

# URGENT ACTION

## TWO JAILED ARTISTS SERVING 3-YEAR PRISON TERMS

**Iranian musician Mehdi Rajabian and his filmmaker brother Hossein Rajabian began serving their three-year prison terms on 4 June. They are prisoners of conscience. Yousef Emadi, who had been arrested and put on trial with them, remains at liberty.**

**Mehdi Rajabian**, a musician, and his brother **Hossein Rajabian**, a filmmaker, began serving their three-year prison sentences on 4 June in Tehran's Evin Prison. They had received a summons order from the Office of the Prosecutor in Evin Prison on 26 May, informing them to report to the prison within five days to start serving their sentences. For nearly two months following his imprisonment, Mehdi Rajabian was denied medication that his doctor had told him is essential to avoid the onset of an autoimmune condition; it was only around the beginning of August that he was given an injection that he needs to have once a month. Musician **Yousef Emadi**, who had been arrested and put on trial with Mehdi Rajabian and Hossein Rajabian, remains at liberty.

Mehdi Rajabian, Hossein Rajabian, and Yousef Emadi were arrested in October 2013. They were held in an unknown location for 18 days and then in solitary confinement in Section 2A of Evin Prison for two months before being released on bail. They have said that they were subjected to beatings and electric shocks to make "confessions", which were used as evidence against them to secure their convictions in court. Their trial, held on 26 April 2015 before Branch 28 of the Revolutionary Court in Tehran, was grossly unfair and lasted only three minutes. The court sentenced them to six years' imprisonment and a fine after convicting all three of "insulting Islamic sanctities", "spreading propaganda against the system" and "illegal audio-visual activities". The charges had arisen from their artistic work, including Hossein Rajabian's feature film dealing with women's right to divorce in Iran and Mehdi Rajabian and Yousef Emadi's distribution of unlicensed music by Iranian singers from outside the country, some of whose lyrics and messages are political or cover taboo subjects. In February 2016, the men were told that a court of appeal in Tehran had ruled they must serve three years of their six-year prison sentences. The court suspended the rest of the sentence for a period of five years, conditional on their "good behaviour".

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

- Calling on the Iranian authorities to immediately and unconditionally release Mehdi Rajabian and Hossein Rajabian and ensure that Yousef Emadi's conviction and sentence are quashed, as the three are being punished solely for exercising their rights to freedom of expression and association;
- Urging them to ensure that those detained have access to any health care they require and, in particular, that Mehdi Rajabian is provided with his essential medication;
- Urging them to order a prompt, independent, impartial investigation into their allegations of torture and other ill-treatment, bringing to justice anyone suspected of responsibility in a fair trial without recourse to the death penalty;
- Reminding them that Article 19 of the International Covenant on Civil and Political Rights, to which Iran is a state party, protects the right to freedom of expression, including in the form of art.

### **PLEASE SEND APPEALS BEFORE 27 SEPTEMBER 2016 TO:**

Office of the Supreme Leader  
Ayatollah Sayed 'Ali Khamenei  
Salutation: Your Excellency

Head of the Judiciary  
Ayatollah Sadegh Larijani  
Salutation: Your Excellency

**And copies to:**  
President  
Hassan Rouhani

**PLEASE SEND YOUR APPEALS FOR THE ATTENTION OF THE AUTHORITIES IN IRAN VIA THE EMBASSY** E. Mohammad Hassan Habibollahzadeh, Embassy of the Islamic Republic of Iran, 16 PRINCES GATE LONDON SW7 1PT, Tel: 02072254208 or 02072254209 Email: [iranemb.lon@mfa.gov.ir](mailto:iranemb.lon@mfa.gov.ir)

Please check with your section office if sending appeals after the above date. This is the third update of UA 41/16. Further information: <https://www.amnesty.org/en/documents/mde13/4133/2016/en/>

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### ADDITIONAL INFORMATION

Hossein Rajabian, Mehdi Rajabian and Yousef Emadi were arrested, incapacitated with a stun gun, and blindfolded by Revolutionary Guards officials on 5 October 2013 while they were working in their office in the northern city of Sari, Mazandaran Province. For the next 18 days, they were held in an unknown location where they say they were tortured, including by electric shocks. They were then held for two months in solitary confinement in Section 2A of Tehran's Evin Prison. Their interrogators apparently pressured them into making video "confessions", threatening them with life in jail if they failed to do so. All three were released on bail in December 2013. For most of the time they were detained, Hossein Rajabian, Mehdi Rajabian and Yousef Emadi were held incommunicado.

Ten days after their trial in April 2015, they were told the verdict had been issued and they should go to the courthouse to read it. They were each sentenced to five years' imprisonment for "insulting Islamic sanctities", one year for "spreading propaganda against the system", and a fine of 200 million rials (about US\$6,625) each for "illegal audio-visual activities". They were not given the written judgement, but were told by a court clerk they had 20 days to lodge an appeal. They represented themselves during their appeal hearing on 22 December 2015, as they were told by the presiding judge that they were not entitled to have a lawyer. At both trial and appeal, the men told the presiding judges their "confessions" had been taken under torture and other ill-treatment while they were held incommunicado. The investigator at the Office of the Prosecution in Evin Prison told them that being tortured in the city of Sari was irrelevant in Tehran. The presiding judge at their appeal hearing before a court of appeal in Tehran warned them against talking about their alleged torture and other ill-treatment and threatened to give them harsher sentences if they did so. They had no access to a lawyer at any stage of their arrest, detention, trial or appeal. Mehdi Rajabian suffered a seizure following beatings while he was detained in Sari.

Mehdi Rajabian is the founder of the Iranian website Barg Music, which was launched in 2009 and distributed unlicensed music. In Iran, only music that passes official censors receives licences, and musicians without licences operate underground. Barg Music distributed Persian-language music by Iranian singers from outside the country, some of whose lyrics and messages are political or cover taboo subjects. They include famous Germany-based Iranian rapper Shahin Najafi, whose 2012 song referencing a Shi'a religious figure caused such controversy that some Iranian clerics issued fatwas calling him an "apostate", which is considered punishable by death under Iranian law. The Barg Music website had apparently attracted 300,000 visitors a day and had exclusive contracts with Iranian artists who mentioned the website's name in their videos. Mehdi Rajabian had been recording the history of an Iranian musical instrument called the *setar* when he was arrested. The arresting officers searched his studio, confiscating his recordings and other materials related to this project. Hossein Rajabian was arrested after making his first feature film, called "Inverted Triangle", about women's right to divorce in Iran. The arresting officials confiscated all the materials related to the film. The film has not been allowed to be broadcast. Mehdi Rajabian and Yousef Emadi have been accused of broadcasting the voices of female singers, as well as those of "anti-Islamic Revolution" singers. The Iranian authorities place restrictions on female singers, with a ban on women singing solo in front of men. Conservative clerics say that women's voices have the potential to trigger immoral sensual arousal. In February 2015, conservative cleric Grand Ayatollah Hassan Nouri Hamedani said: "We will stop any film, book, or music that is anti-Islamic and anti-revolutionary... No action can normalize women's singing, and we will stop it."

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Further information on UA: 41/16 Index: MDE 13/4666/2016 Issue Date: 16 August 2016