

AMNESTY INTERNATIONAL PRESS RELEASE

AI Index: MDE 13/086/2006 (Public)
News Service No: 201
1 August 2006

Iran: Akbar Mohammadi's death in custody signals need for justice reform

The death in custody of Akbar Mohammadi, a 38-year-old former student, in the early hours of 31 July 2006 casts a pall over the entire Iranian justice system, Amnesty International said today.

"The series of failures to afford Akbar Mohammadi justice have robbed him of his life and his family of human dignity. There can be no more deaths in Iranian custody. A thorough reform of the criminal justice system is urgently needed," added the organisation.

"The Iranian authorities need to take urgent measures to ensure that political prisoners are afforded a fair and open trial; that torture and other ill-treatment in Iranian prisons is halted and that the practice of delaying or denying medical care is stopped immediately."

Amnesty International is alarmed at reports indicating that following an inspection of Akbar Mohammadi's detention conditions by senior officials he was administered a drug which may have resulted not only in his tranquillisation but possibly, as a result of a complication, his death.

From around 21 July, Akbar Mohammadi had reportedly undertaken a hunger strike, the last three days of which he refused liquids as well as solids.

Amidst reports that an autopsy has been carried out domestically by the coroner (*pezeshk-e qanouni*), Amnesty International considers that there needs to be an independent investigation and autopsy by fully independent pathologists to determine the cause of Akbar Mohammadi's death and the conditions that facilitated it.

Principle 9 of the UN Principles on the Effective Prevention and Investigation of extra-Legal, Arbitrary and Summary Executions states: "There shall be thorough, prompt and impartial investigation of all suspected cases of extra-legal, arbitrary and summary executions, including cases where complaints by relatives or other reliable reports suggest unnatural death in the above circumstances. [...] The purpose of the investigation shall be to determine the cause, manner and time of death, the person responsible, and any pattern or practice which may have brought about that death. It shall include an adequate autopsy, collection and analysis of all physical and documentary evidence and statements from witnesses."

Amnesty International also expressed concern that political prisoners Heshmatollah Tabarzadi, Ahmad Batebi and Akbar Mohammadi's brother Manuchehr are facing heightened risk following this latest death in custody.

Background

Akbar Mohammadi was one of the thousands of students arrested in July 1999 after student demonstrations which erupted following the closure of newspapers and one of the periodic clampdowns on freedom of expression that occurred throughout the late 1990s in Iran.

Akbar Mohammadi and other students were sentenced to death in September 1999 following a manifestly unfair trial. He was brutally tortured while in incommunicado detention, denied the right of legal representation and access to family. Following domestic and international outcry, in November 1999 the sentences were commuted to 15 years' imprisonment.

From the day of his arrest, Akbar Mohammadi was routinely tortured. While in the custody of the Ministry of Intelligence, he was allegedly suspended by his arms, and violently beaten. Guards beat him to the edge of consciousness, telling him that all he had to do was blink to accept the charges against him.

The information available strongly indicates that the repeated delays or outright denials of adequate medical care by Iran's judicial and prison authorities have contributed to his death in custody. At the end of November 2003, for example, judicial authorities permitted his hospitalisation in response to urgent stomach and kidney problems, internal bleeding and possibly a lung infection. Despite medical advice that he be hospitalised for one month, he was returned to Evin Prison one week later.

Between July 2004 and June 2006, Akbar Mohammadi resided at his family home in Amol, northern Iran, where he received medical treatment and wrote a prison memoir. He was re-arrested on 11 June 2006 and returned to Evin prison where, once again, he was denied the right to meet with his family. Following one visit by his lawyer, Akbar Mohammadi was said to be in ill health and suffering from acute abdominal pain. Prison medical staff reportedly advised that he should be removed from prison for medical treatment.

According to sources inside Evin prison, he sought medical care from around 26 July during his hunger strike but he was chastised by medical officials who rejected his request. Between 26 and 29 July, he was reportedly provided unspecified treatment, though an Iranian parliamentary delegation visiting Evin prison was denied permission to visit the section of the prison -- possibly the clinic itself -- in which he was held.

On or around 29-30 July he was reportedly gagged and bound to a bed while senior officials visited the prison. The Chief Prosecutor for the province of Tehran, Said Mortazavi, and two senior prison officials, along with a prison guard reportedly inspected him on 30 July, during which time he was administered an unspecified 'medicine'. His condition reportedly worsened in the course of that day and he died on 31 July. Despite the call by his lawyer that his body be examined by an independent team of pathologists, his body was transferred to a coroner on 31 July.

Akbar Mohammadi's parents arrived at Imam Khomeini Airport in Tehran on Tuesday 1 August 2006, at 02:30 local time, from a visit outside the country. They were forcibly taken directly from the aircraft to awaiting vehicles and driven directly to their house in Amol, northern Iran. They were denied permission to see the body of their deceased son, as was his brother Manuchehr, who remains in Evin prison. At the time of writing, there are reports that the body of Akbar Mohammadi has been buried.

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