

PUBLIC

**AI Index: MDE13/131/2008
02 September 2008**

Further Information on 130/08 (MDE 13/069/2008, 16 May 2008) Prisoner of conscience/ medical concern

IRAN Emadeddin Baghi (m), aged 46, human rights defender

On 9 August, Emadeddin Baghi, journalist and human rights defender, called his wife, Fatemeh Kamali Ahmad Sarahi, informing her that his transfer from Evin prison to a hospital in Tehran had been authorized by the prison doctor. A few hours later he contacted her again saying that he had actually been transferred to Section 209 of the prison. Section 209 is controlled by the Ministry of Intelligence and houses prisoners in solitary confinement.

Fatemeh Kamali Ahmad Sarahi visited her husband on 18 August. During the visit he appeared weak and complained of breathing difficulties. Emadeddin Baghi informed his wife that he had recently refused to be interrogated by the prison guards whilst being handcuffed and blindfolded. Emadeddin Baghi had received the authorization to be transferred to a hospital in Tehran for treatment for a range of ailments that have emerged since his imprisonment. Fatemeh Kamali Ahmad Sarahi is concerned that her husband is not receiving adequate medical treatment.

On 14 October 2007, Emadeddin Baghi was arrested when he responded to a summons to appear before Branch 14 of the Revolutionary Court in Tehran. He was questioned about his activities as head of an NGO, the Association for the Defence of Prisoners' Rights. He was accused of "publishing secret government documents". Court officials set bail at 500 million Rials (approx. US\$54,000). While his family were in the process of delivering the money, they were told that instead of being released on bail, he must serve a suspended sentence of one year's imprisonment, which had been imposed after an unfair trial in 2003, during which he had no access to a lawyer. The court authorities revoked the bail, and Emadeddin Baghi was immediately returned to prison. Despite several periods of medical leave, Emadeddin Baghi continues to serve this one year sentence.

Since this time Emadeddin Baghi has faced politically motivated harassment whether by way of interrogation by Ministry of Intelligence officials or the opening of new 'criminal' investigations against him, some while he has been detained. These have included judicial protests to his acquittal of 'national security' related charges in one case, and interrogation concerning interviews in which he has highlighted human rights issues both in May 2008. He has faced interrogation in connection with his work with the Association for the Defence of Prisoners' Rights, though it is not known whether this will be a continuation of existing cases or the start of new one.

Emadeddin Baghi is a prisoner of conscience, held solely for peacefully exercising his right to freedom of expression and for his human rights work.

BACKGROUND INFORMATION

Since December 2007, Emadeddin Baghi has suffered three seizures, the most recent on 7 May. In January and May 2008 he was granted temporary periods of medical leave, in part in response to national and international appeals. His family, lawyers and medical experts have noted that he has not been cured and doctors insisted that he should recover in a calm, quiet environment with no stressful conditions or situations.

Iranian legislation severely restricts freedom of expression and association, and human rights defenders often face harassment, imprisonment and torture. The Iranian Constitution protects freedom of expression and belief: Article 23 states that "The investigation of individuals' beliefs is forbidden" and that "No one may be molested or taken to task simply for holding a certain belief." Article 24 provides for freedom of expression in press and publications. Iran is a state party to international human rights treaties that enshrine these rights, notably the International Covenant on Civil and Political Rights.

The Penal Code contains a number of vaguely worded provisions relating to association and "national security" which prohibit a range of activities, many of them connected with journalism or public discourse, which are permitted under international human rights law. Human rights defenders are often imprisoned on politically motivated criminal charges. Many are subject to travel bans that prevent them from leaving the country.

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

- expressing concern that Emadeddin Baghi is not receiving adequate medical treatment;
- urging the authorities to grant him access to the medical treatment that he needs;
- calling on them to release Emadeddin Baghi immediately and unconditionally, as he is a prisoner of conscience, held solely for the peaceful exercise of his right to freedom of expression.

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

His Excellency 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

Fax: **+ 98 21 6 649 5880**

Email: dr-ahmadinejad@president.ir

via website: <http://www.president.ir/email/>

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 14 October.