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Due process ignored as trial date is set for Iranian Baha'i prisoners

GENEVA -- In yet another example of the denial to Baha'is in Iran of their rights to justice, including due process, judicial officials have reportedly set next Tuesday as the trial date for seven imprisoned Baha'i leaders – despite the fact that the lead lawyers registered with the court to represent them are either in prison or outside the country.

Further, efforts to have the accused released on bail have not succeeded. The investigation against them was concluded months ago but they remain incarcerated, without access to their legal counsel and with only the barest minimum contact with their families – contact that did not begin until some five months' after their arrest, when they were finally taken out of solitary confinement.

Authorities recently sent to Abdolfattah Soltani, a key member of the legal team representing the seven Baha'is who is himself currently imprisoned in Evin prison, a notice saying that 18 August has been set as the trial date for the seven Baha'is. Dated 15 July, the writ of notification for the seven gives 9 a.m., 18 August, as the date for the trial, in Branch 28 of the Revolutionary Court in Tehran. That is the same court that tried Iranian-American journalist Roxana Saberi.

The writ of notification giving 18 August as the trial date was specifically addressed to Mr. Soltani, a well-known human rights lawyer and a principal of the Tehran-based Defenders of Human Rights Center, which was founded by Nobel laureate Shirin Ebadi and has since last year undertaken to defend the seven Baha'is.

Meanwhile, Mrs. Ebadi, the senior member of the legal team, remains outside the country.

“The judiciary’s decision to schedule the trial under these circumstances is an effrontery and yet another tactic aimed at depriving the seven Baha'i leaders of competent legal counsel,” said Diane Ala'i, the Baha'i International Community's representative to the United Nations in Geneva.

“The Iranian authorities know full well who is serving as legal counsel for the Baha'is. Indeed, authorities have several times tried to pressure the seven to change lawyers.

“It is the height of absurdity to issue a trial notice to a lawyer who has himself been unjustly imprisoned,” she said.

“The willingness of Iran’s judiciary to flout the most fundamental internationally accepted norms of jurisprudence were brought to light in the widespread publicity attending the trial of Roxana Saberi.

“More recently, the attention of the world has been focused on the show trial of scores of individuals arrested in post-election turmoil in Iran, also without due process and which has included ‘confessions’ that were clearly coerced through torture,” said Ms. Ala’i.

The Baha’i International Community has called for the human rights of all the people of Iran to be respected and upheld. “Today, then, we raise the call on behalf of our innocent co-religionists, whose only ‘crime’ is their religious belief, and who face the most severe punishments if they are found guilty of the trumped-up charges against them.

“Instead of going on trial, they should be immediately released on bail, and, at the very least, be given adequate time for their attorneys to prepare a defense,” said Ms. Ala’i.

Ms. Ala’i also said that the 18 August trial date could not be taken as firm, noting that the families of the seven had been told in June they were to be tried on 11 July, only to have that date come and go.

“Given the past history of this case, the utter lack of concern for procedure on the part of authorities, and the current situation in Iran, it is simply not possible to know when the proceedings will actually begin,” she said.

The seven Baha’i prisoners are Mrs. Fariba Kamalabadi, Mr. Jamaloddin Khanjani, Mr. Afif Naeimi, Mr. Saeid Rezaie, Mrs. Mahvash Sabet, Mr. Behrouz Tavakkoli, and Mr. Vahid Tizfahm. All but one of the group were arrested on 14 May 2008 at their homes in Tehran. Mrs. Sabet was arrested on 5 March 2008 while in Mashhad. They have since been held without formal charges or access to their lawyers at Evin prison in Tehran.

Official Iranian news accounts have said the seven are to be accused of "espionage for Israel, insulting religious sanctities and propaganda against the Islamic republic," charges that are rejected completely and categorically.

The ongoing imprisonment of the seven and pending trial is particularly alarming because of their leadership position as the former members of a national-level coordinating group known as the "Friends in Iran." Some 25 years ago, other Baha’i leaders were executed after being rounded up in a manner similar to the way in which these seven were arrested last year.

For more information, go to <http://news.bahai.org>