

URGENT ACTION

MOHAMMAD ALI TAHERI RESUMES HUNGER STRIKE

Iran's Supreme Court quashed Mohammad Ali Taheri's death sentence in December and returned his case to the Revolutionary Court to order further investigation. He is now in his fifth year of solitary confinement, and has begun a new hunger strike in protest.

Mohammad Ali Taheri started a hunger strike on 30 January after the authorities in Section 2A of Tehran's Evin Prison, which is run by the Revolutionary Guards, told him that "he must get the thought of being released out of his mind". After seven days on hunger strike, he lost consciousness and was transferred to a hospital: he was returned to prison on 10 February. He has continued his hunger strike despite his fragile health.

Mohammad Ali Taheri has been in pre-trial solitary confinement since May 2011. He has been charged with several offences, including "spreading corruption on earth" and also "insulting Islamic sanctities", for which a Revolutionary Court sentenced him in October 2011 to five years in prison, but said further investigations were necessary before it could rule on the first charge. The Revolutionary Guards subsequently resumed their investigations, pending which the pre-trial detention in solitary confinement was repeatedly extended. Mohammad Ali Taheri was ultimately sentenced to death in July 2015 for "spreading corruption on earth" through establishing a spiritual group called *Erfan-e Halgheh* and promoting beliefs and practices which the authorities said were "perverse" and advanced a "soft overthrow" of the government by weakening people's religious convictions. The Supreme Court quashed the death sentence in December 2015, holding that the definition of "spreading corruption on earth" was not met under the criminal laws in force at the time of his activities. The case has now been returned to the prosecutorial authorities to conduct further investigations that could potentially support the charge. On 7 February 2016, the five-year prison sentence was considered complete taking into account the pre-trial detention, which continues to date.

Please write immediately in Persian, English or your own language:

- Urging the Iranian authorities to release Mohammad Ali Taheri immediately and unconditionally, as he is a prisoner of conscience, held solely for the peaceful exercise of his rights to freedom of expression and association;
- Calling on them to ensure he has access to a qualified health professional who can provide health care in compliance with medical ethics, including the principles of confidentiality, autonomy and informed consent;
- Calling on them to order independent and impartial investigations into his prolonged solitary confinement, which violates the absolute prohibition of torture and other ill-treatment, and bring those responsible to justice.

PLEASE SEND APPEALS BEFORE 30 MARCH 2016 TO:

Leader of the Islamic Republic
Ayatollah Sayed 'Ali Khamenei
The Office of the Supreme Leader
Islamic Republic Street- End of Shahid
KeshvarDoust Street,
Tehran, Islamic Republic of Iran
Twitter: @khamenei_ir (English)
@Khamenei_es (Spanish)
Email (via website):
[http://www.leader.ir/langs/en/index.php?
p=suggest](http://www.leader.ir/langs/en/index.php?p=suggest)
Salutation: Your Excellency

Head of the Judiciary
Ayatollah Sadegh Larijani
c/o Public Relations Office
Number 4, 2 Azizi Street intersection
Tehran, Islamic Republic of Iran
(Subject line: FAO
Ayatollah Sadegh Larijani)
Salutation: Your Excellency

And copies to:
President of the Islamic Republic of Iran
Hassan Rouhani
The Presidency
Pasteur Street, Pasteur Square
Tehran, Islamic Republic of Iran
Email: media@rouhani.ir
Twitter: @HassanRouhani (English)
@Rouhani_ir (Persian)

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the fourth update of UA 212/14. Further information:

