

PUBLIC

AI Index: MDE 13/009/2004

13 February 2004

Further Information on UA 88/03 (MDE 13/009/2003, 31 March 2003) Legal concern/fear for safety/medical concern and new concerns: fear of torture/ill-treatment/ Prisoner of conscience

IRAN

Amir Abbas Fakhavar (m), freelance journalist, aged 26

Amnesty International is gravely concerned for the safety of prisoner of conscience Amir Abbas Fakhavar, following a series of incidents in which he appears to have been subjected to treatment amounting to torture.

Amir Abbas Fakhavar has been in prison for over a year. In January 2004 he was taken from Qasr prison to a detention centre called 125 to be interrogated about his alleged links with a political organisation called Jonbesh-e Azadi-ye Iraniyan, which opposes the Iranian government. The centre is under the control of the Revolutionary Guards, a military force responsible for matters of national security.

His cell in the 125 detention centre reportedly had no windows, and was entirely coloured creamy white, as were his clothes. At meal times, he was reportedly given white rice on white, disposable paper plates and if he needed to use the toilet, he had to put a white slip of paper under the door of the cell to alert guards, who reportedly had footwear designed to muffle any sound. He was forbidden to speak to anyone. Amnesty International has been told that the "silence is deafening" in the facility and that this technique of sensory deprivation is called "white torture" (shekanjeh-e sefid). Such conditions of extreme sensory deprivation appear to be designed to weaken the prisoner by causing persistent and unjustified suffering which amounts to torture.

On or around 8 February, Amir Abbas Fakhavar was reportedly allowed to leave the detention centre. However, two days later he was taken into custody again. This is a form of psychological torture, which keeps a prisoner in a permanent state of uncertainty and anxiety. While he was free he was able to tell others about what was being done to him. It is not clear whether he is now held at 125, Qasr or elsewhere.

Amir Abbas Fakhavar was sentenced to eight years' imprisonment on defamation charges in November 2002, because of comments on Iran's political leadership in his book *Inja Chah Nist* (This Place is Not a Ditch). In February 2003, he and imprisoned student demonstrator Ahmad Batebi signed an open letter which criticised the Iranian authorities. The letter stated, "We wish to openly and overtly express our dedication to all universal covenants. We want to show our respect for the Universal Declaration of Human Rights, universal peace, non-violence, environmental protection, permanent progress" and added that "violence has absolutely no place in our struggle, neither in our words nor in our deeds." Shortly afterwards, he was reportedly beaten in front of judges in the court room where his appeal was being heard.

BACKGROUND INFORMATION

The European Court of Human Rights has ruled that sensory deprivation, as used by UK security forces interrogating prisoners held under emergency legislation in Northern Ireland, amounted to inhuman and degrading treatment. The European Commission of Human Rights had previously found that it amounted to torture. More recently, the Committee against Torture found that the regime of sensory deprivation and "almost total prohibition of communication" under which prisoners at a maximum security detention centre in Peru were held caused "persistent and unjustified suffering which amounts to torture" (please see: http://www.amnesty.org/resources/pdf/combating_torture/sections/section3-4.pdf)

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

- asking where, and in what conditions, Amir Abbas Fakhravar is detained;
- urging the authorities to end the practice of solitary confinement, in line with the recommendations made by the UN Working Group on Arbitrary Detention (WGAD) following its visit to Iran in February 2003 (UN document E/CN.4/2004/3/Add.2), which noted that "such 'imprisonment within imprisonment' is arbitrary in nature and must be ended";
- reminding the authorities that Rule 32 of the UN's Standard Minimum Rules for the Treatment of Prisoners states that close confinement should not depart from the prohibition on cruel, inhuman or degrading punishment;
- asking for an explanation of why Amir Abbas Fakhravar has been imprisoned, including the charges on which he was convicted and details of the trial proceedings, including any appeal that he has made;
- expressing concern that the sentence handed down to Amir Abbas Fakhravar is disproportionate to the seriousness of the offence, a finding expressed by the WGAD in the report on its visit to Iran (see above)

APPEALS TO: (Please note that email servers in Iran are unreliable. If your message bounces for any reason, please resend it)

Leader of the Islamic Republic

His Excellency Ayatollah Sayed 'Ali Khamenei

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

Faxes: + 98 21 649 5880 / 21 774 2228 (ask fax to be forwarded to Ayatollah Khamenei)

Email: webmaster@wilayah.org; (on the subject line write: For the attention of the office of His Excellency, Ayatollah al Udhma Khamenei, Qom)

Salutation: Your Excellency

President

His Excellency, Hojjatoleslam val Moslemin Sayed Mohammad Khatami

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

Fax: + 98 21 649 5880

Email: khatami@president.ir

Salutation: Your Excellency

Head of the Judiciary

His Excellency Ayatollah Mahmoud Hashemi Shahrudi

Ministry of Justice

Park-e Shahr

Tehran, Islamic Republic of Iran

Email: irjpr@iranjudiciary.org (This is the Public Relations Office. Please ask for your message to be forwarded to the Head of the Judiciary)

Salutation: Your Excellency

COPIES TO:

Minister of Foreign Affairs.

His Excellency Kamal Kharrazi

Ministry of Foreign Affairs, Sheikh Abdolmajid Keshk-e Mesri Avenue

Tehran, Islamic Republic of Iran

Email: matbuat@mfa.gov.ir

Faxes: + 98 21 390 1999 (number may be unreliable; please mark "care of the Human Rights Department, Foreign Ministry)

Salutation: Your Excellency

Islamic Human Rights Commission

Mr Mohammad Hassan Zia'i-Far

Secretary, Islamic Human Rights Commission

PO Box 13165-137, Tehran, Islamic Republic of Iran

Fax: + 98 21 204 0541

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 March 2004.