

PUBLIC

AI Index: MDE 13/046/2004

11 November 2004

UA 306/04 Fear of torture and ill-treatment / Incommunicado detention

IRAN Omid Memariyan (m), aged 30, civil society activist and internet journalist

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Omid Memariyan, a civil society activist and journalist, is being detained without charge at an undisclosed location. He is at risk of torture or ill-treatment.

Omid Memariyan is an internet journalist and a prominent civil society activist, involved in the training and capacity-building of Iran's developing non-governmental organisation (NGO) sector. He was arrested at his office in Tehran on 10 October. His house was searched by officials from the judiciary, and his personal notes and computer were confiscated. A few days before his arrest, he was due to attend a conference on Iranian civil society being held in New York. However, despite having a valid visa, US authorities in Frankfurt, Germany, refused to allow him to board his flight saying that he was on a 'no-fly' list.

The accusations against Omid Memariyan are not known. Neither is his exact place of detention, although he is believed to be held in solitary confinement, under the jurisdiction of Branch 9 of the Revolutionary Court at a location within the vicinity of Tehran airport.

His family have seen him just once, in a meeting of four minutes duration, which took place at Branch 9 of the Revolutionary Court. Omid Memariyan appeared extremely distressed. He has reportedly refused to exercise his right to appoint a lawyer, a decision which may have been forced, and a reflection of the ill-treatment he is experiencing.

The past few weeks have seen Iran's judiciary lead an intensifying crackdown on freedom of expression and association. Journalists, particularly those involved in internet news sites and 'blogs' (weblogs, or on-line journals), have been the initial targets of a wave of arbitrary arrests. The pace of arrests is now escalating, and members of Iran's burgeoning civil society movement are becoming increasingly targeted.

#### **BACKGROUND INFORMATION**

Since the beginning of September approximately 25 journalists and civil society activists have been arbitrarily arrested in Iran. To date, only one of those arrested is believed to have been formally charged (Mahboubeh Abbasgholizadeh, see below), though all are believed to face accusations relating to defamation and insult, and other similar vaguely worded provisions which are inconsistent with international human rights standards. Most people are reportedly being detained at unknown locations, denied access to legal representation and to their family, and held in solitary confinement where they may be at risk of torture or ill-treatment. On 10 November the Judiciary announced that nine of those recently arrested were to be released, but their identities and the circumstances of their pending release are not known.

Mahboubeh Abbasgholizadeh, a women's rights and civil society activist and editor of *Farzaneh*, a women's rights magazine, was arrested at her home on 1 November, shortly after returning from London where she had participated in the European Social Forum (ESF). Police searched her home and confiscated her computer hard drive as well as other personal papers. She is reportedly detained in solitary confinement, and has been charged with 'acts against national security and spreading propaganda'.

Others arrested in this crackdown have included Fereshteh Ghazi, a women's activist and journalist for the daily newspaper *E'temad*, who was arrested on 28 October; Rouzbeh Mir Ebrahimi, former editor of foreign affairs of *E'temad*, who was arrested on 27 October; Hanif Mazrouii, a former journalist, arrested on September 8; Amir Mojiri, on-line journalist, arrested on 8 September; Javad Gholam Tamayomi, a writer

with the daily newspaper *Mardomsalari*, arrested on 18 October 2004; and Shahram Rafihzadeh, cultural editor of *E'temad*, arrested on 7 September 2004.

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

- expressing concern for the safety of Omid Memariyan, a civil society activist who was arrested in Tehran on 10 October, and seeking urgent assurances that he is being treated humanely in detention;
- seeking urgent clarification of his place of detention and calling on the authorities to grant him access to his family, legal representation of his choice, and any medical treatment he may require;
- asking for details of the charges against him, and noting that he should be released unless he is to be charged with a recognisably criminal offence;
- expressing grave concern at the recent crackdown on freedom of expression and association in Iran, in which approximately 25 journalists and civil society activists have been arrested since the beginning of September.
- reminding the authorities of their responsibility to uphold the law ratified by the Guardian Council in May 2004, the 'Respect for Legitimate Freedoms and the Preservation of Civil Rights Bill'. This law requires that the process of arrest, detention and interrogation be specific and transparent; and prohibits torture for the purpose of extracting a confession.

**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, Qom)**

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

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')**

Please note that the delivery of email to the above addresses is sometimes unreliable. Please resend any bounced messages.

**COPIES TO:**

The Speaker of Parliament

His Excellency Gholamali Haddad Adel

Majles-e Shura-ye Eslami, Imam Khomeini Avenue, Tehran, Islamic Republic of Iran

**Fax: + 98 21 646 1746**

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 23 December 2004.