

PUBLIC

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20 September 2006

Further Information on UA 215/06 (MDE 13/089/2006, 09 August 2006) Fear for safety/Medical concern/Torture

IRAN

Ahmad Batebi (m) aged 28, former student activist

Former student activist Ahmad Batebi is now known to be held in Evin prison in the capital, Tehran. His relatives have been permitted to visit him there three times. He called off his hunger strike shortly after his family's first visit to him in detention on 21 August. However, he is still said to be seriously mentally and physically ill. Prison authorities are reportedly denying him access to the medical treatment he needs.

Ahmad Batebi was re-arrested on 27 July after failing to return from a period of temporary leave from prison, which began around March 2005. He is serving a 10-year sentence in connection with involvement in student demonstration in 1999. Following his re-arrest his family was not told where he was detained until 12 August, when he was permitted to telephone his wife, Somaie Baiienat, and confirm that he was held in Section 209 of Evin prison. His family have only been permitted to visit him three times. During their first two visits, Ahmad Batebi's family were accompanied by four prison guards, although their third visit, on 18 September, was reportedly less heavily supervised. Ahmad Batebi is not permitted to see his lawyer.

Ahmad Batebi is reportedly in poor physical and mental health, which is said to be deteriorating. He suffers from a number of medical problems as a result of being tortured and ill-treated during his previous period of detention, including stomach and kidney problems. He has lost some of his teeth, and has permanent hearing problems and poor vision. He has suffered from repeated lung infections and breathing difficulties.

Despite the seriousness of his medical condition, prison authorities are allegedly not permitting Ahmad Batebi to receive any medical treatment beyond a few pain killers. According to a press report, Dr Hesam Firouzi, Ahmad Batebi's doctor, wrote to the authorities on 6 August stating that his patient was at risk of paralysis or heart attack, and needed to receive specialist treatment outside prison.

Ahmad Batebi has reportedly been subjected to psychological ill-treatment since his re-arrest. He is reportedly denied the opportunity to see daylight, and is forced to wear a blindfold during exercise sessions in the prison yard.

BACKGROUND INFORMATION

Hundreds of people, including Ahmad Batebi and fellow student activists Akbar Mohammadi and his brother Manuchehr Mohammadi, were arrested following violent clashes in Tehran in July 1999, known after the Iranian date as the *18 Tir* demonstrations. Dozens faced torture and ill treatment in incommunicado detention, followed by manifestly unfair trials and imprisonment. The events leading up to the violence began on 8 July 1999, when a small number of students gathered in a peaceful demonstration outside their university to protest against the closure of the daily newspaper *Salam*.

Ahmad Batebi was detained and sentenced to death on charges relating to endangering national security following an unfair and secret trial by a Revolutionary Court in Tehran, but his death sentence was commuted to a 15-year prison term by Iran's Supreme Leader, Ayatollah Sayed 'Ali Khamenei. His prison sentence was reduced to 10 years on appeal in early 2000. Around March 2005, Ahmad Batebi was reportedly temporarily released, in order to allow him to get married. The period of leave was then extended, but Ahmad Batebi failed to return to prison after it had expired. On 23 June 2005, an interview with Ahmad Batebi appeared in the US newspaper, the New York Sun. The article described Ahmad Batebi as being "currently on the run,

avoiding the authorities in Iran". On 28 June 2005, a Judiciary spokesperson announced that an arrest warrant for Ahmad Batebi had been issued after he had failed to return to prison at the expiry of his leave. Ahmad Batebi suffers from a number of medical problems as a result of being tortured and ill-treated during his previous period of detention.

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

- expressing concern for the health of Ahmad Batebi, who is held in Evin prison;
- calling for guarantees that he will be treated humanely in detention, and not tortured or ill-treated;
- urging the authorities to grant him immediate and regular access to his relatives and his lawyer;
- calling for the authorities to give him immediate access to all necessary medical treatment, including permitting him to seek medical treatment outside prison, as his doctor has reportedly recommended, and in accordance with the provisions of article 291 of Iran's Code of Criminal Procedure, which allows courts to order that inmates receive medical treatment outside prison;
- calling on the authorities to order a judicial review of the case against Ahmad Batebi, and to release him immediately and unconditionally if the review finds that he was imprisoned solely for the expression of his conscientiously held beliefs.

APPEALS TO:

Leader of the Islamic Republic

His Excellency Ayatollah Sayed 'Ali Khamenei, The Office of the Supreme Leader
Shoahada Street, Qom, Islamic Republic of Iran
Email: info@leader.ir / istiftaa@wilayah.org
Salutation: Your Excellency

Head of the Judiciary

His Excellency Ayatollah Mahmoud Hashemi Shahroudi
Ministry of Justice, Park-e Shahr, Tehran, Islamic Republic of Iran
Email: Please send emails via the feedback form on the Persian site of the website:
<http://www.iranjudiciary.org/contactus-feedback-fa.html>
The text of the feedback form translates as:
1st line: name, 2nd line: email address, 3rd line: subject heading, then enter your email into text box.
Salutation: Your Excellency

COPIES TO:

President

His Excellency Mahmoud Ahmadinejad
The Presidency, Palestine Avenue, Azerbaijan Intersection, Tehran, Islamic Republic of Iran
Email: dr-ahmadinejad@president.ir OR via website: www.president.ir/email

Speaker of Parliament

His Excellency Gholamali Haddad Adel
Majles-e Shoura-ye Eslami, Imam Khomeini Avenue, Tehran, Islamic Republic of Iran
Fax: + 98 21 6 646 1746

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 1 November 2006.