

# URGENT ACTION

## HUMAN RIGHTS DEFENDER MUST BE RELEASED

**Journalist and human rights defender Shiva Nazar Ahari appears to have been charged with *moharebeh* (enmity with God), which can carry the death penalty. Her next hearing is scheduled for 4 September 2010. She is a prisoner of conscience, held solely for the peaceful exercise of her rights to freedom of expression and association.**

Shiva Nazar Ahari, who is a member of the Iranian organization, the Committee of Human Rights Reporters (CHRR), has been detained since 20 December 2009. Apparently charged with of *moharebeh*, under Article 186 of the Iranian Penal Code, she has also been charged with "assembly and collusion to commit a crime" (Article 610) and "propaganda against the Regime" (Article 500). Amnesty International fears that such vague charges do not amount to a recognizably criminal offence. She is being tried in Branch 26 of the Revolutionary Court in Tehran. Judicial officials and pro-government news agencies have publicly accused the CHRR and Shiva Nazar Ahari of contacting a banned group, the People's Mojahedin Organization of Iran (PMOI), The CHRR and Shiva Nazar Ahari have strenuously denied these accusations. According to her mother, in April 2010, Shiva Nazar Ahari was charged with "causing unease in the public mind through writing on the CHRR's website and other sites" and "acting against national security by participating in [anti-government] demonstrations on 4 November 2009 and 7 December 2009.". Shiva Nazar Ahari denied attending the demonstrations, saying that she had been at work on those days.

She has been in solitary confinement for much of the time. In February 2010 she told her family by phone that she had been placed in a "cage-like" solitary confinement cell where she could not move her arms and legs. She has had only limited access to her family.

### PLEASE WRITE IMMEDIATELY in Persian, Arabic, English, French or your own language:

- ✓ Calling on the Iranian authorities to release Shiva Nazar Ahari immediately and unconditionally, as she is a prisoner of conscience, held solely for her peaceful human rights activities;
- ✓ Urging them to ensure that she is protected from torture and other ill-treatment, and is granted immediate and regular access to a lawyer of her choice, her family and any medical attention she may require;
- ✓ Calling on the authorities to drop any charges brought against Shiva Nazar Ahari in connection with her peaceful exercise of her rights to freedom of expression and association, which are guaranteed by the UN Covenant on Civil and Political Rights, to which Iran is a state party.

### PLEASE SEND APPEALS BEFORE 15 SEPTEMBER 2010 TO:

Leader of the Islamic Republic

Ayatollah Sayed 'Ali Khamenei  
The Office of the Supreme Leader  
Islamic Republic Street – End of  
Shahid Keshvar Doust Street,  
Tehran, Islamic Republic of Iran

**Email: [info\\_leader@leader.ir](mailto:info_leader@leader.ir)**

**via website:**

[http://www.leader.ir/langs/en/index.php?](http://www.leader.ir/langs/en/index.php?p=letter)

[p=letter](http://www.leader.ir/langs/en/index.php?p=letter) (English)

**Salutation: Your Excellency\_**

Head of the Judiciary in Tehran

Mr Ali Reza Avaei  
Karimkhan Zand Avenue  
Sana'i Avenue, Corner of Alley 17,  
No 152

Tehran, Islamic Republic of Iran

**Email: [avaei@Dadgostary-tehran.ir](mailto:avaei@Dadgostary-tehran.ir)**

**Salutation: Dear Mr Avaei**

### And copies to:

Director, Human Rights  
Headquarters of Iran

His Excellency Mohammad Javad  
Larijani

Bureau of International Affairs,  
Office of the Head of the Judiciary,  
Pasteur St., Vali Asr Ave. south of  
Serah-e Jomhouri, Tehran  
1316814737,

Islamic Republic of Iran

**Email: [bia.judi@yahoo.com](mailto:bia.judi@yahoo.com)**

**Fax: + 98 21 5 537 8827 (please  
keep trying)**

**Also send copies to diplomatic representatives accredited to your country.** Please check with your section office if sending appeals after the above date. This is the fifth update of UA 347/09 (MDE 13/132/2009). For more information see: <http://www.amnesty.org/en/library/info/MDE13/132/2009/en>

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### ADDITIONAL INFORMATION

Shiva Nazar Ahari was arrested in central Tehran on 20 December 2009 along with two male CHRR members, Kouhyar Goudarzi and Saeed Haeri. They were taken from a bus while on their way to the funeral of a senior cleric critical of the authorities, Grand Ayatollah Montazeri, which was to take place the following day. Until around 14 February 2010, she was held in solitary confinement. Her mother, Shahrzad Kariman has said that she has inadequate food and water and poor sanitary facilities.

In January 2010, the Tehran Prosecutor, Abbas Ja'fari Dowlatabadi, told Shiva Nazar Ahari's family in a meeting: "Experts of the case have reported that the website for the Committee is linked to 'hypocrites' (the authorities' term for the PMOI), and any collaboration with the Committee is considered a crime."

An 8 May 2010 report by online news agency Raja News, which is said to be close to President Ahmadinejad, set out nine accusations against Shiva Nazar Ahari,, none of them amounting to recognizably criminal offences. Among them were that she had had contact with the PMOI, including sending it information about prisoners; "being a member and former secretary and current spokesperson for the CHRR" and "defending political prisoners;" she had taken part in "illegal gatherings," for some years and prepared a list of those killed in the period of the revolution. Amnesty International believes that the activities listed above amount to the legitimate exercise of the rights to freedom of expression, association and assembly.

In an interview on 19 May with the Belgium-based news website roozonline.com, Shahrzad Kariman rejected the allegations made against her daughter in the Iranian press. She said that "We will not remain silent over this and reserve the right to file legal complaints and shall sue Raja News [and] other media that have been printing slanderous reports." She added that: "Nobody has seen her file, not even her attorneys and the court sessions till now have been held *in camera* with no reporters present. No trial has been held till today either for anyone to claim that her charges have been proven. So I do not know where these newspapers have raised these accusations from."

Shiva Nazar Ahari had previously been arrested on 14 June 2009 and held for three months, she was released on bail on 23 September. She had also been detained in connection with her student and human rights activities in 2002 and 2004, receiving a one-year prison sentence in 2005, suspended for five years.

Shiva Nazar Ahari's first trial session was held on 23 May 2010. When her lawyer Mohammad Sharif read the case for that session, he realized that when she had first been arrested in June 2009, one of the four charges the judges had retained was *moharebeh*. When she was rearrested in December 2009, *moharebeh* had not been among the charges.

The CHRR was founded in 2006 and campaigns against all kinds of human rights violations, including those against women, children, and prisoners..

Since the June 2009 presidential election in Iran, the outcome of which was disputed, dozens of people have been killed by the security forces, using excessive force. Thousands have been arrested, mostly arbitrarily, and many have been tortured or otherwise ill-treated. Scores have faced unfair trials, including some in mass "show trials," with well over 200 sentenced to prison terms, and at least 16 sentenced to death. The authorities have increasingly resorted to the use of extreme charges such as *moharebeh* to stifle the legitimate expression of dissent. In July 2010, the Supreme Court rejected Ja'far Kazemi's request to appeal his death sentence for *Moharebeh*. He had been accused of contact with the PMOI and participation in the post-election demonstrations. Six other people with alleged links to the PMOI are also said to be under sentence of death.

Further information on UA: 347/09 Index: MDE 13//2010 Issue Date: 23 August 2010

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