

UA 94/21

AI Index MDE 13/4657/2021 of 27 August 2021

## **IRAN**

### **ILL-TREATED FOR SEEKING TRUTH AND JUSTICE**

Prisoner of conscience Maryam Akbari Monfared has been held in cruel and inhumane conditions in a distant prison in Semnan province far from her family since March 2021, in reprisal for her open letters condemning the Iranian authorities' human rights violations and seeking truth and justice for her siblings who were forcibly disappeared and extrajudicially executed in secret in 1988. She has been unjustly jailed for nearly 12 years.

Prisoner of conscience Maryam Akbari Monfared has been unjustly jailed for nearly 12 years solely because of her association and correspondence with her relatives abroad, who are members of the People's Mojahedin Organization of Iran. On 10 March 2021, she was suddenly transferred from Evin prison in Tehran to a distant prison in Semnan province 200km away from her family, in breach of both international and Iranian law requiring prisoners to be held, to the extent possible, in prisons close to their homes. Prosecution and prison officials have refused to provide any justification to her family or explain who ordered the transfer. To further punish Maryam Akbari Monfared, the authorities have denied her family visits since June 2021, and only allowed her to speak to her family on the phone for several minutes every day in the presence of an intelligence official.

Her transfer came after open letters from inside prison seeking truth and justice for the victims of the mass enforced disappearances and secret extrajudicial executions of 1988 who include her siblings. For years, ministry of intelligence officials have threatened to subject her to internal "exile" or to impose an additional prison term on her if she continues to speak out against the authorities' crimes under international law and human rights violations as she recently did in an open letter in July 2021 addressing the unlawful killings of protesters in November 2019 and July 2021.

Conditions in Semnan prison are cruel and inhumane. Prisoners have reported that for the past several months, the flushing system of the toilets has not worked, resulting in filthy floors and foul odours and putting prisoners in danger of disease. They have also said that reduced access to shower facilities, inadequate provision of shampoo and sanitary products, and the use of shared slippers are leading to the spread of infections and lice infestation. Those infected are denied adequate medical treatment. The spread of Covid-19 also remains a serious concern as the authorities are failing to isolate new arrivals and provide prisoners with disinfectant products and masks.

#### **Write to the Head of the Judiciary urging him to:**

- release Maryam Akbari Monfared immediately and unconditionally as her conviction is solely based on her peaceful correspondence with her family.

- to immediately end her punitive and unsafe placement in Semnan prison and ensure that she is granted regular access to her family.
- to urgently address the concerns pertaining to hygiene and medical care in Semnan prison, ensuring that all prisoners are treated humanely, in accordance with international law and standards, including the Nelson Mandela Rules
- allow international monitors, including the UN Special Rapporteur on the situation of human rights in Iran, to conduct independent, unannounced inspections of Semnan prison in line with international standards.

**Write to**

Head of Judiciary

Gholamhossein Mohseni Ejei

c/o Embassy of Iran to the European Union

Avenue Franklin Roosevelt No. 15,1050

Bruxelles, Belgium

Email: [secretariat@iranembassy.be](mailto:secretariat@iranembassy.be)

Salutation: Dear Mr Mohseni Ejei

**ADDITIONAL INFORMATION:**

The punitive transfer of Maryam Akbari Monfared to Semnan prison is part of a broader distressing trend, documented by the UN Special Rapporteur on the situation of human rights in Iran, which has involved “the transfer of human rights defenders to distant prisons far from their families as a punishment.” In his 16 July 2021 [report](#), the Special Rapporteur noted with concern that human rights defenders “Sepideh Qoliyan and Atena Daemi were transferred from the women’s ward in Evin Prison to remote prisons in Bushehr and Gilan Provinces on 10 and 16 March 2020, respectively... Golrokh Iraee was transferred from Qarchak Prison to Amol prison on 24 January 2021.”

Maryam Akbari Monfared has been imprisoned since December 2009 and has served 12 of her 15-year prison sentence for “enmity against God” (moharebeh) imposed solely because she had made phone calls to her relatives, who are members of the People’s Mojahedin Organization of Iran (PMOI), and had visited them once in Iraq. The PMOI is a banned opposition group outside Iran that advocates the overthrow of the Islamic Republic system. Her conviction and sentence were issued by Branch 15 of the Revolutionary Court in Tehran in May 2010 after a grossly unfair trial which, according to an informed source, lasted less than 15 minutes. She was held in solitary confinement for 43 days after her arbitrary arrest on 19 December 2009 and subsequently subjected to enforced disappearance for five months. She was denied access to a lawyer during the investigation stage and met her state-appointed lawyer for the first time at her trial. Her husband has said that during her trial session, the judge told her she was “paying” for the activities of her relatives with the POMI. Branch 33 of the Supreme Court upheld the conviction and sentence in August 2010. Maryam Akbari Monfared’s subsequent requests for retrial were denied.

Maryam Akbari Monfared submitted a complaint to the office of the prosecutor in Tehran from inside prison on 14 October 2016. The complaint concerns the extrajudicial execution and enforced

disappearance in 1988 of her sister Roghayeh Akbari Monfared and her brother Abdolreza Akbari Monfared, who was 17 years old at the time of his arrest in 1980. In her complaint, she requested “an official investigation into the extrajudicial execution of her siblings” and sought “detailed information about the executions including the location of the mass graves, and the identity of the perpetrators.” To date, the authorities have not processed her complaint. Instead, they have subjected her to reprisals.

In its 2018 report *Blood-soaked secrets: Why Iran’s 1988 prison massacres are ongoing crimes against humanity*, Amnesty International concluded that, in addition to committing the crime against humanity of murder in 1988 by extrajudicially executing thousands of political dissidents in secret, the Iranian authorities are committing the ongoing crimes against humanity of enforced disappearance, persecution, torture and other inhumane acts, including by systematically concealing the fate of the victims and the whereabouts of their remains. A group of UN experts also stated in a September 2020 communication that past and ongoing violations related to prison massacres in 1988 “may amount to crimes against humanity” and stated that should Iran “continue to refuse to uphold its obligations under international law, we call on the international community to take action ... through the establishment of an international investigation.”

The rise to presidency of Ebrahim Raisi who must be investigated for past and ongoing crimes against humanity related to the mass enforced disappearances and extrajudicial executions of 1988 is a grim manifestation of the systemic impunity that prevails in the country. Amnesty International has called on the UN Human Rights Council to take concrete steps to address the crisis of impunity in Iran including by establishing an impartial and independent mechanism, complementary to the work of the Special Rapporteur on the situation of human rights in Iran, to collect, consolidate, preserve, and analyze evidence of the most serious crimes under international law committed in Iran, in a manner that meets general standards of admissibility in criminal proceedings, in order to facilitate future fair and independent criminal proceedings.