

PUBLIC

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21 May 2008

Further Information on UA 171/07 (MDE 13/081/2007, 4 July 2007) and follow-ups (MDE 13/091/2007, 19 July 2007; MDE 13/127/2007, 1 November 2007) Fear of torture/possible prisoner of conscience/medical concern

IRAN **Mohammad Sadiq Kabudvand (m), human rights defender, journalist**

Mohammad Sadiq Kabudvand suffered a heart attack on 19 May, in Tehran's Evin Prison. He was unconscious for about 30 minutes and was given first aid by another prisoner who is a doctor. His fellow prisoners called for help and asked guards to take him to the prison clinic, but he was left in his cell.

The following day, a scheduled trial session was cancelled for the third time, as the Prosecutor Office's representative failed to appear. Mohammad Sadiq Kabudvand was taken back to prison. Bail for his release was set at 1500 million rials (about US\$163,000) in late 2007, an amount his family has been unable to pay. His lawyers have asked repeatedly for the bail to be reduced, without success.

The judge ordered that Mohammad Sadiq Kabudvand should receive appropriate medical care in a hospital outside Evin Prison, but the prison authorities have not yet acted on this order, and they have told his family nothing about his state of health.

Mohammad Sadiq Kabudvand was arrested on 1 July 2007, the day the publication ban on his newspaper *Payam-e Mardom-e Kordestan* (Kurdistan People's Message) expired. He is facing a one-year prison sentence in connection with articles published in this newspaper, but his current detention does not appear to be connected with this. Mohammad Sadiq Kabudvand told his family on 17 July that he was being accused of "acting against national security," "propaganda against the system" and "cooperating with groups opposed to the system." He said that whenever he was interrogated he was blindfolded and bound hand and foot, and complained about the poor conditions he was held in.

Amnesty International considers him a prisoner of conscience, held solely on account of his peaceful exercise of his rights to freedom of expression and association during his work as chair of the Human Rights Organization of Kurdistan (HROK) and his activities as a journalist.

BACKGROUND INFORMATION

Iran's Kurdish population live mainly in the west and north-west of the country, in the province of Kurdistan and neighbouring provinces bordering Kurdish areas of Turkey and Iraq.

The HROK was founded by Mohammad Sadiq Kabudvand in April 2005 and has around 100 members. The authorities have never granted it official recognition as a non-governmental body, despite a longstanding request for this. The objectives of the HROK include the protection of fundamental rights such as those set out in the Universal Declaration of Human Rights and international conventions; the teaching, dissemination and encouragement of respect for human rights in Kurdistan; and the development of friendly relations between the peoples of Iran based on the principle of equality before the law.

There is a pattern of prisoners of conscience and political prisoners in Iran being denied adequate medical treatment, possibly as an extra punishment for their perceived crimes. In 2006, two prisoners, Akbar Mohammadi and Valiollah Feyz Mahdavi, died after apparently being denied adequate medical treatment. For further information please see: *Iran: New Government fails to address dire human rights situation* (MDE

13/010/2006), *Iran: Akbar Mohammadi's death in custody signals need for justice reform* (MDE 13/086/2006) and *Iran: Urgent need for effective investigations into deaths in custody* (MDE 13/099/2006).

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

- urging the authorities to ensure that Mohammad Sadiq Kabudvand is seen by a qualified doctor and receives adequate medical treatment urgently;
- reminding them that every prisoner has the right to adequate medical attention and that they are responsible for prisoners' wellbeing;
- expressing concern that Mohammad Sadiq Kaboudvand's trial has been cancelled on three separate occasions and reminding the authorities that under the International Covenant on Civil and Political Rights, to which Iran is a state party, every detainee has the right to be brought promptly before a judge and to be brought to trial within a reasonable time, or released;
- urging them to release Mohammad Sadiq Kaboudvand immediately and unconditionally, as he is held solely for the peaceful exercise of his rights to freedom of expression and association through his journalism and human rights work.

APPEALS TO:

Head of the Judiciary

His Excellency Ayatollah Mahmoud Hashemi Shahroudi
Ministry of Justice, Ministry of Justice Building, Panzdah-Khordad Square,
Tehran, Islamic Republic of Iran

Email: info@dadgostary-tehran.ir (In the subject line write: **FAO Ayatollah Shahroudi**)

Salutation: Your Excellency

Head of Evin Prison

Director, Evin Prison
Dasht Behesht Avenue, Chamran Highway
Next to Azadi Hotel, Tehran, Iran

Email: head@tehranprisons.ir

Salutation: Dear Sir

COPIES TO:

Director, Human Rights Headquarters of Iran

His Excellency Mohammad Javad Larijani
Howzeh Riassat-e Ghoveh Ghazaiyeh (Office of the Head of the Judiciary)
Pasteur St, Vali Asr Ave., south of Serah-e Jomhuri, Tehran 1316814737, Iran

Fax: +98 21 3390 4986 (please keep trying)

Email: fsharafi@bia-judiciary.ir (In the subject line: **FAO Mohammad Javad Larijani**)
int_aff@judiciary.ir (In the subject line: **FAO Mohammad Javad Larijani**)

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 2 July 2008.