

PUBLIC

**AI Index: MDE 13/135/2008
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Further Information on UA 262/06 (MDE 13/114/2006, 29 September 2006) and follow-ups (MDE 13/134/2006, 13 October 2006; MDE 13/134/2006, 11 December 2006; MDE 13/040/2007, 30 March 2007; MDE 13/074/2007, 15 June 2007) and AI Index: MDE 13/103/2007, 10 August 2007 - Arbitrary arrest/ fear for safety/possible prisoners of conscience/ medical concern/torture and ill-treatment

IRAN **Ayatollah Sayed Hossein Kazemeyni Boroujerdi (m), aged 50, Shi'a cleric**
Massoud Samavatiyan (m)
Ali Shahrabi Farahani (m)
Ahmad Karimiyan (m)
Majid Alasti (m)

New names: **Mehrdad Souri (m)**
Mohammad-Reza Sadeghi (m)
Habib Ghovati (previously referred to as Ghouti) (m)

Ayatollah Hossein Kazemeyni Boroujerdi continues to be held in Evin Prison in Tehran, where his medical condition has gravely deteriorated. On 10 September, Ayatollah Kazemeyni Boroujerdi's wife and the family lawyer went to Evin Prison in order for the Ayatollah to sign papers nominating the lawyer. They were denied access to Ayatollah Hossein Kazemeyni Boroujerdi by the prison authorities. He and his detained followers may be prisoners of conscience, held only because of their religious beliefs.

On 2 September, his doctor wrote to Iran's judicial authorities informing them of his patient's urgent, multiple and complex medical conditions that require immediate medical care outside of the prison. The doctor submitted a diagnosis of Ayatollah Kazemeyni Boroujerdi's heart condition, which is causing chest pains, suggesting that important arteries may be blocked. The Ayatollah also suffers from a kidney condition that causes considerable pain and he has lost around 40kg whilst in detention. He is also in a very poor psychological state.

Without prior warning Ayatollah Boroujerdi was summoned to appear before the Special Court for the Clergy (SCC) on 1 September. The SCC tried to force him to give an interview to a government newspaper recanting his beliefs and seeking forgiveness from Iran's Supreme Leader.

He was sentenced on 13 August 2007 to serve one year in prison in Tehran, followed by ten years in prison in another part of the country. He has been repeatedly denied permission to seek adequate treatment for his medical problems. Ayatollah Boroujerdi is reported to have been repeatedly tortured and ill-treated since his arrest.

Ayatollah Boroujerdi advocates the removal of religion from the political basis of the Iranian state. He was arrested at his home in Tehran on 8 October 2006 along with more than 300 of his followers, during violent clashes with the security forces. He and 17 followers were initially sentenced to death, but the death sentences were later dropped. In addition to his sentence of 11 years' imprisonment, Ayatollah Boroujerdi was also defrocked (banned from wearing his clerical robes and thereby from practising his clerical duties), and his house and all his belongings were confiscated.

Of the 77 followers of Ayatollah Boroujerdi who also faced trial, most have now been released although on 7 August, Habib Ghovati appeared before the SSC and received a four year prison sentence. The sentences and whereabouts of two other followers, Ali Shahrabi Farahani and Ahmad Karimiyan, remain unknown.

At the conclusion of their appeals, four other followers, Majid Alasti, Mehrdad Souri, Mohammad-Reza Sadeghi and Massoud Samavatiyan, had their sentences upheld by the SCC on 3 September. Majid Alasti was sentenced to four years' imprisonment to be served in exile in Zanjan prison, 330 km northwest of Tehran. Mehrdad Souri and Mohammad-Reza Sadeghi were sentenced to two years' imprisonment and are now held in Evin Prison. Massoud Samavatiyan was sentenced to five years' imprisonment to be served in exile in Khoramabad, Lorestan province, western Iran.

BACKGROUND INFORMATION

The SCC, which operates outside the framework of the judiciary, was established in 1987 by Ayatollah Khomeini to try members of the Shi'a religious establishment in Iran. Its procedures fall far 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:

- expressing concern that Ayatollah Kazemeyni Boroujerdi is not receiving adequate medical treatment, and urging the authorities to grant him immediate access to the medical treatment that he needs;
- expressing concern at the continuing harassment of Ayatollah Kazemeyni Boroujerdi because of his religious beliefs;
- calling on the authorities to ensure that Evin Prison authorities ensure that Ayatollah Kazemeyni has access to a lawyer of his choice;
- expressing concern that Ayatollah Kazemeyni Boroujerdi and his detained followers may be prisoners of conscience, who should be immediately released if not promptly charged with a recognizably criminal offence.

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

Chief Prosecutor of the Special Court for the Clergy

Hojjatoleslam val moslemin Shaykh Mohammad Salimi

c/o Ministry of Justice, Ministry of Justice Building, Panzdah-Khordad Square, Tehran, Islamic Republic of Iran

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

Email: info@dadgostary-tehran.ir (mark: FAO Hojjatoleslam val moslemin Salimi)

Salutation: Dear Sir

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 23 October 2008.