



Iran

28 April 2011

Release of a human rights lawyer, while others remain arbitrarily detained and harassed

Paris-Geneva, April 28, 2011. 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), welcomes the release of human rights lawyer Mohammad Oliaiyfar, but expresses its deepest concern over the arbitrary detention of other human rights lawyers in the Islamic Republic of Iran

On April 18, 2011, human rights lawyer **Mohammad Oliaiyfar** was released after serving a one-year prison sentence. He had been arrested on May 1, 2010 and imprisoned on the same day following a sentence by Branch 26 of the Revolutionary Court dated February 7, 2010 [1] on charges of "propaganda against the system by giving interviews to the foreign media about Behnoud's case" [2]. The Observatory welcomes his release, but strongly deplores the ongoing harassment against a number of other human rights lawyers.

On April 23, 2011 indeed, the lawyer of Mr. **Mohammad Seifzadeh**, prominent human rights lawyer and founding member of the Defenders of Human Rights Centre (DHRC), announced that his client had been arrested and was held in a detention centre of the Intelligence Department in the North-Western City of Urumiyeh. Mr. Seifzadeh, who had been missing since April 11, was reportedly allowed to give a brief phone call to his family, and to be visited by his son. Following the visit, which lasted about two minutes, his son declared that his father was not in good health, had lost weight, and was limping. His lawyer was however not allowed to visit him, but the magistrate in charge of his case told Mr. Seifzadeh's lawyer that his client had been arrested on April 11, 2011 for allegedly having "interviewed two dozen Afghans there", without providing further information. On October 29, 2010, Mr. Mohammad Seifzadeh had been sentenced to 9 years imprisonment and to a 10 years ban to practice as lawyer by Branch 15 of the Revolutionary Court, on charges of "acting against national security" through founding the DHRC, and "propaganda against the regime" through interviews with foreign media. He had appealed his sentence.

In addition, Ms. **Nasrin Sotoudeh**, a human rights lawyer arrested on September 4, 2010 and sentenced on January 9, 2011 to 11 years imprisonment, 10 years of ban on professional activities and 10 years of ban on travelling abroad, for supposed "assembly and conspiracy with the intention to commit offences against the security of the state", "propaganda against the regime", and "membership in an illegal organisation", remains arbitrarily detained to date in a solitary cell of Section 209 of Evin Prison.

In another case brought against Ms. Sotoudeh for which she was tried by Branch 26 of the Islamic Revolution Court in late December 2010 and February 2011, Ms. Sotoudeh was sentenced on April 19, 2011 to a 500,000 Iranian rials fine (US\$40) for failing "to observe the hejab" (Islamic dress code). Her prosecution and sentence follows a video taken during a ceremony in Italy on the occasion of a human rights prize being awarded to her, where she had not

worn the headscarf. It is to be noted however that under the Iranian law, the Islamic Revolution Court does not have jurisdiction over such offence [3].

The Observatory firmly denounces the ongoing arbitrary detention of Messrs. Mohammad Seifzadeh and Ms. Nasrin Sotoudeh as well as of dozens of human rights defenders in Iran [4], with the only aim to sanction the legitimate exercise of their human right activities, amid the current general crackdown on the Iranian civil society.

The Observatory urges the Iranian authorities to put an end to these acts of harassment against human rights defenders, to immediately and unconditionally release those presently detained in the country, and more generally to conform to the United Nations Declaration on Human Rights Defenders, the Universal Declaration of Human Rights and international human rights instruments ratified by Iran.

[1] Following his sentencing, Mr. Oliayfard had been briefly detained from March 8 to 15, 2010, and released because some legal technicality had not been complied with (i.e. the original sentence had not been communicated to all of his lawyers).

[2] Mr. Behnoud Shojaee was a 'juvenile offender' executed in October 2009 in Evin prison.

[3] The subject matter jurisdiction of the Court is limited to offences against internal and external security; moharebeh and corruption on earth; insult to founder of the Islamic Republic of Iran and the current leader; conspiracy against the Islamic Republic of Iran; armed actions; espionage; drug-related crimes; claims concerning Article 49 of the Constitution (related to confiscation of all wealth accumulated through "usury, usurpation, bribery, embezzlement, theft, gambling, misuse of endowments, misuse of government contracts and transactions, the sale of uncultivated lands and other resources subject to public ownership, the operation of centers of corruption, and other illicit means and sources";.

[4] See latest Urgent Appeals of the Observatory: IRN 001/0211/OBS 024 and IRN 002/0311/OBS 052.

<http://www.fidh.org/Release-of-a-human-rights-lawyer-while-others>