

URGENT ACTION

DISSIDENT IRANIAN CLERIC IN NEED OF MEDICAL CARE

Elderly dissident Iranian cleric Ayatollah Mohammad Reza Nekounam has been on hunger strike for 31 days in protest at his detention and the denial of specialized medical care by the authorities. After suffering from a stroke and heart attack while in detention, he is in extremely poor health and in urgent need of specialized medical care.

Dissident Iranian cleric Ayatollah Mohammad Reza Nekounam, 68, who is serving a five-year prison sentence in Salehi Prison in the city of Qom, near Tehran, Iran's capital, has been on hunger strike since 21 December 2016. He is protesting his arbitrary detention and abusive practices by Iran's Special Court for the Clergy, including their refusal to allow him access to specialized medical care and intimidation of his followers. He has also stopped taking his medication. He was transferred to a hospital outside prison on 13 January after his health severely declined. Doctors have warned that he is at risk of falling into a coma and suffering a second stroke; he previously suffered a stroke on 3 March 2015 while in solitary confinement. He has lost weight, his vision has deteriorated, and he is suffering from diabetes, chest pain, heart palpitations, and has kidney, heart, liver and thyroid problems. In complaint letters he has written from prison, he has said that his requests for specialized medical care have been ignored.

Prior to his detention, Ayatollah Mohammad Reza Nekounam was a teacher of Islamic jurisprudence at the Qom Seminary. He had openly expressed criticism of the Supreme Leader and the establishment and accused the authorities of "misusing religion for political purposes and for suppressing the public". He was arrested without a warrant on 1 January 2015 following his criticism of a fatwa issued by one of Iran's most prominent clerics who had declared that high-speed internet goes against Shari'a and "moral standards". During this period, he was treated in ways that violate the international prohibition on torture and other ill-treatment. He was held for 56 days in solitary confinement, in an undisclosed location, without access to his family or a lawyer. His interrogators also questioned him for over 10 hours a day, subjecting him to death threats and ignoring his special dietary needs, which he says led him to develop diabetes and high blood pressure. Following a 10-minute trial before the Special Court for the Clergy in March 2015, he was convicted of "insulting the Supreme Leader" and "state-sanctioned clerics" and sentenced to two years in prison. In June 2015, his sentence was increased to five years after an appeal, of which he was not informed, by the prosecution. He believes this was done in reprisal for complaints he had filed about his treatment by the Office of the Special Prosecutor for the Clergy during his detention and trial.

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

- Calling on the authorities to release Ayatollah Mohammad Reza Nekounam immediately and unconditionally as he has been targeted solely for exercising his right to freedom of belief, expression and association;
- Calling on them to ensure that, pending his release, he is granted access to the adequate specialized medical care he needs outside prison and is protected from torture and other ill-treatment, which the denial of medical care can amount to;
- Expressing concern that trials held before the Special Court for the Clergy are grossly unfair and do not to meet international fair trial standards.

PLEASE SEND APPEALS BEFORE 3 MARCH 2017 TO:

Head of the Judiciary
Ayatollah Sadegh Larijani
c/o Public Relations Office
Number 4, Deadend of 1 Azizi
Vali Asr Street, Tehran,
Islamic Republic of Iran
Salutation: Your Excellency

Office of the Supreme Leader
Ayatollah Sayed 'Ali Khamenei
Islamic Republic Street- End of Shahid
Keshvar Doust Street
Tehran, Islamic Republic of Iran
Salutation: Your Excellency

And copies to:
President
Hassan Rouhani
The Presidency
Pasteur Street, Pasteur Square
Tehran, Islamic Republic of Iran

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Also send copies to diplomatic representatives accredited to your country. H.E. Hamid Baeidinejad, Embassy of the Islamic Republic of Iran, 16 PRINCES GATE LONDON SW7 1PT, Tel: 02072254208 or 02072254209 Email: iranconsulate.lon@mfa.gov.ir
Please check with your section office if sending appeals after the above date.

