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Second UA: 39/22 Index: MDE 13/6540/2023 Iran of March 14, 2023

## **IRAN ACTIVIST'S WHEREABOUTS STILL UNKNOWN FOR OVER A YEAR**

Iranian authorities have been subjecting activist Ebrahim Babaei to enforced disappearance for 15 months, amid grave concerns of torture and other ill-treatment. Despite growing evidence indicating that he is in state custody, authorities continually refuse to acknowledge his detention or reveal his fate and whereabouts to his family.

He was forcibly disappeared in December 2021 while attempting to flee Iran to avoid unjust prison and flogging sentences. The sentences were related to his peaceful activism, including supporting Iranian women's campaign against discriminatory compulsory veiling laws.

Shortly after Ebrahim Babaei's disappearance, two official sources told the family informally that he was held in secret detention places known as "safe houses" (khanehay-e amn). This account was corroborated by a third source with close ties to intelligence and security bodies.

### **Write to the Head of Judiciary, urging him to:**

- Immediately disclose Ebrahim Babaei's fate and whereabouts
- Release him immediately and unconditionally, as he is held solely for the exercise of his human rights to freedom of expression, association and peaceful assembly.
- Pending his release, ensure that he is moved to an official place of detention, is protected from torture and other ill-treatment, and is given regular access to his family, a lawyer of his choosing and adequate medical care.

### **Write to:**

Head of judiciary, Gholamhossein Mohseni Ejei  
c/o Embassy of Iran to the European Union  
Avenue Franklin Roosevelt No. 15, 1050 Bruxelles,  
Belgium

Email: [secretariat@iranembassy.be](mailto:secretariat@iranembassy.be)

Salutation: *Dear Mr Gholamhossein Mohseni Ejei,*

\*\*\*If you use Twitter, we suggest targeting Iran's Supreme Leader (@khamenei\_ir) You can use the tweets below or model your message along these lines:

*Iranian authorities have forcibly disappeared Ebrahim Babaei, a 56-year-old political activist, since 21 December 2021. He is at risk of torture and other ill-treatment. @khamenei\_ir must reveal his fate and release him NOW!*

*For 15 months, the Iranian authorities have refused to acknowledge that activist Ebrahim Babaei is in state custody in the face of mounting evidence. @khamenei\_ir must reveal his fate NOW & protect him from torture & other ill-treatment pending his release!*

## **ADDITIONAL INFORMATION**

In previous years, Ebrahim Babaei was subjected to years of arbitrary arrest and detention, unfair trial, and torture and other ill-treatment in Iran because of the peaceful exercise of his human rights. Ebrahim Babaei was first arrested in Sari, Mazandaran province, on February 02, 1984 and spent 16 months in Sari prison. At the time, he was convicted of spurious national security-related charges stemming from reading "anti-Islamic Republic" leaflets and being in possession of banned books. Over the following two decades, the authorities summoned him for interrogations on numerous occasions in relation to his political activism and detained him for several hours each time.

Ebrahim Babaei was rearrested on February 7, 2010, in connection with his peaceful participation in protests that took place in December 2009. He was held in a "safe house" for several days before being transferred to Tehran's Evin prison, where he was held in prolonged solitary confinement for around four months and was moved between sections 209, 240 and the general ward. His health declined in detention as he was denied the adequate medical care he needed, including for a chronic leg injury sustained during his conscripted military service in the Iran-Iraq war. He was unable to walk unassisted without a walking aid and help from other prisoners. He was released on bail around December 2010.

Shortly before his release on bail, he was put on trial before a Revolutionary Court in Tehran on charges related to his peaceful participation in protests in December 2009. In 2011, while he was still out of prison on bail, he was sentenced to five years, nine months and one day in prison and 74 lashes on charges of "gathering and colluding to commit crimes against national security", "spreading propaganda against the system" and "disturbing public opinion". He was rearrested in October 2011 to begin serving his sentence. He spent part of his prison sentence in "internal exile" in Raja'i Shahr prison in Karaj, Alborz province and the rest of his sentence in Evin prison. His flogging sentence of 74 lashes was carried out on August 13, 2013 in Evin prison. He was released in September 2013 after being granted a pardon in light of his medical conditions.

While held in Raja'i Shahr prison, he learned that the authorities had opened another case against him, without his knowledge, and had sentenced him in his absence, to a five-year suspended sentence in relation to peaceful acts in prison, including joining other prisoners jailed for political reasons in group hunger strikes and writing joint statements about prison conditions. He was also sentenced to 74 lashes in a separate case in September 2018 in for supporting the campaigning of his daughter, women's rights activist Shima Babaei, against Iran's discriminatory, and abusive compulsory veiling

laws. In the months before he attempted to flee Iran, Ebrahim Babaei lived in hiding and feared that the authorities were seeking to locate and arrest him and implement his pending sentences.

Enforced disappearance is a crime under international law that occurs when someone has been arrested, detained or abducted by state agents, or people acting with their authorization, support or acquiescence, followed by the refusal to acknowledge this or conceal the person's fate or whereabouts, placing them outside the protection of the law. Unofficial places of secret detention in Iran fall completely outside the protection of the law and facilitate enforced disappearance and other crimes under international law and human rights violations including torture and other ill-treatment.

They are often houses or apartment buildings that are unlawfully repurposed by intelligence and security bodies, most often by the Ministry of Intelligence or the intelligence unit of the Revolutionary Guards, to keep individuals in custody. Such secret detention places are not registered under the Prisons Organization and detainees and their relatives never find out the exact location in which they were held. Security and intelligence officials colloquially refer to them as "safe houses" (khanehay-e amn). The detention of individuals in such facilities has been enabled by a flawed legal framework that fails to establish proper oversight over all prisons and detention centers and thus ensure that authorities responsible for human rights violations are held to account.

**Please take action at your earliest convenience!**