

# URGENT ACTION

**JAILED MUSICIAN AND FILMMAKER ON HUNGER STRIKE**  
**Iranian brothers Mehdi Rajabian and Hossein Rajabian began a hunger strike on 8 September in protest at the authorities' refusal to allow them medical leave, as well as the decision to separate the brothers into different sections of Tehran's Evin Prison. The health of both prisoners of conscience has deteriorated.**

Musician **Mehdi Rajabian** and his brother **Hossein Rajabian**, a filmmaker, who began serving their three-year prison sentences on 4 June, went on hunger strike on 8 September. They are protesting the refusal of the Office of the Prosecutor to allow them medical leave and a decision by authorities to separate them into different sections of the prison, which took place shortly before they began their hunger strike. They have not been allowed to see each other since. Both brothers are in poor health. Following a magnetic resonance imaging (MRI) scan prior to his imprisonment, a neurology specialist told Mehdi Rajabian that he is suspected of having multiple sclerosis (MS) and needs ongoing care, including diagnostic tests. Until recently, he was denied medication that his doctor had told him is essential to delay the onset of MS symptoms. He also suffers from seizures, which began following beatings by security officials after his arrest in October 2013. He suffered another seizure on 10 September and was taken to the prison clinic. Hossein Rajabian was suffering with kidney problems prior to going into prison and has been experiencing severe fever-like symptoms. Several hours after going on hunger strike, he was taken to the prison clinic for a blood test that revealed a high white blood cell count and was then taken, with hands and feet shackled, to a hospital outside prison but was not given adequate medical treatment before being returned.

On 26 April 2015, Mehdi Rajabian and Hossein Rajabian were sentenced following a three-minute trial before a Revolutionary Court to six years' imprisonment and a fine on charges related to their artistic work, including "insulting Islamic sanctities" and "illegal audiovisual activities". A court of appeal later ruled that 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". Their trial was grossly unfair. Following their arrests in October 2013, the brothers were held for two months in solitary confinement, where they have said they were subjected to beatings and electric shocks to make video "confessions". Their "confessions" were used as evidence against them to secure their convictions in court, even though they told the judge that they had been obtained through torture and other ill-treatment. They also had no access to a lawyer at any stage of their arrest, detention, trial or appeal. Musician **Yousef Emadi**, who faced arrest and trial with Mehdi Rajabian and Hossein Rajabian, remains at liberty.

**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, as they are being punished solely for exercising their right to freedom of expression;
- Urging them to ensure that they have access to adequate medical treatment in compliance with medical ethics, including any specialist care they require, and 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.

**PLEASE SEND APPEALS BEFORE 4 NOVEMBER 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 fourth update of UA 41/16. Further information: <https://www.amnesty.org/en/documents/MDE13/4666/2016/en/>

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### ADDITIONAL INFORMATION

Mehdi Rajabian and Hossein Rajabian were arrested, detained and convicted alongside another musician, Yousef Emadi. The three men 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 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 audiovisual activities”. They were not given the written judgement, but were told by a court clerk they had 20 days within which 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 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 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. 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.” 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 in Iran.

The charges of Mehdi Rajabian, Hossein Rajabian and Yousef Emadi arise 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. 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.

Further information on UA: 41/16 Index: MDE 13/4874/2016 Issue Date: 23 September 2016