

# AMNESTY INTERNATIONAL PRESS RELEASE

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## **Iran: Only an independent investigative body can serve justice and human rights**

Amnesty International today urged Iran's Supreme Leader Ayatollah Ali Khamenei to facilitate the establishment of a permanent independent and impartial investigative body to examine all facets of the suspicious death in custody of Zahra Kazemi, a Canadian-Iranian photojournalist.

"Only the creation of a standing, fully independent investigative mechanism with judicial powers can reveal the full truth surrounding the killing of Zahra Kazemi and ensure that justice is done in this case," said Amnesty International.

"This mechanism must have the power to subpoena witnesses, including members of the Office of the Tehran Chief Prosecutor, compel the disclosure of documents, ensure the protection of witnesses from harassment or intimidation, and develop mechanisms to prevent the recurrence of similar human rights violations in the future," the organization added.

An initial inquiry conducted by the government concluded on 21 July that Zahra Kazemi, who had been arrested on 23 June in connection with taking photos outside Tehran's Evin Prison, died from a blow to her skull while in police custody. On 30 July, Vice President Mohammad Ali Abtahi stated that "the cause of the murder was a blow to the head". The government's inquiry reportedly did not receive cooperation from the office of the chief prosecutor for Tehran, the institution which was responsible for her arrest and initial detention. The same office has refused to cooperate with a parliamentary inquiry which has started deliberations into the case while there are other internal inquiries underway in some of the institutions which played a role in this case.

Amnesty International welcomed the individual enquiries established by the government, parliament and other bodies, each of which have an important contribution to make in respect to developing laws and practices designed to prevent human rights abuses.

"But just as these lack the operational scope and legal power required to reach credible conclusions and recommendations, they also fall short of the type of investigations required by Iran's obligations under international human rights treaties," Amnesty International said.

"Only the creation of a fully independent investigative mechanism with judicial powers in line with international human rights standards will serve the interests of justice and human dignity and guarantee human rights for all in Iran, especially of all those arrested or detained," the organization concluded.

## Background

On 23 June Canadian-Iranian photojournalist Zahra Kazemi, 54, was arrested for taking photographs outside Evin prison, in an area where photography is prohibited. According to a government enquiry, Zahra Kazemi died as a result of a blow to her skull, while under guard at the Baghiyetollah (or Baghiyeta'zam) Hospital in Tehran on 12 July 2003. The report recommended that the case be examined by a "special independent investigator" from the judiciary and that public information should be "swift". On 30 July a government spokesperson stated that Zahra Kazemi was murdered. On 29 July judicial officials confirmed that five individuals had been arrested in connection with the case, of which three are said to be from Tehran's judiciary and two from the Ministry of Intelligence.

A judge of the Supreme Court, members of parliament, including the heads of key parliamentary committees have criticised the nature of the judicial enquiry initiated to investigate the death in custody of Zahra Kazemi, stating that it may come to the same end as inquiries into the extrajudicial executions of at least four political dissidents and intellectuals in the latter part of 1998, events known in Iran as the "serial murders" case.

The inquiry into the "serial murders" case and other cases on death in custody and extra-judicial execution have fallen far short of the standards required under Iran's international obligations. Neither the perpetrators of the extra-judicial executions, nor those who may have ordered them have been successfully prosecuted and there is widespread belief in Iran that the entire case was covered up.

For more information please see: Iran: *An independent inquiry must be opened into the death of Zahra Kazemi*, AI Index MDE 13/022/2003, 15 July 2003; available at:

<http://web.amnesty.org/library/Index/ENGMDE130222003?open&of=ENG-IRN>

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