URGENT ACTION

SICK PRISONER OF CONSCIENCE RETURNED TO PRISON

Civil society activist and prisoner of conscience Saeed Hosseinzadeh was forced to interrupt his treatment and return to Tehran's Evin Prison on 11 July after the Office of the Prosecutor refused to extend his medical leave despite doctors' advice. He has serious medical conditions and has since launched a hunger strike in protest.

Saeed Hosseinzadeh, a civil society activist who is serving a five-year prison term for his peaceful activism, started a hunger strike on 11 July in protest at the authorities' refusal to extend his medical leave. He has said that, if his requests for release, based on doctors' advice, are not met by 16 July, he will also stop taking water. He has serious medical conditions, including severe scoliosis (curvature of the spine), rheumatoid arthritis (a chronic, progressive disease causing pain, swelling and stiffness in the joints), and heart disease. He had been granted a three-day period of medical leave from Tehran's Evin Prison on 14 March 2016 after he had gone on a 19-day hunger strike to protest against the authorities' refusal to allow him access to medical care. However, the Office of the Prosecutor subsequently refused to extend his leave even though prison doctors have confirmed that the specialized care he needs is not available in prison.

For several months, Saeed Hosseinzadeh resisted the pressure to return to prison as he needed to be hospitalized intermittently and receive specialized treatment. On 28 June, the authorities raided his house, when he was out, and put the house under round-the-clock surveillance in a bid to rearrest him. Warned of the development, he went into hiding for 10 days in order to ensure that he could collect from his doctor's office a special back brace that he had ordered and his medical certificates, which advise that he must receive an injection treatment once a week. On 11 July, he presented himself to the Office of the Associate Prosecutor, who immediately arrested him and transferred him to Evin Prison. He has since launched a hunger strike in protest. Amnesty International understands that the Associate Prosecutor of Evin Prison and the prison clinic did not approve his request to take his back brace with him to prison but he managed to do so by making an emotional plea to the prison's inspection officers. The Associate Prosecutor of Evin Prison had previously told Saeed Hosseinzadeh that the Sarrollah Unit of the Revolutionary Guards had blocked his release and the extension of his medical leave.

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

- Calling on the Iranian authorities to release Saeed Hosseinzadeh immediately and unconditionally as he is a prisoner of conscience held solely for the peaceful exercise of his rights to freedom of expression, association and assembly;
- Urging them to ensure that, pending his release, he is provided with adequate health care outside prison, and has ongoing access to a qualified health professional to provide health care in compliance with medical ethics, including the principles of confidentiality, autonomy, and informed consent;
- Urging that the authorities refrain from punishing Saeed Hosseinzadeh for going on hunger strike.

PLEASE SEND APPEALS BEFORE 26 AUGUST 2016 TO:

Head of the Judiciary
Ayatollah Sadegh Larijani
Salutation: Your Excellency

Prosecutor General of Tehran
Abbas Ja'fari Dolat Abadi

And copies to:
Minister of Health and Medical Education
Seyyed Hassan Ghazizadeh Hashemi

Please send your appeals to the care of diplomatic representatives accredited to your country, listed below. If there is no Iranian embassy in your country, please mail the letter to the Permanent Mission of the Islamic Republic of Iran to the United Nations, 622 Third Avenue, 34th Floor, New York, NY 10017, United States.

Please check with your section office if sending appeals after the above date. This is the first update of UA 56/16. Further information: https://www.amnesty.org/en/documents/MDE13/3624/2016/en/

AMNESTY INTERNATIONAL

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ADDITIONAL INFORMATION

Saeed Hosseinzadeh (full name Mohammad Saeed Hosseinzadeh Movahed), a civil society activist, was arrested on 15 October 2014 by men belonging to the Revolutionary Guards at his home in Tehran. The men searched his house and confiscated a number of his personal belongings without showing an arrest or search warrant. They then took him to Section 2A of Evin Prison where he was held for three months, including 18 days in solitary confinement. He had no access to a lawyer even though he was repeatedly interrogated. He says that the authorities detained him for 32 days in a cell with a prisoner with mental health issues in order to put pressure on him. During his interrogations, he was apparently forced to sit facing the corner of the room while blindfolded.

Saeed Hosseinzadeh was convicted of "insulting the Supreme Leader" and "gathering and colluding against national security" and sentenced, respectively, to two and five years in prison, after an extremely brief and grossly unfair trial before a Revolutionary Court in Tehran in March 2015. He met his lawyer for the first time during the hearing. Among the activities which are mentioned in the verdict as evidence of "acting against national security" are: "organizing meetings and gatherings with nine other individuals in the name of working for the protection of working children but for the purpose of objecting to the sentences handed out by the judiciary and defending the families of those killed in the 2009 sedition [a term used by the Iranian authorities to refer to the 2009 post-election protests] and seditious prisoners… meeting with the families of those who have been killed and engaging in the co-ordination of activities against the holy system of the Islamic Republic… participating in illegal gatherings outside the UN building in Tehran and visiting, with other people, the mother of the deceased person Sattar Beheshi, one of the people of sedition [Sattar Beheshti was an Iranian blogger who died in custody in October 2012 amid reports of his torture and other ill-treatment by Iran's Cyber Police]… attending gatherings in front of Evin Prison and the Ministry of Intelligence, demanding the release of seditious prisoners such as Narges Mohammadi… publishing cartoons, offensive images, and materials against the enlightening religion of Islam, the holy system of the Islamic Republic, and the revered Supreme Leader in support of the 2009 sedition… and demanding the overthrow of the holy system of the Islamic Republic in his posts on Facebook and insulting the revered Supreme Leader though attributing to him false statements such as 'You shall procreate and we will build prisons, purchase cranes and set up gallows'."

As a state party to the International Covenant on Economic, Social and Cultural Rights, Iran is legally obliged to respect, protect and fulfil "the right of everyone to the enjoyment of the highest attainable standard of physical and mental health." Rule 24 of the UN Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules) clarifies that the "provision of health care for prisoners is a State responsibility" and that prisoners "should enjoy the same standards of health care that are available in the community" and without discrimination. The Mandela Rules also provide that prisoners who require specialist treatment must be transferred to specialized institutions or outside hospitals when such treatment is not available in prison (Rule 27). When depriving a prisoner of medical care causes severe pain or suffering and it is intentionally done for purposes such as punishment, intimidation or to extract a forced "confession", it constitutes torture, which is prohibited under Article 7 of the International Covenant on Civil and Political Rights, to which Iran is also a state party.

Iran's 2014 Code of Criminal Procedure, which entered into force in June 2015, provides that "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 Implementation of Sentences shall, after obtaining the opinion of the Legal Medicine Organization of Iran [a state forensic body], postpone the implementation until the time of the recovery" (Article 502). The Code further provides that, if there is no prospect of recovery and the convicted person is deemed to be unfit to serve the sentence, the judge will refer the case to the court that originally issued the sentence to issue an alternative, appropriate sentence.

Name: Saeed Hosseinzadeh
Gender m/f: m
Further information on UA: 56/16 Index: MDE 13/4458/2016 Issue Date: 15 July 2016