<https://www.amnesty.org/en/documents/mde13/2618/2015/en/>

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ADDITIONAL INFORMATION

Iran's Revolutionary Guards have conducted numerous criminal investigations into Mohammad Ali Taheri's spiritual teachings and practices since early 2010, and he was indicted in July 2011 on several charges: "spreading corruption on earth"; "insulting Islamic sanctities"; "interfering in medical affairs and patients' treatments"; committing *haram* [religiously forbidden] acts" and "having illicit relations" through touching the wrists of "unrelated" (*namahram*) women; "producing and distributing illegal audiovisual materials"; "earning illegitimate funds" and using academic titles unlawfully. Branch 26 of the Revolutionary Court in Tehran ruled in November 2011 that further investigations were needed to provide support for the charge of "spreading corruption on earth", but convicted Mohammad Ali Taheri of the other six charges and sentenced him to five years in prison for "insulting Islamic sanctities", 74 lashes for "having illicit relations" and fines of different amounts for the other four charges. The conviction of "insulting Islamic sanctities" was based on allegations that Mohammad Ali Taheri had claimed that there were contradictions in the Quran and that Prophet Mohammad had not understood the meaning of his own words. Mohammad Ali Taheri has consistently denied these allegations, saying that he is a "devout Muslim". The sentence was upheld by Branch 54 of the Provincial Appeal Court of Tehran in May 2012.

The case concerning the charge of "spreading corruption on earth" was later sent for further investigation to the Sarrollah Unit of the Revolutionary Guards in Tehran, which has always been the lead investigator of the case. The authorities apparently then used the investigation as a pretext to avoid transferring Mohammad Ali Taheri to the general ward of Evin Prison. Instead, they repeatedly extended his pre-trial detention in solitary confinement in Section 2A of the prison, where he is still held. Branch 26 of the Revolutionary Court in Tehran is understood to have approved the extremely prolonged pre-trial detention at least once, in July 2014.

The Sarrollah Unit of the Revolutionary Guards apparently completed its investigations in September 2014, and concluded, among other things, that Mohammad Ali Taheri had "spread corruption on earth" by promoting his "perverse sect" to about 50,000 people in the country, and by taking steps to advance "a soft overthrow of the holy establishment of the Islamic Republic" by creating doubts over religious beliefs in a widespread manner. Branch 26 of the Revolutionary Court held two trial sessions between March and July 2015, at the end of which he was convicted and sentenced to death. The Supreme Court quashed the death sentence in December, after concluding that Mohammad Ali Taheri's activities before he was arrested in 2011 had not amounted to "spreading corruption on earth" as defined under the old Islamic Penal Code (which was in effect until 2013 when a new Islamic Penal Code was adopted). The court also noted the existence of a number of open but inactive investigation files against Mohammad Ali Taheri which addressed various allegations, including "apostasy" (*ertedad*), "insulting the Prophet" (*sabbo al-nabi*), "gathering and colluding against national security" through his membership of the opposition guerrilla group *Fadaiyan Khalq* in the early years of the Islamic Republic, and "committing crimes against the physical integrity of multiple individuals and on a mass scale", but said the investigations conducted into these allegations were incomplete and flawed. The court therefore returned the case to the Revolutionary Court to order further investigations that could support the charge.

The 2013 Islamic Penal Code has expanded the scope of the crime of "spreading corruption on earth" beyond that stipulated in the previous Code; to include "procuring arms to cause terror or fear, or to breach public security and freedom". Article 286 of the new Code states that "whoever, in a widespread manner, commits crimes against individuals' physical integrity, crimes against national security, causes disruption in the economic structure of the country, commits arson and destruction, distributes poisonous or dangerous substances, or runs corruption and prostitution centres, in a manner that causes severe disruption in the public order of the country or causes extensive damage to the physical integrity of individuals or private and public property, or spreads corruption or prostitution in large scale is 'corrupt' on earth and shall be sentenced to death." Article 242 of Iran's new Code of Criminal Procedure states that the pre-trial detention period of the accused must not exceed two years in cases of crimes punishable by death and one year in cases of other offences.

Name: Mohammad Ali Taheri

Gender m/f: m

Further information on UA: 212/14 Index: MDE 13/3433/2016 Issue Date: 17 February 2016