

URGENT ACTION

PRISONER DENIED TREATMENT FOR FILING A COMPLAINT

Prisoner of conscience Maryam Akbari Monfared, who is serving a 15-year sentence in Tehran's Evin Prison, is being denied access to medical treatment. She is facing reprisals after filing a formal complaint that seeks an official investigation into the mass killings of political prisoners, including her siblings, in the summer of 1988.

Iranian officials are refusing to take prisoner of conscience **Maryam Akbari Monfared** to her scheduled medical appointments outside prison in order to receive treatment for her rheumatoid arthritis and thyroid problems. The Associate Prosecutor (*dadyar*) of Evin Prison told her family on 24 October that her medical care arrangements have been cancelled because she has become too "brazen" (*por-rou*). The comment was made in reference to a formal complaint filed by Maryam Akbari Monfared from inside prison on 18 October, seeking an official investigation into the mass summary executions in 1988 of an estimated 5,000 political prisoners, including her brother and sister, the location of mass graves where their bodies were buried, and the identity of the perpetrators involved. The denial of access to medical care follows other forms of reprisals against her, including an order from the Office of Prosecutor to stop prison visits from her family, and threats to bring fresh criminal charges against her.

Maryam Akbari Monfared was arrested in the early morning of 31 December 2009. For the next five months, her family remained unaware of her fate and whereabouts. In May 2010, she appeared before a Revolutionary Court in Tehran, which sentenced her to 15 years in prison on several charges including "enmity against God" (*moharebeh*) through membership in the banned opposition group known as the People's Mojahedin Organization of Iran (PMOI). The judicial proceedings in her case were grossly unfair and the conviction was based solely on the fact that she had made phone calls to her siblings who are members of PMOI and had visited them once near the PMOI-run Camp Ashraf in Iraq. She was held in solitary confinement during the first 43 days after her arrest, where she underwent intense interrogations and was denied access to a lawyer throughout. She met her state-appointed lawyer for the first time at her trial, which was limited to one brief session. She was never provided with a reasoned judgement, setting out the evidence and legal reasoning relied upon to convict her. Maryam Akbari Monfared's husband has said that during her trial session, the judge told her "she was paying for the activities of her brother and sister with the PMOI". Her appeals were dismissed in a summary fashion with no reasons provided.

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

- Calling on the Iranian authorities to release Maryam Akbari Monfared immediately and unconditionally, as she is a prisoner of conscience whose conviction is based on an arbitrary interference with her privacy, family and correspondence;
- Calling on them to provide her with immediate and continued access to the medical care she needs outside prison and protect her from torture and other ill-treatment, which the denial of medical care can amount to;
- Urging them to stop the harassment and persecution of families of the victims of 1988 mass executions and respect their rights to truth, justice and reparation, including by conducting a thorough, effective and independent investigation and bringing to justice those responsible in fair proceedings without recourse to the death penalty.

PLEASE SEND APPEALS BEFORE 15 DECEMBER 2016 TO:

Head of the Judiciary
Ayatollah Sadegh Larijani
Salutation: Your Excellency

Prosecutor General of Tehran
Abbas Ja'fari Dolat Abadi
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

Please check with your section office if sending appeals after the above date.

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ADDITIONAL INFORMATION

Since 2015, Maryam Akbari Monfared has suffered from pain in her joints. However, the authorities did not transfer her to a specialist medical doctor outside prison until August 2016. When she was finally allowed to see one, paid for by her family, she was diagnosed with rheumatoid arthritis, an autoimmune disease. Despite being initially given permission for a second appointment, the authorities have since told her family that they will not take her to her scheduled appointment. They have also said that they would no longer take her to the specialist whom she sees every three months for her thyroid problems, raising concerns that she will not be able to have her prescriptions renewed and adjusted.

Maryam Akbari Monfared was arrested on 31 December 2009, several days after the demonstrations that took place during the religious day of Ashoura on 27 December 2009 and were the last mass demonstrations to occur following the disputed presidential election in June 2009. Maryam Akbari Monfared has said that she did not take part in the Ashoura demonstrations. Her arrest was part of a wave of arrests that followed the Ashoura demonstrations, targeting those whose relatives were members of banned groups, particularly the PMOI. The Iranian authorities sought to blame banned groups, particularly the PMOI, for the unrest. The majority, if not all, of those charged with links to the PMOI had relatives in the Camp Ashraf in Iraq (see *From protest to prison: Iran one year after the election*, <https://www.amnesty.org/en/documents/MDE13/062/2010/en/>).

Maryam Akbari Monfared's sister Roghayeh and brother Abdolreza were among an estimated 5,000 political prisoners who were cut off from the outside world in July 1988, and subsequently executed in secret and without trial, and dumped into mass, unmarked graves. Most of those executed were political prisoners, including prisoners of conscience, who had already spent several years in prison, serving the sentences they had been given by the Revolutionary Courts. Some had already completed their sentences but had not been released because they had refused to make statements of repentance (see *Iran: Violations of Human Rights 1987-1990*, <https://www.amnesty.org/en/documents/mde13/021/1990/en/>). In an open letter leaked from prison in October 2016, Maryam Akbari Monfared wrote: "Three of my brothers and one of my sisters were executed in the 1980s... My youngest brother Abdolreza was 17 years old when he was arrested for distributing PMOI literature and sentenced to three years in prison. The authorities refused to release him for years after he completed his sentence and executed him in 1988... My other brother Alireza was arrested on 8 September 1981 and tried and executed 10 days later... On the seventh night of mourning for my brother Alireza, security forces raided our house and arrested a number of guests as well as my mother and sister, Roghieh. My mother was released after five months but my sister was sentenced to eight years in prison. She was executed in August 1988 even though she was a year away from the end of her sentence."

Following the submission of her complaint, the Associate Prosecutor of Evin Prison told Maryam Akbari Monfared's family: "Such complaints are of no use. They would only make her conditions in prison more difficult and impede her release or access to [prison] leave." The official added: "What does she want to know? Those who executed her brothers and sister have either died or become elderly and her brothers and sister are probably buried in Khavaran [a deserted piece of land in south Tehran]." In September 2016, an audio recording was published for the first time of a meeting in 1988 between senior officials involved in the mass executions and Ayatollah Hossein Ali Montazeri, a senior cleric who lost his status as Ayatollah Ruhollah Khomeini's successor because of his principled opposition to the executions. Those heard in the audio include: Mostafa Pour-Mohammadi, the current Minister of Justice; Hossein-Ali Nayyeri, the current head of the Supreme Disciplinary Court for Judges; Morteza Eshraqi, a current attorney at law; and Ebrahim Raissi, the current head of one of Iran's most wealthy foundations, Astan Qods-e Razavi. In the audio file, Ayatollah Montazeri is heard saying: "The greatest crime committed in the Islamic Republic, for which history will condemn us, has been committed at your hands, and in the future your names will go down in history as criminals."