

URGENT ACTION

HOSSEIN RONAGHI MALEKI TAKEN BACK TO PRISON

Iranian blogger Hossein Ronaghi Maleki has been taken to Tehran's Evin Prison to resume serving his 13-year sentence. He is critically ill and doctors have advised against stopping his specialized medical care. He is a prisoner of conscience.

Hossein Ronaghi Maleki, a 30-year-old Iranian blogger, was taken to Tehran's Evin Prison on 20 January, after he reported to the Office of the Prosecutor, and is now held in Section Seven of the prison. He had written on his Facebook page on the same day, "My refusal to return would mean the confiscation of the bail amount and that would be a breach of the bail bondsmen's trust and a nullification of commitments and moral principles."

Hossein Ronaghi Maleki has only one functioning kidney and according to his doctors needs constant monitoring and access to specialized medical care, which he cannot get in prison. Nevertheless, the Office for the Implementation of Sentences sent him a summons on 20 December 2015, telling him that he must return to prison within a month to resume serving his sentence, or else the bail amount set to secure his release would be confiscated. Hossein Ronaghi Maleki had been on medical leave since June 2015. In spite of his poor health, the authorities had told him several times that he "must return [to prison]".

He was arrested on 13 December 2009 and sentenced to 15 years in prison for offences including "membership of the internet group 'Iran Proxy'", "spreading propaganda against the system" and "insulting the Supreme Leader", apparently in connection with articles he had posted on his blog. After arrest, Hossein Ronaghi Maleki was held for over a year in solitary confinement, during which he has said he was tortured and otherwise ill-treated, which may have contributed to his poor health. He was told in June 2015 that the sentence had been reduced to 13 years.

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

- Calling on the Iranian authorities to release Hossein Ronaghi Maleki 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;
- Urging them to ensure that he is immediately granted access to specialized medical care outside the prison;
- Calling on them to ensure an independent and impartial investigation into his allegations of torture and other ill-treatment, including during solitary confinement, and that he is protected from further torture and other ill-treatment, such as denying him adequate medical care.

PLEASE SEND APPEALS BEFORE 3 MARCH 2016 TO:

Office of the Supreme Leader

Ayatollah Sayed 'Ali Khamenei
Islamic Republic Street- End of Shahid
Keshvar Doust Street
Tehran, Islamic Republic of Iran
Email: via website
<http://www.leader.ir/langs/en/index.php?p=letter>
Twitter: @khamenei_ir (English)
Salutation: Your Excellency

Head of the Judiciary

Ayatollah Sadegh Larijani
c/o Public Relations Office
Number 4, Deadend of 1 Azizi
Above Pasteur Intersection
Vali Asr Street
Tehran, Islamic Republic of Iran
Email: info@humanrights-iran.ir
Salutation: Your Excellency

And copies to:

Prosecutor General of Tehran

Abbas Ja'fari Dolat Abadi
Tehran General and Revolutionary
Prosecution Office
Corner (Nabsh-e) of 15 Khordad Square
Tehran, Islamic Republic of Iran

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 fifth update of UA 236/13. Further information: <https://www.amnesty.org/en/documents/mde13/3243/2016/en/>

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ADDITIONAL INFORMATION

Hossein Ronaghi Maleki has been granted medical leave from prison several times. Before he began his most recent medical leave, on 17 June 2015, he had been held in Section 7 of Evin Prison, where he had been taken shortly after he was ordered to return from his previous medical leave. While he was on that medical leave, Hossein Ronaghi Maleki was told to submit his medical records to the Prosecutor's office for inspection. When he went to do so on 28 February 2015, he was arrested to resume serving his sentence. From then until June 2015, Hossein Ronaghi Maleki's health deteriorated rapidly. Though the prison authorities transferred him to the hospital at least four times, he was never given any medical attention and was never given the specialized care for his kidney that he requires continually to maintain his health.

When he was put on trial in 2010, Hossein Ronaghi Maleki was denied access to his lawyer. He said he told the judge he had been tortured, but the judge answered that he "deserved it". He was sentenced to 15 years' imprisonment by a Revolutionary Court. In June 2015, Hossein Ronaghi Maleki was told that his sentence had been reduced to 13 years.

The Iranian authorities frequently transfer prisoners in need of medical care to hospital, but Amnesty International understands that prisoners are not always provided with actual medical care and instead are simply returned to prison. Whether done intentionally or by neglect, failing to provide adequate medical care to prisoners is a breach of Iran's international human rights obligations. The denial of medical treatment may amount to a violation of the absolute prohibition of torture and other ill-treatment, under Article 7 of the International Covenant on Civil and Political Rights, to which Iran is a state party. Article 12 of the International Covenant on Economic, Social and Cultural Rights, to which Iran is also a state party, specifically recognizes the right of every person to the highest attainable standard of physical and mental health. The UN Standard Minimum Rules for the Treatment of Prisoners (Mandela Rules) also state that prisons must provide adequate medical care to prisoners without discrimination (Rules 24-35). Rule 27(1) of the Mandela Rules provides that "Prisoners who require specialized treatment or surgery shall be transferred to specialized institutions or to civil hospitals." See this public statement <https://www.amnesty.org/en/documents/mde13/2508/2015/en/> for more information.

Iran's own prison regulations are also routinely flouted by prison and judicial officials. The regulations governing the administration of Iranian prisons stipulate that a prisoner suffering from a serious medical condition that cannot be treated inside prison, or whose condition will worsen if they stay in prison, should be granted medical leave so they can receive treatment. Moreover, Article 502 of the new Code of Criminal Procedure, which entered into force in June 2015, states "whenever the convicted individual suffers from physical or mental illnesses and the implementation of the sentence would exacerbate the illness or delay the recovery, the judge overseeing the implementation of sentences, would, after obtaining the opinion of the Legal Medical Organization, postpone the implementation until the time of the recovery." It further provides that in cases of ta'zir crimes, if there is no prospect of recovery and the judge overseeing the implementation of sentences is satisfied that the convicted individual is ill and unfit to serve the sentence, he shall refer the case to the court that originally issued the sentence to issue an alternative appropriate sentence.

Name: Hossein Ronaghi Maleki

Gender m/f: m

Further information on UA: 236/13 Index: MDE 13/3261/2016 Issue Date: 21 January 2016