



Iran

28 October 2008

Confirmation in appeal of the sentence of Mr. Mohamad Sadigh Kaboudvand to 11 years' imprisonment- IRN 003 / 0707 / OBS 072.2

The Observatory has been informed that the sentence of Mr. Mohamad Sadigh Kaboudvand, a journalist and the President of the Association for the Defence of Human Rights in Kurdistan (RMMK), to 11 years' imprisonment had been upheld in appeal.

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 October 28, 2008, the Appeal Chamber of the Revolutionary Court in Tehran confirmed Mr. **Mohamad Sadigh Kaboudvand's** sentence to ten years' imprisonment for "acting against State security by establishing the [RMMK] and one year in prison for "propaganda against the system". Mr. Kaboudvand is currently detained at the Evin prison in Tehran. According to his lawyer, his health condition remains very bad.

The Observatory expresses its deep concern about the confirmation of this harsh sentencing, which takes place in the context of an increasing harassment of human rights defenders, independent journalists and academics in the Iranian Kurdistan. The Observatory is also deeply concerned about Mr. Kaboudvand's health conditions, who would have suffered a stroke on May 19, 2008.

The Observatory further recalls that Iran had committed to "uphold the highest standards in the promotion and protection of human rights" [1] by presenting its candidacy to the Human Rights Council 2006 election and had insisted in this regard on the fact that the country had "continuously put great efforts into safeguarding the status and inherent dignity of the human person as well as the promotion and protection of human rights and fundamental freedoms" [2]. In order to ensure the continuation of these efforts, the Observatory urges the Islamic Republic of Iran to conform with international human rights standards.

Background information:

On July 1, 2007, Mr. Kaboudvand was arrested and immediately transferred to the prison of Evin in Tehran. No reason for the arrest was given. His home was subsequently searched and some of his personal belongings

(documents, books, computer, CDs, movies, etc.) were confiscated by the agents of the Revolutionary Prosecutor's office.

At the end of May 2008, Mr. Mohamad Sadigh Kaboudvand was sentenced by the Branch 15 of the Revolutionary Court in Tehran to ten years' imprisonment for "acting against State security by establishing the [RMMK]" and one year in prison for "propaganda against the system".

In 2006, Mr. Kaboudvand had already been condemned to a one-year suspended imprisonment sentence and to five years of privation of his journalistic activities for his involvement in the defence of human rights as well as for the publication of some articles defending cultural, social, and political rights of the Kurds in the Kurdish newspaper Payam-e Mardom-e Kurdistan (The Message of the People of Kurdistan). Mr. Kaboudvand is the redactor-in-chief of this newspaper.

Actions requested:

Please write to the authorities in Iran urging them to:

1. Guarantee in all circumstances the physical and psychological integrity of Mr. Mohamad Sadigh Kaboudvand, and ensure that he has access to adequate medical treatment;
2. Release Mr. Kaboudvand immediately and unconditionally as his detention is arbitrary;
3. Drop the charges against Mr. Kaboudvand as they seem to merely sanction his human rights activities and as such are arbitrary;
4. Put an end to any act of harassment, including judicial harassment, against Mr. Mohamad Sadigh Kaboudvand, as well as against all human rights defenders in Iran;
5. Conform with the UN Declaration on Human Rights Defenders, adopted by the General Assembly on December 9, 1998, which provides that "everyone has the right, individually and in association with others, to promote and to strive for the protection and realisation of human rights and fundamental freedoms at the national and international levels" (Article 1), that "for the purpose of promoting and protecting human rights and fundamental freedoms, everyone has the right, individually or in association with others [...] to form, join and participate in non-governmental organisations, associations or groups" (Article 5b), and 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 [...] Declaration" (Article 12.2);
6. More generally, ensure in all circumstances the respect for human rights and fundamental freedoms in accordance with international and regional human rights 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: + 98.21.649.5880 / 21.774.2228, Email: info@leader.ir / istiftaa@wilayah.org / webmaster@wilayah.org; * President, His Excellency Mahmoud Ahmadinejad, the Presidency, Palestine Avenue, Azerbaijan Intersection, Tehran, Islamic Republic of Iran, Fax: + 98.21.649.5880, E-mail: dr-ahmadinejad@president.ir; * Head of the Judiciary, His Excellency Mr. Mahmoud Hashemi Shahroudi, Ministry of Justice, Park-e Shahr, Tehran, Islamic Republic of Iran, Fax: +98.21.879.6671 / +98 21 3 311 6567, Email: Irjpr@iranjudiciary.com; * Minister of Foreign Affairs, His Excellency Mr. Manuchehr Motaki, 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; * Ambassador Mr. Ahani, Embassy of Iran in Brussels, avenue Franklin Roosevelt, 15 A. 1050 Bruxelles, Belgium, Fax: + 32 2 762 39 15. Email: iran-embassy@yahoo.com.

Please also write to the diplomatic mission or embassy of Iran in your respective country.

Paris - Geneva, October 28, 2008

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. The Observatory was the winner of the 1998 Human Rights Prize of the French Republic.

To contact the Observatory, call the emergency line: E-mail: Appeals@fidh-omct.org Tel and fax FIDH + 33 (0) 1 43 55 20 11 / +33 1 43 55 18 80

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[1] In accordance with GA resolution A/RES/60/251 establishing the Human Rights Council.

[2] <http://www.un.org/ga/60/elect/hrc/i...>

<http://www.fidh.org/Confirmation-in-appeal-of-the-sentence-of-Mr>