch 26 they receive no answers about her 14 June 2009 case which contains an indictment and has already been allocated to a branch. The branch office manager has been kind enough to acknowledge that the file is in that branch, but said the case doesn't have a registration number and it cannot be located in the computer."

Kariman also referred to the inappropriate treatment she has received during visits with her daughter and the limitations created for her in-person visits. Describing the visits she said: "The treatment is not very good. Shiva was very unhappy with the treatment at visitation time and said that they insult and yell at her. There are no particular problems with visits through booths, but in-person visits have become problematic and no family members other than parents are allowed to visit. Continuing this situation will be very difficult, as Shiva's sisters have been unable to see her. If visits are limited like this, it will not just be difficult for us, it will be difficult for all prisoners."

Our grave human rights concerns

1. Nazar Ahari was subjected to arbitrary arrest and deprivation of her liberty. Article 9 of the 1948 Universal Declaration of Human Rights decrees that "no one shall be subjected to arbitrary arrest, detention or exile"; that is, no individual, regardless of circumstances, is to be deprived of their liberty or exiled from their country without having first committed an actual criminal offense against a legal statute, and the government cannot deprive an individual of their liberty without proper due process of law.

2. Nazar Ahari received an unfair trial. As enshrined in international law, anyone accused of a crime, "shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law." (Article 14 ICCPR).
3. Nazar Ahari has suffered cruel, inhuman and degrading treatment through her solitary confinement, use of extreme interrogation methods and lack of access to lawyer and family members. The Iranian Constitution forbids the use of torture. Article 7 of the International Covenant on Civil and Political Rights demands that "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment." Article 2 of the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, (which has not been signed or ratified by Iran) prohibits torture, and states that: This prohibition is absolute and non-derogable. "No exceptional circumstances whatsoever" may be invoked to justify torture, including war, threat of war, internal political instability, public emergency, terrorist acts, violent crime, or any form of armed conflict. Torture cannot be justified as a means to protect public safety or prevent emergencies. Neither can it be justified by orders from superior officers or public officials.
4. Nazar Ahari's right to life has been threatened by the Iranian authorities because of the punishments attached to charges of 'acts against national security' being levied against her. Under the Universal Declaration of Human Rights every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.

Yours respectfully,

[name/organisation]