

PUBLIC

AI Index: MDE 13/019/2007

23 February 2007

Further Information on UA 215/06 (MDE 13/089/2006, 09 August 2006) and follow-up (MDE 13/103/2006, 20 September 2006) - Fear for safety/ medical concern/ torture

IRAN Ahmad Batebi, (m) aged 28 or 29, former student activist

New name: Somaye Bayanat (f), his wife

Ahmad Batebi is reportedly not receiving adequate medical care at Evin Prison, and in recent days has suffered a series of seizures and prolonged loss of consciousness. His life may be in danger. In a telephone call on 22 February, Ahmad Batebi reportedly told his father that the prison authorities do not care about him and that if he dies, his father should "hold a celebration of my life, rather than a funeral".

Somaye Bayanat, Ahmad Batebi's wife, was detained at her house outside Tehran on 21 February. Her whereabouts are not known to Amnesty International. Amnesty International fears that she may be at risk of intimidation, harassment or ill-treatment because of her connection to Ahmad Batebi.

Ahmad Batebi was severely beaten in detention following his initial arrest in connection with a student protest in 1999. Since then he has spent over six years in prison, detained in harsh conditions, worsening his poor health. He suffers from a number of medical problems as a result of being tortured and ill-treated in detention. He, like many other prisoners, has been denied medical treatment or had it delayed.

Ahmad Batebi reportedly suffered several seizures on 16 February and fell unconscious over a period of at least three hours in the course of the day. His fellow prisoners reportedly took him to the prison's medical facility. Unconfirmed reports stated that Ahmad Batebi suffered a stroke. On 18 February he reportedly suffered another seizure and was taken to Martyrs' Hospital (*Bimarestan-e Shohada*) in north Tehran where he reportedly received an MRI (magnetic resonance imaging) scan, the results of which are not known to Amnesty International. On 19 February he was reportedly returned to Evin Prison's medical facility despite the reported objections by doctors who are said to have told prison officials that he requires follow up care in a hospital and that he is not in a fit state to be imprisoned.

According to a 20 February news report, officials at Evin Prison stated that Ahmad Batebi was returned there on account of the "sensitivities aroused by his friends outside of prison". Following complaints made by Ahmad Batebi's father, he was again taken to the Martyrs' Hospital, with hands and feet bound, but was later moved to another hospital. The director of Martyrs' Hospital reportedly told Ahmad Batebi's father that he was ordered to have him removed from the hospital. He was later returned to prison. He is reportedly under observation at the prison's medical facility. While a friend of Ahmad Batebi reportedly stated that the two hemispheres of his brain were showing abnormalities, a spokesperson for the judiciary stated on 20 February that his condition was satisfactory.

It is highly likely that Ahmad Batebi will suffer further seizures unless he receives all necessary medical treatment. In light of a pattern of gross negligence on the part of prison authorities with respect to prisoners' health, including in respect to cases of death in custody, Amnesty International fears for the life of Ahmad Batebi.

BACKGROUND INFORMATION

Ahmad Batebi was initially arrested in connection with involvement in the "18 Tir" student demonstration in 1999, which was violently suppressed by security forces. He and many others were brutally tortured. He was

one of four people sentenced to death on charges relating to endangering national security following unfair and secret trial procedures by a Revolutionary Court in Tehran, later commuted to prison terms. Ahmad Batebi's sentence was reduced to 10 years on appeal in early 2000.

In March 2005, Ahmad Batebi was reportedly temporarily released, in order to allow him to get married and to seek medical treatment. The period of leave was then extended, but he failed to return to prison after it had expired. He was re-arrested on 27 July 2006 and sent to Section 209 of Evin prison, which is run by the Ministry of Intelligence. In August 2006 he went on hunger strike in protest at his re-imprisonment but called this off once he was able to meet with members of his family. During his hunger strike, his doctor wrote an open letter to the prison authorities in which he said that Ahmad Batebi required specialist care, stating that there was a risk he could die if he was not released. In December 2006, Ahmad Batebi's father expressed serious concern over his son's state of health and queried why he remained held in Section 209, where detainees under interrogation are usually held. He said, "Our son is slowly losing his life and no one takes responsibility for this. I really feel that they might do something to him this time. I can see in his eyes that he is asking for help but what can I do?"

Akbar Mohammadi, another "18 Tir" student, died in custody in suspicious circumstances in July 2006. Medical care required by Akbar Mohammadi was either delayed or denied. His lawyer is seeking an investigation into the cause of his death.

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

- expressing concern for the health of Ahmad Batebi, who is held in Evin prison;
- calling for the authorities to give him immediate access to all necessary medical treatment, including permitting him to seek medical treatment outside prison, as his doctor has reportedly recommended, and 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;
- urging the authorities to grant him immediate and regular access to his family and his lawyer;
- urging the authorities to undertake an immediate judicial review of the cases of Ahmed Batebi and all other persons imprisoned after unfair trials in Iran;
- urging the authorities to make the whereabouts of Somaye Bayanat known, and granting her access to her family, legal representation, and any medical attention she may require.

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

Director of Evin Prison

Director, Evin Prison

Evin Prison, Chamran Highway, Near Hotel Azadi, Dasht-e Behesht Street, Tehran, Islamic Republic of Iran

Fax: +98 21 240 3910

Email: evin@tehranprisons.ir (on the subject line, please write: Ahmad Batebi - for the attention of the director

Salutation: Dear Sir

COPIES TO:

President

His Excellency Mahmoud Ahmadinejad

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

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

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**

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 6 April 2007.