

For Immediate Release

UN Working Group on Arbitrary Detention demands immediate release of the only female political prisoner sentenced to life imprisonment in Iran

7 June 2016 – In a strong opinion released on 26 May, the UN Working Group on Arbitrary Detention (WGAD) has ordered Iran to immediately release and provide compensation to Kurdish women’s human rights defender Zeinab Jalalian – believed to be the only female political prisoner currently sentenced to life imprisonment in Iran.

In its opinion, the WGAD finds that Jalalian’s arrest and subsequent detention were arbitrary, that she was subjected to an unfair trial and that she has been subjected to torture and ill-treatment at the hands of Iranian authorities. The UN body also expresses “grave concern” about Ms Jalalian’s health and finds that her health has deteriorated so severely during her eight-year detention that her mental and physical integrity may be at risk of “irreparable harm”.

The opinion from the body of independent human rights experts that investigates cases of arbitrary arrest and detention comes after the filing of a petition on 5 March 2015 by REDRESS and Justice for Iran for the WGAD to intervene based on evidence demonstrating, among other aspects, the torture and ill-treatment suffered by Ms Jalalian. This followed her arrest on International Women's Day in 2008 which led to legal proceedings that did not comply with international standards for a fair trial, and the issuing of a death sentence, which was later commuted to life imprisonment.

“The Islamic Republic’s refusal to reply to the Working Group’s communication in Zeinab Jalalian’s case shows how the Iranian authorities disregard international mechanisms, in action, while always expressing their will to cooperate with the UN human rights bodies”, said Shadi Sadr, Co-director of Justice for Iran. **“The Working Group’s historical decision is just the beginning of an international campaign not only to ensure that Zeinab is released and compensated, as recommended by the Working Group, but also to hold the perpetrators accountable for their violation of Zeinab’s fundamental human rights and to urge the Iranian government to comply with its human rights commitments.”**

At its seventy-fifth session, held from 18-27 April, the WGAD adopted the opinion that there was “no legal basis” to justify the arrest and detention of Zeinab Jalalian and that her right to a fair trial has been violated. In 2008, Ms Jalalian was sentenced to death for “enmity against God” (moharebeh) by Kermanshah Revolutionary Court for her alleged membership in the Party for Free Life in Kurdistan (PJAK), an armed Kurdish opposition group.

She was not granted access to a lawyer during her summary trial and was sentenced to death despite the lack of evidence about her participation in the armed activities of the PJAK. Her death sentence was commuted to life imprisonment in 2011. The submission and evidence reviewed by the WGAD emphasises that there was no legitimate reason for Jalalian’s arrest on the grounds of national security or public order, as she was never involved, either directly or indirectly, in violent or armed activities.

Evidence of torture is also highlighted in the opinion. Before her trial, Ms Jalalian spent eight months in pre-trial detention in a Ministry of Intelligence detention centre, where she says she was subjected to torture and ill-treatment to force her to confess to false charges. This included long interrogations, beatings while being blindfolded, flogging under her feet, threats of rape and solitary confinement. The evidence also reveals she was tortured during a period of detention in Evin Prison in 2010.

The WGAD states that it is “particularly concerned” about the irreparable harm to Jalalian’s sight if she does not receive the necessary surgery for conjunctiva. Ms Jalalian’s forehead was fractured from being flung against a wall, causing a brain haemorrhage and vision impairment in one eye. It is also further believed that Ms Jalalian suffers from intestinal infections and internal bleeding. Her case has been the subject of several urgent appeals to Iran by UN’s Special Rapporteurs and Amnesty International.

“Since her arrest eight years ago, Zeinab Jalalian has suffered severe human rights abuses at the hands of Iranian authorities, including torture, which have caused a lasting harm to her physical and mental health. As confirmed by the UN Working Group on Arbitrary Detention, there is no legal basis for her arrest and subsequent detention, and Ms Jalalian was merely targeted for her political activism. The Government of Iran must release her immediately to redress the harm caused to her, and provide compensation, as ordered by the Working Group,” said Carla Ferstman, Director of REDRESS.

The WGAD’s opinion also draws attention to the fact that Ms Jalalian was arrested and detained because of her sex, political beliefs and national and social origin. Since 2000, Ms Jalalian had been assisting women in Iraqi and Iranian Kurdistan by providing them education and social services. One of her last activities prior to her arrest in March 2008, was a visit to a girls’ high school in Kamiaran, in Iranian Kurdistan, where she talked about the importance of International Women’s Day and distributed flowers to the students.

The WGAD’s opinion states that the gendered nature of the discrimination is evidenced by the repeated threats of rape and demands for “virginity testing” during her detention. Furthermore, the opinion confirms that there is credible information to suggest that she was targeted as a Kurdish woman seeking to help other Kurds and because of her involvement in political activism. The WGAD further notes the allegations that she has been subjected to torture and ill-treatment on several occasions, after she refused to provide a recorded statement confessing to her alleged crimes.

The WGAD rendered the opinion after no response had been received from the Government of the Islamic Republic of Iran to a WGAD communication transmitted on 12 February 2016. The State is a party to the International Covenant on Civil and Political Rights and has not refuted the credible allegations cited in the opinion and in the earlier communication. The WGAD has now referred the allegations of torture and ill-treatment to the Special Rapporteur on Torture and other Cruel, Inhuman or Degrading treatment or Punishment for appropriate action.

A copy of the opinion is available online at:

<http://www.redress.org/downloads/wgadopinionjalalianiran2016.pdf>

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About REDRESS: REDRESS is an award winning human rights organisation based in London which works internationally to combat torture by seeking justice and reparation for torture survivors. Since 1992, it has consistently fought for the rights of torture survivors and their families in the UK and abroad. REDRESS has intervened in a range of leading torture cases.

About Justice for Iran: Justice for Iran (JFI) is a non-governmental, not-for-profit human rights organisation established in July 2010. It aims to give a voice to the voiceless. The mission of JFI is to address and eradicate the practice of impunity that empowers officials of the Islamic Republic of Iran to perpetrate widespread human rights violations against their citizens, and to hold them accountable for their actions. JFI unravels the truth and seeks justice for ethnic and religious minorities, LGBTs, women, and those who are persecuted because of their political beliefs. To achieve its mission, JFI researches, documents, validates, and litigates individual cases. It further raises public awareness and participates in human rights advocacy through the UN and the EU.