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موانین زیر ایش مسام قوانین

Women Living Under Muslim Laws

النساء فی ظل قوانین المسلمین

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Iran: Mahboubeh Abbasgholizadeh sentenced to 2 ½ years in jail and 30 lashes for 'acts against national security'

The Women Living Under Muslim Laws (WLUML) International Solidarity Network and the Global Campaign to Stop Killing and Stoning Women (SKSW) are deeply concerned by the sentencing meted out to our colleague and friend, Mahboubeh Abbasgholizadeh, in May by the Iranian Revolutionary Court for exercising her constitutional right to peaceful assembly. **Please see attached our sample letter .**

On 8 May 2010, the Revolutionary Court in Iran sentenced Ms. Abbasgholizadeh, 52, to two and a half (21/2) years in jail and thirty (30) lashes for 'acts against national security through conspiracy and collusion intended to disrupt public security, disturbing public order and defiance against government officers.' According to her lawyer, Mohammad Mostafai, she was tried in absentia with the State knowing that his client was out of the country and could not properly represent herself in court. Ms. Abbasgholizadeh has twenty (20) days to lodge an appeal in the Court through her lawyer.

Background

Mahboubeh Abbasgholizadeh is a women's rights activist and filmmaker. She is an active member of the Stop Stoning Forever Campaign and the Iranian Women's Charter movement. She was the director of the Non-Governmental Organisation Training Centre (NGOTC), an organisation formed to support the work of the growing NGO community in Iran, which was closed down by the Revolutionary Court of Iran during her first arrest in 2004. She also headed the Association of Women Writers and Journalists NGO and was the editor-in-chief of Farzaneh, which is 'a journal of women's studies and research in Iran and Muslim societies'.

Ms. Abbasgholizadeh was first arrested on 1 November 2004 with her personal effects summarily seized and her office closed down. The arrest was authorised by Tehran's Chief Prosecutor, Said Mortazavi, without any charges being filed against her. Abbasgholizadeh reported having been subjected to extreme mental and emotional torture throughout her detention, especially during her interrogation. She was also deprived of her visitation rights by her family. On 4 March 2007, she was again arrested along with other women activists during a peaceful demonstration in front of Tehran's Revolutionary Court in solidarity with five (5) women activists on trial for their demonstration on 12 June 2006 demanding equal rights in law for women in Iran. The national security police provoked the demonstration through verbal and physical violence against the women demonstrators and thirty three (33) of them were eventually arrested. Ms. Abbasgholizadeh, along with another woman human rights defender Shadi Sadr, was held in solitary confinement from 4 to 19 March while the

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rest of their colleagues were released much earlier. Throughout her detention, Ms.

Abbasgholizadeh was kept in secret at 209 SCHEMATA in the city of Isfahan. The views expressed on this website do not necessarily reflect those of any officers of the Women Living Under Muslim Laws International Solidarity Network (WLUM) and the responsibility for all opinions, views and accuracy of information contained in this publication rests entirely with individual authors.

March 2007, her bail was set at 250 million toman (8 US\$260,000), a prohibitively high amount. Her NGOTC office, which was re-opened after her release was again closed down and its bank account was frozen. She has not recovered both until now.

On 21 December 2009, Ms. Abbasgholizadeh was amongst those arrested in Iran while on their way to attend the funeral of Grand Ayatollah Hosseinali Montazeri, a senior cleric who criticised the Iranian government's crackdown on demonstrators in the aftermath of the contested June 2009 presidential elections. This time, she was arrested for her work as a filmmaker. She was conditionally released after 24 hours based on the promise that she would remove her films critical of the regime from the website of her collective.

Our human rights concerns

WLUM and the SKSW consider the sentencing of Ms. Abbasgholizadeh to 2 ½ years imprisonment to be harsh and the punishment by lashing to be cruel and degrading. In the first place, the basis of her arrest and of the thirty two (32) other WHRDs in 2007 was in direct contravention of **Articles 21 and 22 of the International Covenant on Civil and Political Rights (ICCPR)**, which the Islamic Republic of Iran has ratified without any reservations. The Islamic Republic of Iran is obliged to effectively apply the ICCPR in its national laws and in its justice system.

Article 21 of the ICCPR guarantees that the right of peaceful assembly shall be recognised by the State. **Article 22**, on the other hand, guarantees that everyone shall have the right to freedom of association with others, including the right to form and join trade unions for the protection of his interests.

Article 27 of the Constitution of Islamic Republic of Iran guarantees its citizens the freedom to assemble peacefully and yet the Iranian Penal Code contains a number of vaguely worded articles relating to "national security" which prohibit a range of activities that do not amount to recognizably criminal offences, including activities connected with journalism or public discourse. For instance, **Articles 498 and 499** prohibit forming or joining a group or association, either inside or outside the country that seeks to "disturb the security of the country". Article 500, which prohibits "propaganda against the state", and Article 610, which outlaws "acting against national security", are similarly vaguely worded.

The punishment of lashing is a form of torture and is also a violation of **Article 7 of the ICCPR** which states that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. It is also in contravention of **Article 39 of the Constitution** which bans all affronts to the dignity of detained or imprisoned persons.

We also consider the trial held in absentia as inconsistent with **Article 14 of the ICCPR**, which provides that the accused shall be entitled to be tried in his/ her presence.

Source:

WLUM/SKSW Networkers

Action needed:

Based on these concerns, we call on the Islamic Republic of Iran through the Honourable Ayatollah Sadegh Larijani to do everything in his powers, as head of the Judiciary of the Islamic Republic of Iran, to reverse the sentence handed down by the Revolutionary Court No. 26.

How you can support this action:

Please support this appeal by sending your own letters reflecting the human rights concerns we have described above to:

Addresses:

Ayatollah Sadegh Larijani

Head of the Judiciary of the Islamic Republic of Iran

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> (put given name in first starred box, family name in second starred box, and email address in third. Paste appeal in large box)

Salutation: Your Excellency

Attachment

Size

[Iran_M. Abbasgholizadeh_Sample letter to Head of Judiciary_03 June 2010.doc](#) 25.5 KB

Submitted on 06/02/2010

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