

PUBLIC

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UA 130/08 Prisoner of conscience/Medical concern

IRAN Emadeddin Baghi (m), aged 46, human rights defender

Journalist and human rights defender Emadeddin Baghi suffered a seizure on 7 May in Tehran's Evin prison; he was treated in the prison hospital and sent back to his cell the same day. Amnesty International is concerned that Emadeddin Baghi is not receiving adequate medical treatment, putting his life in danger.

Emadeddin Baghi was arrested on 14 October 2007 when he responded to a summons to appear before Branch 14 of the Revolutionary Court in Tehran. He was questioned about his activities as head of an NGO, the Association for the Defence of Prisoners' Rights. He was accused of "publishing secret government documents". Court officials set bail at 500 million Rials (approx. US\$54,000). While his family were in the process of delivering the money, they were told that instead of being released on bail, he must serve a suspended sentence of one year's imprisonment, which had been imposed after an unfair trial in 2003, during which he had no access to a lawyer. The court authorities revoked the bail, and Emadeddin Baghi was immediately returned to prison. Amnesty International considers him a prisoner of conscience, held solely for peacefully exercising his right to freedom of expression.

On 26 December 2007, while in solitary confinement in Evin prison in Tehran, Emadeddin Baghi suffered the first of two seizures. He was taken to hospital, where he had a second seizure. Despite this, he was returned to prison the following day. On 17 January 2008 he was moved to hospital and granted bail for one month's treatment, until 26 February. This was extended, and he returned to prison on 16 April, although his doctors insisted that he should convalesce in a calm, quiet environment with no stressful conditions or situations. Emadeddin Baghi was brought before Branch 12 of the Revolutionary Court in Tehran for further interrogation on 7 May. That day he suffered a heart attack: he was treated at the prison's medical facility, and sent back to his cell that evening. He found that his cell had been ransacked: his books, his writings and the file he was preparing for his defence had been taken. His family were allowed to visit him on 13 May, and found him to be very weak and pale.

On 29 April, Emadeddin Baghi had been acquitted by Branch 44 of the Appeal Court of "activities against national security" and "publicity in favour of the regime's opponents," for which he could have received three years' imprisonment. However, new charges have been brought against him. These relate to his use of the media to criticize the behaviour of the prison authorities in 2006 when they tried to stop Sayed Ali Akbar Mousavi-Kho'ini from attending his father's funeral while he was detained there. See UA 181/06 (MDE 13/075/2006, 30 June 2006) and follow ups (MDE 13/109/2006, 26 September 2006; MDE 13/003/2007, 17 January 2007).

BACKGROUND INFORMATION

Iranian legislation severely restricts freedom of expression and association, and human rights defenders often face harassment, imprisonment and torture.

The Iranian Constitution protects freedom of expression and belief: Article 23 states that "The investigation of individuals' beliefs is forbidden" and that "No one may be molested or taken to task simply for holding a certain belief." Article 24 provides for freedom of expression in press and publications. Iran is a state party to international human rights treaties that enshrine these rights, notably the International Covenant on Civil and Political Rights.

The Penal Code contains a number of vaguely worded provisions relating to association and "national security" which prohibit a range of activities, many of them connected with journalism or public discourse, which are permitted under international human rights law. Human rights defenders are often imprisoned on politically motivated criminal charges. Many are subject to travel bans that prevent them from leaving the country.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Persian, Arabic, English, French or your own language:

- expressing concern that Emadeddin Baghi, who suffered two seizures on 7 May, is not receiving adequate medical treatment;
- urging the authorities to grant him immediate and unconditional access to the medical treatment that he needs;
- calling on them to release Emadeddin Baghi immediately and unconditionally, as he is a prisoner of conscience, held solely for the peaceful exercise of his right to freedom of expression.

APPEALS TO:

Leader of the Islamic Republic

His Excellency Ayatollah Sayed 'Ali Khamenei

The Office of the Supreme Leader, Islamic Republic Street - Shahid Keshvar Doust Street

Tehran, Islamic Republic of Iran

Email: info@leader.ir

Salutation: **Your Excellency**

Head of the Judiciary

Ayatollah Mahmoud Hashemi Shahroudi

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: info@dadgostary-tehran.ir (In subject line write: **FAO Ayatollah Shahroudi**)

Salutation: **Your Excellency**

Minister of Intelligence

Gholam Hossein Mohseni Ejeie

Ministry of Intelligence, Second Negarestan Street, Pasdaran Avenue, Tehran, Islamic Republic of Iran

Salutation: **Your Excellency**

COPIES TO:

President

His Excellency Mahmoud Ahmadinejad

The Presidency, Palestine Avenue, Azerbaijan Intersection

Tehran, Islamic Republic of Iran

Fax: **+ 98 21 6 649 5880**

Email: dr-ahmadinejad@president.ir

via website: <http://www.president.ir/email/>

Director, Human Rights Headquarters of Iran

His Excellency Mohammad Javad Larijani

C/o Office of the Deputy for International Affairs

Ministry of Justice,

Ministry of Justice Building, Panzdah-Khordad (Ark) Square,

Tehran, Islamic Republic of Iran

Fax: **+ 98 21 5 537 8827 (please keep trying)**

and to diplomatic representatives of Iran accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 27 June 2008.