

URGENT ACTION

GRAVELY ILL IRANIAN MUSICIAN RETURNED TO PRISON

Iranian musician Mehdi Rajabian was forced to return to Tehran's Evin Prison on 4 December. He had been on medical leave following his month-long hunger strike. He was hospitalized during his leave and Amnesty International fears for his health. His brother Hossein Rabajian, a filmmaker, is on hunger strike. They are prisoners of conscience.

Iranian musician **Mehdi Rajabian** was forced to return to Evin Prison on 4 December, despite being in poor physical and mental health. He had been granted medical leave on 27 November and was hospitalized during most of his leave in Bu Ali Hospital in his home city of Sari, Mazandaran Province, north of Tehran. He has several medical conditions, for which he needs medication and specialized medical care. Following a magnetic resonance imaging (MRI) scan prior to his imprisonment, a neurology specialist told Mehdi Rajabian that he appeared to be developing multiple sclerosis (MS) and needed further diagnostic tests. For the first two months in detention he was denied medication that his doctor said is essential to delay the onset of MS symptoms. He also suffers from seizures, which he has said began following beatings inflicted on him by security officials after his arrest in October 2013. Amnesty International understands that the effect of being imprisoned and of being denied adequate medical care in prison has gravely affected Mehdi Rajabian's mental health and his spirits are very low.

Prior to his medical leave, Mehdi Rajabian and his brother **Hossein Rajabian**, a jailed filmmaker who is also in poor health, went on hunger strike on 28 October to demand their freedom. This had followed an earlier hunger strike by the brothers in September in protest at the authorities' refusal to allow them both adequate medical care or medical leave, and their decision to separate the brothers by holding them in different sections of Evin Prison. Amnesty International understands that Hossein Rajabian remains on hunger strike.

Mehdi Rajabian and Hossein Rajabian were sentenced to six years' imprisonment following a grossly unfair trial in April 2015 in which they were convicted of charges, including "insulting Islamic sanctities" and "illegal audio-visual activities", in relation to their artistic work. 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 sentences for a period of five years, conditional on their "good behaviour". They began serving their sentences on 4 June and are prisoners of conscience.

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 prisoners of conscience, held solely for peacefully exercising their right to freedom of expression;
- Urging them to ensure that they have access to a qualified health professional who can provide health care in compliance with medical ethics, including the principles of confidentiality, autonomy and informed consent;
- 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 17 JANUARY 2017 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 to the care of diplomatic representatives accredited to your country, listed below. 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. This is the sixth update of UA 41/16. Further information: <https://www.amnesty.org/en/documents/MDE13/5106/2016/en/>

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ADDITIONAL INFORMATION

Mehdi Rajabian and Hossein Rajabian are both in poor health. Mehdi Rajabian suffered a seizure on 10 September 2016 and was taken to the prison clinic. After he began his second hunger strike, Mehdi Rajabian twice coughed up blood. On the first occasion on 2 November 2016, his cell mate carried him to the Evin Prison clinic where Mehdi Rajabian has said the prison doctor became increasingly rude, especially after he was unable to answer his questions and refused intravenous fluids. This resulted in an altercation, during which Mehdi Rajabian says the doctor punched him in the stomach. Hossein Rajabian was suffering with kidney problems prior to going into prison and has experienced severe fever-like symptoms while in prison. Several hours after going on his first hunger strike on 8 September 2016, he was taken to the prison clinic for a blood test that revealed a high white blood cell count and was then taken, with his hands and feet shackled, to a hospital outside prison, but was not given adequate medical treatment before being returned. In an open letter written on 26 October 2016, the brothers said they had ended their first hunger strike after receiving promises from the authorities that that they would again be placed in the same prison section and given adequate medical care. However, they said their conditions had become worse. They also made a plea in the letter, saying: "We call on all artists from around the world to condemn these abuses with a response worthy of an artist. Do not forget us in these suffocating times".

During their arrest by Revolutionary Guards officials on 5 October 2013, which took place at their office in Sari, Mehdi Rajabian and Hossein Rajabian were incapacitated with a stun gun and blindfolded. 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 2-A of Evin Prison. Their interrogators apparently pressured them into making video "confessions", threatening them with life in jail if they failed to do so. They were released on bail in December 2013. Following their trial on 26 April 2015, 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". At both trial and appeal, they told the presiding judges that their "confessions" had been taken under torture. The presiding judge at their appeal hearing warned them against talking about their alleged torture 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 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. Prior to his arrest, Mehdi Rajabian had been working on a creative project which aimed to narrate the history of Iran through music using a traditional instrument called *setar*. The arresting officers confiscated his recordings and other materials related to this project. Mehdi Rajabian has 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 *The Upside Down 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 on which the brothers were convicted arose from their artistic work, including Hossein Rajabian's film dealing with women's right to divorce and Mehdi Rajabian's distribution of unlicensed music by Iranian singers from outside the country.

Further information on UA: 41/16 Index: MDE 13/5275/2016 Issue Date: 6 December 2016