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Public Statement

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Iran: Amnesty International concerned by prosecution of Dr Hesam Firouzi and abuses against "18 TIR" students

Amnesty International welcomes the release on bail on 24 January 2007 of Dr Hesam Firouzi, detained since 6 January 2007, but is concerned that he continues to face prosecution because of his work as a medical doctor and for his human rights activities. He is reportedly charged with "hiding an escaped prisoner" in his house; "acting against the security of the system" by giving interviews to foreign radio stations about the existence of torture in prison; and "possessing a satellite dish", which is illegal in Iran. The prisoner to whom the charges refer is former student Ahmad Batebi, one of those imprisoned in connection with the so-called "18 Tir" demonstration in July 1999.

Amnesty International is urging the Iranian authorities to drop all charges against Dr Firouzi which relate solely to his peaceful exercise of his internationally recognized right to freedom of expression and association, or his right to practise his profession. If he were to be imprisoned on the basis of such charges, he would be a prisoner of conscience and Amnesty International would call for his immediate and unconditional release.

Dr Hesam Firouzi was first arrested and detained for two days on 2 October 2006. Members of the security forces reportedly raided his home and confiscated all his books, documents and computer, without noting what they were removing, in violation of Iranian law. On 3 January 2007, he received a summons to appear before Branch 14 of Tehran's Revolutionary Court on 6 January. When he attended, he was arrested and taken to Evin Prison. His wife said, in an interview with *Deutsche Welle Radio* that Ahmad Batebi had visited her husband in his office and had stayed in their house for one week to get rest and constant care. She said, "*the judge told my husband that he should not have done that, but my husband said 'I am a physician and have taken an oath to treat my patients without discrimination and what their crime is and what kind of personality they have is irrelevant. I must provide them with medical treatment anyway'. For this reason, they sent my husband to Evin Prison.*"

At a court session on 22 January 2007, bail for Dr Firouzi's release, which had originally been set at 5 million toumans in cash (around US\$5,500) was increased to 25 million toumans collateral security (over US\$270,000). In a report carried by the Iranian Labour News Agency (ILNA) on 24 January 2007, his lawyer announced Dr Hesam Firouzi's release. On 26 January 2007, his wife, Mahta Bordbar, stated to ILNA that her husband had been released in the evening of 24 January.

Ahmad Batebi was initially arrested in connection with involvement in a student demonstration in July 1999, known as the "18 Tir" demonstration, which was violently suppressed by security forces. Hundreds were arrested and many were brutally tortured, including Ahmad Batebi, who continued to suffer severe health problems as a result.

Ahmad Batebi and three others were sentenced to death on charges relating to endangering national security following unfair and secret trial procedures by a Revolutionary Court in Tehran. Ahmad Batebi's death sentence was commuted to a 15-year prison term by Iran's Supreme Leader, Ayatollah Sayed 'Ali Khamenei, later reduced to 10 years on appeal in early 2000. In March 2005, Ahmad Batebi was reportedly temporarily released, in order to allow him to get married and to seek medical treatment. The period of leave was then extended, but Ahmad Batebi failed to return to prison after it had expired. During his absence from prison, Ahmad Batebi continued to receive medical treatment, including from Dr Hesam Firouzi.

Ahmad Batebi was re-arrested on 27 July 2006 and is held in Section 209 of Evin Prison in Tehran, run by the Ministry of Intelligence and outside the control of the Prisons Organization, which is responsible for sentenced prisoners. It is believed he spent about the first three months of his time there in solitary confinement. He is now said to be held in a communal cell in which he is deprived of access to fresh air and sunlight. It is feared he is not receiving the medical treatment he needs for his serious health problems.

In August 2006, shortly after Ahmad Batebi was rearrested and after he had begun a hunger strike in protest at his re-imprisonment, Dr Hesam Firouzi wrote an open letter to the prison authorities in August 2006 in which he said that

his patient was at risk of paralysis or a heart attack in prison. The letter detailed Ahmad Batebi's health problems, which included dislocation of the hips, bleeding in the kidneys, gastritis and a duodenal ulcer, and stated that there was a risk he could die if he was not released.

