

PUBLIC

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UA 164/05 Medical concern/Fear for safety/incommunicado detention

IRAN Akbar Ganji, aged 45 (m), journalist

Investigative journalist Akbar Ganji is being denied access to medical treatment for chronic asthma, which a specialist has instructed he receive. He is held incommunicado, reportedly in solitary confinement, and has begun a hunger strike in protest. Amnesty International considers him a prisoner of conscience, detained solely for his peaceful criticism of the authorities.

In October 2004 the medical team at Evin prison, where he is serving a six-year sentence, reportedly gave written instructions to the prison authorities that he should receive specialist medical care outside the prison. This was allegedly blocked by the Public Prosecutor's Office in Tehran, and on 19 May Akbar Ganji began a hunger strike in protest. He stopped the hunger strike on 24 May, apparently after prison officials agreed to allow him to leave the prison for medical treatment.

He was released for one week's medical leave on 30 May. According to a 30 May statement from the Deputy Head of Tehran's Justice Department, this was to be extended if recommended by a medical specialist. Akbar Ganji was assessed by a specialist, who confirmed that he required extended leave from prison to receive specific treatment, and doctors' certificates were submitted to the Judiciary. On 7 June the Judiciary spokesperson said that Akbar Ganji's leave was being extended on medical advice, but on the same day Tehran's Chief prosecutor reportedly ordered that Akbar Ganji be arrested and returned to prison.

Akbar Ganji was returned to Evin prison on 11 June without receiving the medical treatment the specialist had recommended, and was reportedly put immediately into solitary confinement. His lawyer went to the prison the following day to try and meet him, and was told that he was not allowed visits. As he was returning to prison, Ganji had told journalists that he would resume his hunger strike in protest at the denial of medical care, and warned that the Judiciary would be responsible for whatever might happen to him. The Deputy Head of Tehran's Justice Department has reportedly said that hunger strikes are illegal, and that the prison authorities would separate hunger strikers from other prisoners and could decide on extra punishments.

Amnesty International fears that the authorities' refusal to grant Akbar Ganji extended leave, despite medical advice and previous commitments to do so, may stem from interviews he gave on his release from prison. In these he criticized the process of Iran's presidential election, scheduled for 17 June, and the Supreme Leader Ayatollah Khamenei. He also called for the release of all political prisoners, and imprisoned journalists and students, saying that their imprisonment was illegal, and claimed that physical and psychological torture was being used in Evin prison.

Akbar Ganji had been arrested in April 2000, together with 17 other Iranian journalists and intellectuals who had taken part in a cultural conference in Berlin. He was sentenced to 10 years' imprisonment, which was reduced on appeal to six months, for "taking part in an attempt against national security" and "propaganda against the Islamic system" (For details see EXTRA 43/00, MDE 13/07/00, 25 April 2000, and follow-ups). In July 2001 he was tried on charges of "collecting confidential state documents to jeopardize state security" and "spreading propaganda", and was sentenced to six years' imprisonment. In 2000 he wrote a series of articles, which were later published as a book, in which he implicated several high-ranking officials in the 1998 murders of several prominent writers and political activists, in what became known as the "serial murders" case. Among those implicated by the articles were former President Akbar Hashemi Rafsanjani, who is a candidate in the 17 June presidential election.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English, Persian, Arabic or your own language:

- expressing concern for the safety of Akbar Ganji, who is reportedly being denied medical treatment required for chronic asthma, and who is held incommunicado in solitary confinement;
- expressing concern that Akbar Ganji was returned to prison on 11 June, despite the reported instructions of medical specialists that his medical leave be extended so that he could receive necessary medical treatment;
- urging the authorities to grant Akbar Ganji immediate access to the specialist medical treatment that he requires, as provided for by article 291 of Iran's Code of Criminal Procedure, which allows courts to order that inmates receive medical treatment outside prison;
- calling for Akbar Ganji to be granted full access to his family and lawyer;
- urging the authorities to end the practice of solitary confinement, in line with the recommendations made by the UN Working Group on Arbitrary Detention following its visit to Iran in February 2003, which noted that "such 'imprisonment within imprisonment' is arbitrary in nature and must be ended";
- calling for Akbar Ganji to be released immediately and unconditionally, as he is a prisoner of conscience, arrested solely for the peaceful expression of his beliefs.

APPEALS TO:

Leader of the Islamic Republic

His Excellency Ayatollah Sayed 'Ali Khamenei

The Presidency, Palestine Avenue, Azerbaijan Intersection, Tehran, Islamic Republic of Iran

Fax: + 98 21 649 5880 (please mark 'For the attention of the Office of His Excellency, Ayatollah al Udhma Khamenei)

Email: info@wilayah.org

Salutation: Your Excellency

Head of the Judiciary

His Excellency Ayatollah Mahmoud Hashemi Shahroudi

Ministry of Justice, Park-e Shahr, Tehran, Islamic Republic of Iran

Email: irjpr@iranjudiciary.org (mark 'Please forward to HE Ayatollah Shahroudi')

Salutation: Your Excellency

COPIES TO:

Speaker of Parliament

Gholamali Haddad Adel

Majles-e Shoura-ye Eslami (Parliament)

Imam Khomeini Avenue,

Tehran, Islamic Republic of Iran

Fax: + 98 21 646 1746

Salutation: Dear Sir

and to diplomatic representatives of Iran accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 26 July 2005.