ADDITIONAL INFORMATION

After security forces arrested Ayatollah Mohammad Reza Nekounam on 1 January 2015, they searched his home, broke down doors and confiscated a number of his belongings, including his laptop, hard drives, books and personal writings. Two months into his detention, he suffered a stroke while being held incommunicado and was subsequently released on medical leave on 16 March 2015. He was rearrested on 21 April 2015, shortly after an interview in which he expressed his criticism of compulsory veiling (*hijab*) and the violence used against women to enforce the practice was published in the *Ghanoon* newspaper. Ayatollah Mohammad Reza Nekounam has been denied access to specialized medical care. His transfers to a hospital outside prison have, for the most part, been blocked by the authorities. On the few occasions that he has been taken to hospital or granted short periods of medical leave, he has been denied access to the specialized medical care he needs and, against medical advice, been forced to return to prison. He has also, at times, been denied family visits. Some members of Ayatollah Mohammad Reza Nekounam's family, and dozens of his followers, have been targeted by the authorities; some have been taken in for questioning, while others have been arrested and detained. Ayatollah Mohammad Reza Nekounam was never provided with a written copy of the court's judgement. The authorities only verbally informed him of the verdict on 8 March 2015, five days after his stroke when his cognitive functions were still impaired. Officials of the Special Court for the Clergy have set numerous conditions for Ayatollah Mohammad Reza Nekounam's release, all of which he has refused to accept. These include stopping his criticism of state-sanctioned clerics, confirming their religious authority, and relocating to the city of Najaf in Iraq.

Ayatollah Mohammad Reza Nekounam is a well-known Shi'a religious figure in Iran and has written hundreds of articles on Islamic jurisprudence. Prior to his imprisonment, he gave regular public talks and sermons in which he expressed views favourable towards human rights in relation to compulsory veiling, same-sex marriage, and the internet – views which are not in line with traditional religious thought in Iran. In September 2014, in his criticism of a fatwa issued by Grand Ayatollah Nasser Makarem Shirazi, Ayatollah Mohammad Reza Nekounam said: "Internet is power. If you can't use it, just leave it and go. This gentleman cannot use the internet and [he] turns around and says it is forbidden." In speeches he has given, many of which are available on YouTube, he has challenged the idea of *Velayat-e Faqih* (Ayatollah Khomeini's concept of rule by an Islamic jurist and the basis of political leadership in Iran) and suggested Islam must be updated and modernized.

The Special Court for the Clergy (*Dadgah-e Vizheh Rouhaniat*), which was officially established in 1987, holds exclusive jurisdiction over "offences" committed by clerics. These include broad and vaguely worded offences such as "counter-revolution, corruption, fornication, unlawful acts, accusations which are incompatible with the status of the clergy, and all crimes committed by 'pseudo-clergy', both in terms of the ugly acts they commit and the effect they have on the reputation of the clergy". The court is regularly used to squash dissent within the clergy. The court stands outside the country's judiciary as a separate institution and falls under the direct supervision of the Supreme Leader, thereby undermining the principle of judicial independence.

Amnesty International's research shows that the authorities deliberately deny political prisoners access to adequate medical care, in many cases as an intentional act of cruelty intended to intimidate and punish political prisoners, or to extract forced "confessions". Common practices that threaten the health and lives of political prisoners in Iran include: deliberately delaying or refusing urgent and/or specialized medical care; downplaying or outright dismissing the seriousness of prisoners' medical grievances, and prescribing them ordinary painkillers and sedatives without addressing the underlying medical problem they complain of; withholding medication; refusing to release prisoners who are critically ill on compassionate grounds, making medical leave conditional on extortionate bail amounts; and forcing prisoners who have been transferred to hospital or granted medical leave to interrupt their treatment and return to prison against medical advice (see *Health taken hostage: Cruel denial of medical care in Iran's prisons*, <https://www.amnesty.org/en/documents/mde13/4196/2016/en/>).

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