

URGENT APPEAL - THE OBSERVATORY

IRN 005 / 0710 / OBS 093

Harassment / Arbitrary detention

Iran

July 30, 2010

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), requests your urgent intervention in the following situation in **Iran**.

Description of the situation:

The Observatory has been informed by reliable sources about acts of harassment against the relatives of Mr. **Mohammad Mostafaei**, a renowned Iranian human rights lawyer.

According to the information received, on July 24, 2010, Mr. Mohammad Mostafaei was summoned to the Islamic revolutionary courts based within the notorious Evin Prison, interrogated and released later. Later that day, he wrote on his blog that the authorities might arrest him. Subsequently, on the same day, he was summoned again by phone. In the evening, Ms. Fereshteh Halimi and Mr. Farhad Halimi, his wife and brother-in-law respectively, were detained, after he apparently refused to turn himself in. The two reportedly told their family on the phone that they had been charged with "helping Mr. Mostafaei hide". The revolutionary court told them that they would remain in prison until Mr. Mostafaei would show up.

It seems that Mr. Mostafaei refused to heed the second summons, as summons by phone calls are illegal under the Iranian law, thus prompting the security forces to effectively take his family members hostage - a routine practice in the Islamic Republic of Iran in blatant violation of international law. In addition, Mr. Mostafaei's seven-year-old daughter has been ruthlessly deprived of parental care.

In the past few years, Mr. Mostafaei has represented 40 juveniles facing the death penalty, saving 18 of them, as well as several women and men sentenced to stoning and political prisoners. One of his latest actions was to open a bank account for donations to pay the money required to save lives of death-row juveniles. It is believed that the questioning on July 24 mainly concerned his dedication to defending juveniles. Mr. Mostafaei is also currently representing Ms. Sakineh Mohammadi Ashtiani, a 43-years-old mother of two children, whose sentence to stoning for adultery has recently led to widespread international protests and attracted extensive media attention worldwide. In addition, Mr. Mostafaei was briefly detained after the June 2009 presidential election, when millions of people protested against riggings and disputed the results in the streets.

The Observatory expresses its deep concern about the acts of harassment against Mr. Mohammad Mostafaei as it seem to only aim at sanctioning his human rights activities, as well as its deep indignation with the Iranian authorities' frequent practice of harassing members of families of wanted persons, which violates their basic human rights.

Actions requested:

Please write to the Iranian authorities and ask them to:

- i. Guarantee in all circumstances the physical and psychological integrity of Mr. Mohammad Mostafaei, Ms. Fereshteh Halimi and Mr. Farhad Halimi as well as all human rights defenders in Iran;
- ii. Release Ms. Fereshteh Halimi and Mr. Farhad Halimi immediately and unconditionally since their detention is arbitrary as it only aims at sanctioning Mr. Mohammad Mostafaei's human rights activities;

iii. Put an end to all kinds of harassment - including at the judicial level - against Mr. Mohammad Mostafaei as well as against all human rights defenders in Iran;

iv. Conform in all circumstances with the provisions of the Declaration on Human Rights Defenders, adopted on December 9, 1998 by the United Nations General Assembly, in particular its article 1, which states that "everyone has the right, individually or in association with others, to promote the protection and realization of human rights and fundamental freedoms at the national and international levels", its article 5(c), which reads that "everyone has the right, individually and in association with others, at the national and international levels, [...] to communicate with non-governmental or intergovernmental organizations", and its article 12.2 which provides 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 present Declaration";

v. Ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international 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 Mr. Mahmoud Ahmadinejad, the Presidency, Palestine Avenue, Azerbaijan Intersection, Tehran, Islamic Republic of Iran, Fax: + 98 21 649 5880. Email: dr-ahmadinejad@president.ir
- Head of the Judiciary, His Excellency Ayatollah Sadeq Larijani, Ministry of Justice, Park-e Shahr, Tehran, Islamic Republic of Iran, Fax: +98 21 879 6671 / +98 21 3 311 6567, Email: lrjpr@iranjudiciary.com
- Minister of Foreign Affairs, His Excellency Manouchehr Mottaki, Ministry of Foreign Affairs, Sheikh Abdolmajid Keshk-e Mesri Av, Tehran, Islamic Republic of Iran, Fax: + 98 21 390 1999
- 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
- Embassy of Iran in Brussels, 415 avenue de Tervuren, PO Box 34, 1150 Bruxelles, Belgium, Fax: + 32 2 762 39 15. Email: embassy.iran.bxl@skynet.be

Please also write to diplomatic representations of the Islamic Republic of Iran in your respective countries.

Geneva-Paris, July 30, 2010

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
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