

PUBLIC

AI Index: MDE 13/134/2006

11 December 2006

Further Information on UA 262/06 (MDE 13/114/2006, 29 September 2006) and follow-up (MDE 13/120/2006, 13 October 2006) - Arbitrary arrest/fear for safety/possible prisoners of conscience and new concern: Medical concern

IRAN **Ayatollah Sayed Hossein Kazemeyni Boroujerdi (m), Shi'a cleric**
More than 418 people

Most of the followers of Shi'a cleric Ayatollah Sayed Hossein Kazemeyni Boroujerdi arrested since 28 September are believed to have been released, some on bail. However, the Ayatollah himself and at least 22 of his followers (whose names are known to Amnesty International) are still detained in Section 209 of Evin Prison. There are unconfirmed reports that Ayatollah Sayed Hossein Kazemeyni Boroujerdi may have suffered a heart attack and been hospitalised for at least three days on or around 24 October. He is now believed to be in Evin Prison, where it is feared he may not be receiving adequate medical treatment.

His family looked for him in various Tehran hospitals, without success. He may have been admitted under a different name. It is not clear whether he, or any of the others who are still detained, have been allowed visits by their families or lawyers.

One of those who has since been released has described being tear-gassed and shocked with an electroshock weapon during arrest and said that among those detained were the Ayatollah's 80-year-old mother and six-month-old grandson. Those arrested were taken to Evin Prison, and interrogated. Personal property such as mobile phones has not yet been returned to those who have been released.

At least 118 followers of the Ayatollah were arrested between 28 September and 2 October. The Ayatollah himself was arrested on 8 October, together with at least 300 other followers, in violent clashes with the security forces, who had surrounded the Ayatollah's house.

Ayatollah Sayed Hossein Kazemeyni Boroujerdi reportedly advocates the separation of religion from the political basis of the Iranian state. Since 1994 he says he has been summoned repeatedly before the Special Court for the Clergy and has been detained in Towhid and Evin Prisons. He has reportedly developed heart and kidney problems as a result of torture. His father was a prominent cleric who refused to accept the principle of *velayat-e faqih* (rule of the Islamic jurist) on which the Islamic Republic of Iran is based. He died in 2002 and his grave in the Masjed-e Nour mosque in Tehran has reportedly been desecrated and the mosque taken over by the state.

BACKGROUND INFORMATION

The Special Court for the Clergy, which operates outside the framework of the judiciary and is under the direct control of the Supreme Leader, was established in 1987 by Ayatollah Khomeini to try members of the Shi'a religious establishment in Iran. Its procedures fall short of international standards for fair trial: among other things, defendants can only be represented by clergymen nominated by the court, who are not required to be legally qualified. In some cases the defendant has been unable to find any nominated cleric willing to undertake the defence and has been tried without any legal representation. The court can hand down sentences including flogging and the death penalty.

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

- welcoming the release of most of Ayatollah Sayed Hossein Kazemeyni Boroujerdi's followers;

- seeking assurances that those still detained will be protected from torture or ill-treatment;
- asking why those still in custody were arrested, what charges they are facing and whether they have been put on trial;
- urging the authorities to allow all those detained immediate and regular access to their families and to lawyers of their choice;
- asking to be informed of the medical condition of the Ayatollah and his followers, and urging that they be granted access to all necessary medical treatment;
- calling on the authorities to release of all those detained unless they are to be charged with a recognizably criminal offence and tried promptly and fairly;
- reminding the authorities that Amnesty International would consider anyone detained solely on account of their religious beliefs or their support for Ayatollah Sayed Hossein Kazemeyni Boroujerdi, who has not used or advocated violence, to be a prisoner of conscience, who should be released immediately and unconditionally.

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 OR istiftaa@wilayah.org

Fax: +98 251 774 2228 (mark "FAO the Office of His Excellency, Ayatollah al Udhma Khamenei")

Salutation: Your Excellency

Minister of Intelligence

Gholam Hossein Mohseni Ejeie

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

Email: iranprobe@iranprobe.com

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

Speaker of Parliament

His Excellency Gholamali Haddad Adel

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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 22 January 2007.