In December 2006, shortly after meeting his son in prison, Ahmad Batebi's father expressed his serious concern over his son's state of health and queried why he remained held in Section 209, which is where detainees under interrogation are usually held. He said, "*if they don't mean harm, why is Ahmad in Section 209? They are playing with our emotions. Our son is slowly losing his life and no one takes responsibility for this. I really feel that they might do something to him this time. I can see in his eyes that he is asking for help but what can I do?*"

Another "18 Tir" student, Abbas Deldar, was conditionally released on or around 10 January 2007 after serving half his 15-year sentence. He too had originally been sentenced to death. Mehrdad Lohrasbi, whose death sentence was also commuted to 15 years' imprisonment, remains detained in Section 2 (where violent prisoners are held) in Raja'i Shahr prison near Tehran. He is reportedly in need of medical treatment for both mental and physical ailments. In November 2005 he wrote in a letter from prison: "*At this moment however, I am extremely ill and suffer from everything from problems with my left knee, my lungs, gums and teeth (scurvy) and a tumour that has begun to rapidly grow in the left side of my cerebellum which I am told may be malignant and probably cancerous. I have requested a medical furlough from the prison authorities and they have categorically refused to permit me to receive medical attention.*"

It was reported in December 2005 that Mehrdad Lohrasbi had been told that in order to be granted medical leave, he would have to provide bail of over US\$22,000, which his family was unable to afford. In September 2006 it was further reported that Mehrdad Lohrasbi had gained a massive amount of weight, and was suffering from shooting pains in his chest and constant leg-pain. He was also said to be suffering from insomnia, and to be taking a lot of sedatives.

Akbar Mohammadi, another "18 Tir" student, died in custody in suspicious circumstances in July 2006. Released on long-term medical leave in July 2004 to treat his health problems stemming from his torture in detention, he was rearrested from his home in Amol on 11 June 2006 shortly after having published a book in which he described some of his experiences in prison.

On 19 July 2006, Akbar Mohammadi was transferred to the medical clinic inside Evin Prison. A prison doctor reportedly refused to give him any pain-relief medication, which led to a verbal altercation between himself and the doctor. Akbar Mohammadi was then allegedly beaten by a prison guard, before being transferred back to his prison cell. To protest the denial of medical care and his ill-treatment, Akbar Mohammadi decided to go on hunger strike, stating to his family that "*the regime is trying to kill me slowly in jail by refusing me proper medical care. Therefore, if I am going to die anyway, I will choose my own way*".

Akbar Mohammadi began a hunger strike on or around 21 July 2006. On the last three days of his hunger strike he refused liquids as well as solids, apparently because prison officials were not permitting him to use the toilet. Akbar Mohammadi's lawyer sought to meet him following the news that he had begun a hunger strike, but this was prevented by the prison authorities. On 26 July 2006 Akbar Mohammadi was transferred to the prison medical facility where he stayed until 30 July. An Iranian parliamentary delegation visiting Evin Prison was denied permission to visit the section of the prison -- possibly the clinic itself -- in which he was held. It is alleged that he was gagged and bound to a bed while this delegation visited the prison. He was later transferred back to his prison cell. His condition reportedly worsened in the course of that day and he died on 31 July 2006.

A lawyer acting on behalf of his relatives has submitted a request for an investigation into Akbar Mohammadi's death. The lawyer stated that other prisoners detained with Akbar Mohammadi reported that Akbar Mohammadi did not receive adequate medical treatment and was returned to the prison cell at 7.30pm on 30 July 2006. Akbar Mohammadi reportedly told the other prisoners that the prison doctor had told him he had suffered a heart attack. When the prisoners asked him why he had been transferred back to the cell, he said that prison officials had told the medical facility officials, "*Let him go back to the ward, and die like a dog*". He died the next day.

In November 2006, the lawyer for Akbar Mohammadi's family said the case had been referred to the police criminal office from the Disciplinary Court for Government Employees, but stated that he believed that the police criminal office would not be able to conduct an independent investigation of the witnesses in the prison. He added that the criminal prosecutor had found some faults in the forensic medicine report into Akbar Mohammadi's death and called for its revision. The lawyer went on to say that an independent medical assessment of Akbar Mohammadi's case was required.

Amnesty International is repeating its call for an immediate judicial review of the cases of Ahmed Batebi, Mehrdad Lohrasbi and any other person imprisoned after unfair trials in Iran. It is also calling on the Iranian authorities to ensure that both prisoners have access to all necessary medical treatment. In addition, Amnesty International is also calling for a prompt, thorough and impartial investigation into the allegations of torture of the "18 Tir" students, and into Akbar Mohammadi's death in custody, which should be consistent with the UN Principles on the Effective Prevention and Investigation of extra-Legal, Arbitrary and Summary Executions.

