

URGENT ACTION

BRITISH-IRANIAN CHARITY WORKER DETAINED

British-Iranian charity worker Nazanin Zaghari Ratcliffe has been detained in an undisclosed detention centre in Kerman, southern Iran, since 3 April. She has been denied access to a lawyer and has limited contact with her family. She was held in solitary confinement until 18 May. The authorities have not allowed her British consular assistance.

Nazanin Zaghari Ratcliffe, a project manager at Thomson Reuters Foundation, a charity organization promoting socio-economic progress, independent journalism and the rule of law, was arrested on 3 April at Tehran's Imam Khomeini Airport by officials believed to belong to the Revolutionary Guards. She was about to leave Iran to the UK along with her toddler daughter, Gabriella Ratcliffe, after visiting their family in Tehran. Before being taken into custody, she was allowed to leave her daughter in the care of her parents, who had accompanied her to the airport. The authorities have confiscated the passport of her daughter, who holds British nationality.

Nazanin Zaghari Ratcliffe was apparently held in a detention facility in Tehran for about a week before being taken to an undisclosed detention centre in Kerman, southern Iran. Her family returned to the airport the day following her arrest to inquire about her fate and whereabouts but the authorities refused to provide them with any information, including the reasons for her arrest and detention. Nazanin Zaghari Ratcliffe was only permitted to make a brief phone call to her family for the first time three or four days after her arrest. She was not, however, allowed to give any details during the phone call, including on her whereabouts. Over a week after her arrest and in response to repeated queries, the family finally received a call from an unidentified official saying that Nazanin Zaghari Ratcliffe was held in the city of Kerman. The family were later told by another unidentified official that she had been arrested for "reasons related to national security", but it appears that she has not yet been formally charged. Since her arrest, she has been denied the right to access a lawyer and is feared to have been coerced into making "confessions". Nazanin Zaghari Ratcliffe was allowed a meeting with her family, including her daughter, for the first time on 11 May in a hotel room in Kerman. The meeting, which lasted over two hours, took place in the presence of security agents. She has been permitted to make several brief phone calls to her family members in Iran but has not been allowed to speak to her husband, who is based in the UK.

Please write immediately in Persian, English, Arabic, French, Spanish, or your own language:

- Calling on the Iranian authorities to release Nazanin Zaghari Ratcliffe unless she is promptly charged with an internationally recognizable offence and tried in line with international fair trial standards;
- Urging them to allow her regular contact with an independent lawyer of her own choosing and visits and phone calls from her family, including her daughter;
- Calling on them to ensure that she is protected from torture and other ill-treatment, is granted any medical attention she may require, and that any statements extracted under duress or while she was denied access to a lawyer are excluded from any proceedings against her;
- Requesting the authorities to allow her to communicate with British consular officials.

PLEASE SEND APPEALS C/O THE IRANIAN EMBASSY BEFORE 1 JULY 2016 TO:

Office of the Supreme Leader
Ayatollah Sayed 'Ali Khamenei
Salutation: Your Excellency

Head of the Judiciary
Ayatollah Sadegh Larijani
Salutation: Your Excellency

And copies to:
President
Hassan Rouhani

Please send your appeals care of diplomatic representatives accredited to your country, listed below. H.E. Mohammad Hassan Habibollahzadeh, Embassy of the Islamic Republic of Iran, 16 PRINCES GATE LONDON SW7 1PT, Tel: 02072254208 or 02072254209 Email: iranemb.lon@mfa.gov.ir

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



URGENT ACTION

BRITISH-IRANIAN CHARITY WORKER DETAINED

ADDITIONAL INFORMATION

Nazanin Zaghari Ratcliffe's family returned to the airport on 10 April, a week after her arrest on 3 April, but all their queries remained unanswered. The following day, they received a phone call from an unidentified official who said that Nazanin Zaghari Ratcliffe was held in the city of Kerman, southern Iran, and that she was fine. The family received another call on 27 April apparently from the Intelligence Department of the Revolutionary Guards. The official told them that Nazanin Zaghari Ratcliffe was being held for "reasons related to national security", without elaborating on further details, and that she would likely be held for another two or three months until the investigations were deemed complete. Her family were asked to prepare some clothes and money for her while she is in detention. Nazanin Zaghari Ratcliffe has been allowed to speak to members of her family by phone from her place of detention several times.

Denial of the right of detainees to communicate with the outside world and to receive visits facilitates human rights violations in custody, including torture and other ill-treatment and enforced disappearance, and violates fair trial rights. Article 14(3) of the International Covenant Civil and Political Rights (ICCPR), to which Iran is a state party, guarantees the right of detainees to have adequate time and facilities for the preparation of their defence and to communicate with counsel of their own choosing. The UN Human Rights Council has stated: "The right to communicate with counsel requires that the accused is granted prompt access to counsel." Under international law, delaying access to legal assistance may only be permitted under exceptional circumstances, which must be prescribed by law and limited to occasions when it is considered to be indispensable to maintain security and good order. However, even in such limited cases, access should not be delayed by more than 48 hours from the time of arrest or detention.

Under Article 48 of the 2014 Code of Criminal Procedure, which entered into force in June 2015, individuals who face criminal charges can request the presence of a lawyer from the start of detention and the lawyer can meet the detainee paying due attention to the confidentiality of the investigations. The Code, in breach of international law and standards, does not guarantee the right to access an independent lawyer of one's choosing in certain cases including those related to national security. In such cases, the accused individual are limited to choosing their lawyer from a list of lawyer approved by the Head of the Judiciary.

Under Article 49 of the 2014 Code of Criminal Procedure, the parents, spouse, children and siblings of arrested individuals are entitled to inquire about them from the local Office of the Prosecutor, the Provincial Prosecutor, and the Head of the Justice Department in each province. The Article notes that responding to the queries of the individuals mentioned in the provision is obligatory so far as "this does not infringe on the social and familial status of the detainees." Further, Article 180 of the Executive Regulations for the Organization of State Prisons and Security and Corrective Measures stipulates that all prisoners and detainees are permitted to have contact with their relatives and acquaintances in the form of visits and correspondence. It clarifies, however, that such contact should take place under the supervision of the prison officials and in full compliance with the Prison Regulations.

UA: 117/16 Index: MDE 13/4068/2016 Issue Date: 20 May 2016