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URGENT ACTION

FREED IRANIAN CHRISTIANS STILL AT RISK OF TRIAL

Maryam Rostampour and Marzieh Amirzadeh Esmailabad, two Iranian female converts to Christianity, were released from Evin Prison on 18 November. Both have been acquitted of “acting against state security” but continue to face other charges relating to their conversion.

Maryam Rostampour, aged about 27, and Marzieh Amirzadeh Esmailabad, aged about 30, were arrested on 5 March 2009. Mostly held in Evin Prison, on 9 August, they appeared before a Tehran Revolutionary Prosecutor who urged them to recant their faith and return to Islam, which they refused to do. During this hearing, they were given permission to meet a lawyer for the first time since being arrested.

On 7 October, they were unexpectedly taken to a branch of the Revolutionary Court, where the judge acquitted them of “acting against state security”, but reportedly referred other charges of “apostasy” and “propagation of Christianity” to a branch of the General Court. They were released on 18 November. Amnesty International is not aware of any date scheduled for a further court hearing.

Apostasy and propagation of Christianity are not crimes under Iran’s Penal Code, but judges are required to use their knowledge of Islamic law where codified law does not exist. Under Islamic Law, apostasy can carry the death penalty. On 19 November, the Iranian Embassy in Norway sent a rare reply to Amnesty International confirming the release of the two women but denying that they had been detained on account of their faith (please see additional information).

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

- Welcoming the release of Maryam Rostampour and Marzieh Amirzadeh Esmailabad on 11 November, and the response by the Iranian Embassy in Norway;
- Expressing concern that they remain at risk of prosecution for “apostasy” and “propagation of Christianity” which could lead to the imposition of the death penalty;
- Urging that any charges against them relating solely to their peaceful expression of their right to freedom of religion be dropped, as if convicted and imprisoned on such charges, they would be prisoners of conscience and Amnesty International would call for their immediate and unconditional release.

PLEASE SEND APPEALS BEFORE 28 JANUARY 2010 TO:

Head of the Provincial 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
Salutation: Dear Mr Avaei

Head of the Judiciary

Ayatollah Sadeq Larijani
Howzeh Riyasat-e Qoveh Qazaiyeh
(Office of the Head of the Judiciary)
Pasteur St., Vali Asr Ave., south of
Serah-e Jomhuri
Tehran, 1316814737
Islamic Republic of Iran
Email: Via website:
<http://www.dadiran.ir/tabid/75/Default.aspx>
First starred box: your given name;
second starred box: your family name;
third: your email address
Salutation: Your Excellency

And copies to:

Director, Human Rights Headquarters

Mohammad Javad Larijani
Howzeh Riassat-e Ghoveh Ghazaiyeh
Pasteur St, Vali Asr Ave., south of
Serah-e Jomhuri
Tehran 1316814737
Islamic Republic of Iran
Fax: +98 21 3390 4986
Email: bia.judi@yahoo.com (In the
subject line: **FAO Mohammad Javad
Larijani**)
Salutation: Dear Mr Larijan

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 first update of UA 95/09, MDE 13/030/2009. Further information: <http://www.amnesty.org/en/library/info/MDE13/030/2009/en>

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ADDITIONAL INFORMATION

Maryam Rostampour and Marzieh Amirizadeh Esmailabad appeared before Branch 2 of the Revolutionary Court in Tehran on 18 March after which they were taken to Evin Prison where they remained till their release. In early May they were transferred to solitary confinement in Section 209 of Evin Prison, but after the post-election unrest which began in June, they were transferred to a women's ward, apparently to make space for those newly detained.

Although Christianity is a recognized religion in Iran, evangelical Christians, some of whom have converted from Islam, often face harassment by the authorities. Converts from Islam can risk arrest, attack or the death penalty. Conversion from Islam (apostasy) is forbidden under Islamic Law, which requires apostates to be put to death if they refuse to reconvert to Islam. There is no specific provision in the Iranian Penal Code for apostasy, but judges are required to use their knowledge of Islamic Law to rule on cases where no specific legislation exists in the Penal Code. In June it was reported that an article criminalising apostasy in a new version of the Penal Code currently under discussion in the parliament had been dropped; however it could be reinstated by the Council of Guardians which vets all legislation for conformity to the Constitution and Islamic law.

In Iran, Revolutionary Courts hear certain categories of crimes, such crimes against state security (including espionage, armed insurrection and conspiracy), crimes under the Anti-narcotics law, slander of the Founder or Leader of the Islamic Republic, and certain crimes of economic corruption. General Courts hear other categories of crimes.

Article 23 of the Iranian Constitution states: "The investigation of individuals' beliefs is forbidden, and no one may be molested or taken to task simply for holding a certain belief." Article 18 (1) of the International Covenant on Civil and Political Rights (ICCPR), to which Iran is a state party, states: "Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching."

On 18 November, the Embassy of the Islamic Republic of Iran in Norway sent the following response:

The Embassy of the Islamic Republic of Iran has recently received some letters (most of them without address, email or any other contact) signed by Norwegian citizens, concerning two Iranian Christian women Maryam Rostampour and Marzieh Amirizadeh Esmailabad, claiming they have been arrested and jailed in Iran since 5 March 2009 because of their religion.

The Embassy would like to inform the following points about this case:

- 1) *They have recently been freed before completing their judicial procedure and even no bail has been taken from them.*
- 2) *In Iran nobody is prosecuted or arrested because of her or his faith and Christianity is a recognized religion. According to our information, Mss. Maryam Rostampour and Marzieh Amirizadeh Esmailabad have been arrested because they have private complainant.*
- 3) *Their file in Judiciary is still open.*

It would be appreciated to publish this answer to the writers of the letters and publish it through a proper manner for awareness of Norwegian public opinion and Christian community.

Amnesty International believes that the Iranian Embassy statement that there is a private complainant in their case and that their file is still open is consistent with the information the organization has received, but that the statement "[i]n Iran nobody is prosecuted or arrested because of her or his faith" does not fit the facts, as these two women are facing charges clearly related to their new faith.

Further Information on UA: 95/09 Index: MDE 13/130/2009 Issue Date: 17 December 2009

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