

PUBLIC

AI Index: MDE 13/038/2003

18 November 2003

**Further Information on UA 330/03 (MDE 13/036/2003, 13 November 2003) Possible "disappearance"/
fear for safety**

IRAN **Ahmed Batebi (m), aged 25, student**

Mohammad Baqer Batebi, the father of student activist Ahmad Batebi, who was feared to have "disappeared" on 8 November was informed by Tehran's Chief Prosecutor Said Mortazavi on 17 November that his son was back in prison.

Concerns remain for the safety of Ahmad Batebi after his family received a phone call from him, during which his voice was very weak, provoking alarm about his physical condition. Ahmad Batebi was reportedly secretly and arbitrarily arrested following a meeting with Ambeyi Ligabo, the United Nations (UN) Special Rapporteur on the Right to Freedom of Opinion and Expression, who was visiting Iran between 4-10 November on a fact finding mission. It is not known where he is being held or the reason for his arrest.

According to a report on the Iranian Students News Agency website, ISNA, Mohammad Baqer Batebi was himself interrogated for over an hour by Said Mortazavi when he visited his office in order to enquire about his son's whereabouts. He was accused of being involved in the kidnapping of his own son and threatened with arrest, before being told that Ahmad Batebi was in prison.

Ahmad Batebi had been on leave from prison since 20 October, for medical reasons, at the time of his arrest. His leave was due to expire 10 November. His father reported him missing on 8 November after he failed to return home after taking part in an *iftar*, or the breaking of the Ramadan fast, at Tehran University. Mohammad Baqer Batebi stated on 11 November that he would refer the matter to human rights organizations if he did not receive an unambiguous reply regarding his son's whereabouts.

Mohammad Baqer Batebi has also reportedly threatened to set himself and his family alight, if the reason for his son's arrest during an approved leave period was not clarified and resolved, as life had become intolerable for the family.

BACKGROUND INFORMATION

Ahmad Batebi, was detained on 7 July 1999, 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. His sentence was later commuted on appeal to 15 years' imprisonment and has since been reduced to 10 years.

The arbitrary and secret arrest of Ahmad Batebi is at least the second occasion when an individual has faced human rights violations during and possibly in connection with a visit by UN officials examining aspects of human rights in Iran. In February 2003, Sasan Al-e Ken'an was executed in Sanandaj, western Iran, following a trip by his mother to Tehran where she sought a meeting with members of the UN's Working Group on Arbitrary Detention (WGAD), which was then visiting Iran. On her return to Sanandaj from Tehran, she reportedly went to see her son in prison and was told to go to the judiciary's local offices. There she learned that Sasan Al-e Kena'n had been executed earlier that morning. She was told not to make a "fuss" and to bury him quickly (see UA 49/03, MDE 13/003/2003, 19 February 2003, and its update MDE 13/005/2003, 21 February 2003), which you can view at: <http://web.amnesty.org/library/Index/ENGMDE130052003?open&of=ENG-IRN>

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

- expressing your concern at the reportedly arbitrary and nature of the arrest of Ahmad Batebi;
- reminding Iranian officials that as a state party to the International Covenant on Civil and Political Rights (ICCPR), the judiciary must immediately inform those arrested of the reasons for their arrest (Article 9(2)); and that those who have been the victim of unlawful arrest or detention shall have an enforceable right to compensation (Article 9(5)).
- expressing concern that the father of Ahmad Batebi had been threatened with arrest for having approached the Prosecutor in connection with his concerns regarding the safety of his son
- urging judicial officials to commit to international standards in the administration of justice, including a commitment to abide by the UN Guidelines on the Role of Prosecutors

APPEALS TO:

The Office of the Leader of the Islamic Republic

Dr Ali Akbar Velayati MD, Foreign Policy Advisor

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

Email: webmaster@wilayah.org ; (on the subject line write: For the attention of the Office of
His Excellency, Ayatollah al Udhma Khamenei, Qom)

Salutation: Dear Sir

Head of the Judiciary

His Excellency Ayatollah Mahmoud Hashemi Shahroudi

Ministry of Justice, Park-e Shahr, Tehran, Islamic Republic of Iran

Email: irjpr@iranjudiciary.org

Fax: + 98 21 879 6671 (please keep trying; please mark "care of Director of International
Affairs, Judiciary")

Salutation: Your Excellency

COPIES TO:

Spokesperson of the Government of Iran

Mr Abdollah Ramanzadeh

Email: webmaster@information.spk-gov.ir

Salutation: Dear Sir

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 30 December 2003.