

PUBLIC

AI Index: MDE 13/150/2007

18 December 2007

Further Information on UA 176/07 (MDE 13/082/2007, 6 July 2007) – Prisoner of conscience/ health concern New concern: Ill-treatment

IRAN Mahmoud Salehi (m), trade union leader

Mahmoud Salehi, spokesperson for the Organisational Committee to Establish Trade Unions, was reportedly admitted to hospital, unconscious, on 11 December, after repeatedly collapsing in prison between 4-10 December. During an earlier hospitalisation, on or around 4 December, the authorities placed restraints on his bed. He may not be receiving adequate medical care.

Mahmoud Salehi, whom Amnesty International believes is a prisoner of conscience, has long term medical concerns. A May 2007 request by his doctor that he be accorded specialist treatment outside the prison has been ignored. He suffers from chronic kidney disease, as a result of which he required dialysis. He is also said to suffer from a heart disorder. In December 2007 it was reported that he has grave intestinal edema or swelling that may be connected with his renal disease.

Following his admission to Tohid (also known as Towhid) Hospital in the city of Sanandaj, Kordestan province, Mahmoud Salehi received a brain scan. This revealed that blood vessels in his brain have been damaged. His wife, Najibeh Salehzadeh is reported to have said on 18 December that "...the physical health of my partner is extremely severe. One of his kidneys has stopped working and because of being deprived of proper medical treatment the other kidney is losing its functions. His blood pressure fluctuates and his blood sugar is surging. He falls unconscious about twice daily. The lack of treatment of his kidney has affected his heart as well. His feet and legs are swollen and the excessive injections of tranquilizers have seriously endangered his well-being...."

Mahmoud Salehi was among 20-30 prisoners forcibly moved on 4 December from one section to another in Sanandaj Central Prison. Given very little time to collect personal items, Mahmoud Salehi required more time than other prisoners to comply with the order because of his poor health. As a result of his perceived slowness he was insulted and, according to reports, a prison guard threatened to kill him. Mahmoud Salehi experienced raised blood pressure, as a likely consequence of the stress he had experienced during his transfer between prison sections, and he was taken to Tohid Hospital on or around 4 December, where he was restrained to his bed and administered tranquilisers prior to his return to prison, the date of which is not known to Amnesty International.

Mahmoud Salehi has been denied visits from his lawyer and family. His family, who live 400km from Sanandaj, have been able to contact him by telephone.

BACKGROUND INFORMATION

Mahmoud Salehi was arrested after a peaceful demonstration to celebrate May Day 2004. In November 2005 he was sentenced to five years' imprisonment and three years' internal exile in the city of Ghorveh, Kordestan. At his trial, the prosecutor reportedly cited his trade union activities as evidence against him, and referred to a meeting he had held with officials from the International Confederation of Free Trade Unions (ICFTU) - now reconstituted as the International Trade Union Confederation (ITUC) - in April 2004, shortly before the May Day demonstrations. His conviction was overturned on appeal, but after a retrial he was sentenced on 11 November 2006 to four years' imprisonment for "conspiring to commit crimes against national security". He was free until the appeal hearing on 11 March, when his sentence was reduced to a

three-year suspended prison sentence and one year's imprisonment, which commenced with his imprisonment on 9 April 2007.

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

- urging prison authorities to ensure that Mahmoud Salehi's ill health be properly diagnosed as a matter of urgency, and that he be seen by qualified specialist health professionals where relevant, and provided with appropriate medical treatment.
- reminding prison authorities that according to Rules 33 and 34 of the United Nations Standard Minimum Rules for the Treatment of Prisoners chains or irons shall not be used as restraints and that other instruments of restraints should be used only when and as long as strictly necessary;
- calling on judicial authorities to provide information about the reasons for the imprisonment of Mahmoud Salehi;
- expressing concern that Mahmoud Salehi appears to have been incarcerated for what appears to be his peaceful trade union activities;
- urging that, as a prisoner of conscience detained solely for the peaceful exercise of his right to freedom of expression and association, the authorities to release Mahmoud Salehi immediately and unconditionally;
- reminding the authorities to ensure that he has ongoing and regular access to his lawyers and families;
- reminding the authorities of their obligations under the ICCPR, Article 22 (1) of which provides for the right to form and join trade unions, and also Iran's obligations under Convention 87 (freedom of association) and 98 (right to organise) of the International Labour Organization, compliance with which is expected as a condition of Iran's membership of the ILO.

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 the subject line write: **FAO Ayatollah Shahroudi**)

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

via website: www.president.ir/email

Director, Human Rights Headquarters of Iran

His Excellency Mohammad Javad Larijani

Howzeh Riassat-e Ghoveh Ghazaiyeh

(Office of the Head of the Judiciary), Pasteur St.,

Vali Asr Ave., south of Serah-e Jomhuri, Tehran 1316814737, Iran

Fax: **+98 21 3390 4986 (please keep trying)**

Email: fsharafi@bia-judiciary.ir (In the subject line: **FAO Mohammad Javad Larijani**)

int_aff@judiciary.ir (In the subject line: **FAO Mohammad Javad Larijani**)

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 29 January 2008.