

PUBLIC

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Fear for safety/ Medical concern/ Incommunicado detention

IRAN

Ahmad Batebi (m), aged 28, former student activist

Former student activist Ahmad Batebi was reportedly re-arrested on 27 July and taken to an undisclosed place of detention, believed to be Evin Prison in Tehran. He is reportedly being denied access to his family and his lawyer, and is at risk of torture or other ill-treatment. He is already in poor health after being tortured and ill-treated during his previous period in detention, and has begun a hunger strike in protest at his re-arrest. He may not be receiving the medical treatment he needs.

Ahmad Batebi was reportedly arrested without being given a reason by plain clothed officers belonging to the Ministry of Information outside his home in Tehran. His home was reportedly searched and some of his personal belongings confiscated. As he was being arrested, Ahmad Batebi stated that he would protest against his treatment by starting a hunger strike immediately. On 6 August Ahmad Batebi's wife, Somaie Baienat, wrote to the UN High Commissioner of Human Rights, stating that she still did not know the whereabouts of her husband and expressing her concern that he could die. These fears were heightened by the death in custody of fellow student activist Akbar Mohammadi on 31 July 2006.

According to a press report, Dr Hesam Firouzi, who treated Ahmad Batebi outside prison, wrote to the authorities on 6 August stating that his patient was at risk of paralysis or heart attack. In his letter he stated: "Owing to the dislocation of the hips... resulting from a blow, Ahmad Batebi is in need of regular physiotherapy, medication, treatment and observation to determine need for surgery. If he is not treated, and his hunger strike continues, he will suffer from a total paralysis of the senses and movements in the lower limb. His high level of haemoglobin... could in the event of continued hunger strike lead to hardening of the arteries and, ultimately, a heart attack. He has bleeding of the kidneys, which could be a result of high haemoglobin or kidney stones, hence the need for further observations to determine the cause. [He suffers from] gastritis and duodenal ulcer which, as in the above cases, could become worse and end up piercing the stomach or the duodenum, causing internal bleeding. In view of the cases mentioned, I deem it necessary to warn the prison doctors that in the event his hunger strike continues and he is not sent outside prison for treatment, then, God forbid, he will suffer the same fate as Akbar Mohammadi".

Ahmad Batebi was previously detained in Evin prison from 1999 until 2005, after being arrested during student-led demonstrations against the closure of the newspaper *Salam* (Peace). He was sentenced to death on charges relating to endangering national security following an unfair and secret trial by a Revolutionary Court in Tehran, but his death sentence was commuted to a 15-year prison term by Iran's Supreme Leader, Ayatollah Sayed 'Ali Khamenei. His prison sentence was reduced to 10 years on appeal in early 2000. Around March 2005, Ahmad Batebi was reportedly temporarily released, in order to allow him to get married. The period of leave was then extended, but Ahmad Batebi failed to return to prison after it had expired. On 23 June 2005, an interview with Ahmad Batebi appeared in the US newspaper, the New York Sun. The article described Ahmad Batebi as being "currently on the run, avoiding the authorities in Iran". On 28 June 2005, a Judiciary spokesperson announced that an arrest warrant for Ahmad Batebi had been issued after he had failed to return to prison at the expiry of his leave.

Ahmad Batebi suffers from a number of medical problems as a result of being tortured and ill-treated during his previous period of detention. He has lost some of his teeth, and has permanent hearing problems and poor vision. He has suffered from repeated lung infections and breathing difficulties. In March 2000, local newspapers printed a letter Ahmad Batebi had sent to the Head of Judiciary, in which he wrote that soldiers

had bound his hands to plumbing pipes; beat his head and abdominal area with soldiers' shoes, and held him under a drain full of excrement for so long that he was unable to breathe. In March 2004 Ahmad Batebi's father told an Iranian news agency that his son had suffered a nervous breakdown due to his treatment in detention. While he was transferred to hospital for treatment on a number of occasions, it has been reported that he has frequently experienced lengthy delays in being granted access to necessary medical treatment.

BACKGROUND INFORMATION

Hundreds of people, including Ahmad Batebi, Akbar Mohammadi and his brother Manuchehr Mohammadi, were arrested following violent clashes in Tehran in July 1999, known after the Iranian date as the *18 Tir* demonstrations. Dozens faced torture and ill treatment in incommunicado detention, followed by manifestly unfair trials and imprisonment. The events leading up to the violence began on 8 July 1999, when a small number of students gathered in a peaceful demonstration outside their university to protest against the closure of the daily newspaper *Salam*.

Akbar Mohammadi died in custody in the early hours of 31 July 2006, following a nine-day hunger strike in protest at the denial of medical treatment both inside and outside prison. According to sources inside Evin prison, he sought medical care from around 26 July during his hunger strike, but he was chastised by medical officials who rejected his request. Between 26 and 29 July, he was reportedly provided unspecified treatment, though an Iranian parliamentary delegation visiting Evin prison was denied permission to visit the section of the prison in which he was held. For more information please see <http://web.amnesty.org/library/Index/ENGMDE130862006?open&of=ENG-IRN>.

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

- expressing concern for the safety of Ahmad Batebi;
- seeking assurances that he is not being tortured or ill-treated in detention;
- calling for him to be given immediate access to lawyers, his family and any necessary medical treatment;
- urging the authorities to allow him medical leave to seek treatment outside prison, as has reportedly been recommended by the doctor treating him, in accordance with the provisions of article 291 of Iran's Code of Criminal Procedure, which allows courts to order that inmates receive medical treatment outside prison;
- calling on the authorities to order a judicial review of the case against Akbar Batebi, and to release him immediately and unconditionally if the review finds that he was imprisoned solely for the expression of his conscientiously held beliefs.

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 / istiftaa@wilayah.org

Salutation: Your Excellency

Head of the Judiciary

His Excellency Ayatollah Mahmoud Hashemi Shahroudi
Ministry of Justice, Park-e Shahr, Tehran, Islamic Republic of Iran

Email: Please send emails via the feedback form on the Persian site of the website:

<http://www.iranjudiciary.org/contactus-feedback-fa.html>

The text of the feedback form translates as:

1st line: name, 2nd line: email address, 3rd line: subject heading, then enter your email into text box.

Salutation: Your Excellency

COPIES TO:

President

His Excellency Mahmoud Ahmadinejad

The Presidency, Palestine Avenue, Azerbaijan Intersection, Tehran, Islamic Republic of Iran

Fax: Via foreign affairs: +98 21 6 674 790 and ask to be forwarded to H.E Ahmadinejad

Email: dr-ahmadinejad@president.ir OR via website: www.president.ir/email

Speaker of Parliament

His Excellency Gholamali Haddad Adel

Majles-e Shoura-ye Eslami, Imam Khomeini Avenue, Tehran, Islamic Republic of Iran
Fax: + 98 21 6 646 1746

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 20 September 2006.