

URGENT ACTION

TORTURED BELGIAN AID WORKER FORCIBLY DISAPPEARED

Iranian authorities are subjecting Belgian aid worker Olivier Vandecasteele to enforced disappearance, torture and other ill-treatment. He is held in solitary confinement in a windowless basement cell and is denied access to adequate healthcare and fresh air. On 10 January 2023, Iranian state media announced that he was sentenced to 40 years in prison and 74 lashes, amidst indications that the Iranian authorities are holding him hostage to compel Belgian authorities to swap him for a former Iranian official imprisoned in Belgium.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

*Head of judiciary, Gholamhossein Mohseni Ejei
c/o Embassy of Iran to the European Union
Avenue Franklin Roosevelt No. 15, 1050 Bruxelles, Belgium*

Dear Mr Gholamhossein Mohseni Ejei,

Iranian authorities are subjecting Belgian aid worker Olivier Vandecasteele, 42, to an enforced disappearance, a crime under international law, as his whereabouts are unknown to his family, lawyer and Belgian consular authorities. He is also being subjected to torture and other ill-treatment. There is mounting evidence, including public statements by Belgium officials and private comments made by Iranian officials to Olivier Vandecasteele, heightening concerns that the Iranian authorities are holding him hostage to compel the Belgium authorities to handover a former Iranian official, Asadollah Asadi, who is serving a 20-year sentence in Belgium.

On 24 February 2022, Revolutionary Guards agents arbitrarily arrested Olivier Vandecasteele during a trip to Iran. He was initially detained in Tehran's Evin prison where he was subjected to torture and other ill-treatment, including through prolonged solitary confinement in a room with bright lights on 24 hours a day, which caused him deep distress. In August 2022, authorities transferred him to an unknown location, where he remains. During brief, infrequent phone calls, his family learned that authorities are holding him in solitary confinement in a windowless basement cell with bright lights turned on 24 hours a day, without access to natural light and fresh air and are denying him meaningful contact with other people. Olivier Vandecasteele is suffering from dental and gastric problems, for which he is denied adequate healthcare.

On 10 January 2023, Iranian state media announced that a Revolutionary Court in Tehran sentenced him to 40 years in prison, 74 lashes and a fine after convicting him of multiple charges including "espionage for foreign intelligence services", "collaborating with a hostile government [USA]", "money laundering", and "professional currency smuggling in the amount of US\$500,000". Under Iran's sentencing guidelines he would serve 12 and a half years in prison. His trial, which took place in mid-November 2022, was grossly unfair; it lasted only 30 minutes. His right to a fair trial was flagrantly violated, including to access a lawyer of his choosing, to adequate defence, to meaningfully challenge the legality of his detention, and to be tried by an independent, competent and impartial tribunal. No appeal is known to have been filed.

I urge you to immediately reveal Olivier Vandecasteele's whereabouts and, in light of his arbitrary detention, release him immediately. Pending this, he must be protected from further torture and other ill-treatment, provided access to regular phone calls to family, adequate healthcare, a lawyer of his own choosing and unhindered consular assistance from Belgium. A prompt, independent, effective, and impartial investigation into those suspected of ordering, committing, aiding or abetting unlawful acts against Olivier Vandecasteele, including hostage-taking, torture and enforced disappearance, must be conducted and all those suspected of such offences brought to justice in fair trials before ordinary civilian courts.

Yours sincerely,

ADDITIONAL INFORMATION

Olivier Vandecasteele is a Belgian aid worker who worked abroad for many years, including in Iran with the Norwegian Refugee Council and Relief International from 2015 to 2021. According to his family, he returned to Belgium in May 2021, and travelled back to Iran in February 2022 to pack his belongings. After his arrest in Tehran during this trip, Olivier Vandecasteele was transferred to Evin prison, where he was subjected to interrogations for three months without access to a lawyer. During this time, prison authorities exposed him to extreme cold and discomfort by denying him shoes and socks for months. During brief and rare phone calls believed to be in the presence of intelligence agents, his family learned that since his transfer to an unknown location in August 2022 Olivier Vandecasteele has only been permitted out of solitary confinement 15 minutes per day to walk alone in a courtyard. For consular meetings, he is blindfolded and temporarily transferred to Evin prison. The conditions of his detention and isolation are causing him great distress. He told his family that since his arrest, he has lost 25 kg and his toenails have fallen off, raising serious concerns about his health. His family also subsequently learned that he has blood pockets forming on his toes and is suffering from dental and gastric problems. Olivier Vandecasteele was taken once to a dentist who told him he required a follow up examination, which authorities have yet to schedule. He is also being denied nutritious food, including fruits and vegetables.

On 15 November 2022, in protest at his continued arbitrary detention, Olivier Vandecasteele began a hunger strike which lasted until early December 2022. During a consular meeting on 28 November 2022, Olivier Vandecasteele revealed that he had been taken to court without an independent lawyer of his own choosing. In court, he asked for a Belgian consular representative to be present, to which the judge responded, "they do not want to come". Oliver Vandecasteele said he was subsequently convicted of the charges brought against him. On 13 December 2022, the Belgian Prime Minister and Minister for Justice informed Olivier Vandecasteele's family that they had learned that he was convicted and sentenced to 28 years in prison. In subsequent phone calls to his family, Olivier Vandecasteele said that the Iranians authorities took him to court a second time in mid-December 2022 in handcuffs and leg chains. He believed the sole purpose of the session was for the proceedings to be filmed, noting that a camera and film crew were present in court. The lawyer of his own choosing remains barred from accessing Olivier Vandecasteele's casefile and verdict, and his family understands that Olivier Vandecasteele's government appointed lawyer, which authorities forced him to accept, did not appeal against the conviction and sentence.

Olivier Vandecasteele's arbitrary arrest took place amidst the Iranian authorities' well-documented pattern of arbitrarily detaining dual and foreign nationals as leverage, as highlighted by the UN Special Rapporteur on the situation of human rights in Iran, mostly recently in a July 2022 [report](#), and the UN Working Group on Arbitrary Detention. Statements by the Belgium Minister of Justice on 14 December 2022 that Olivier Vandecasteele's arrest was a direct consequence of the conviction of Asadollah Asadi, a former Iranian diplomat who is serving a 20-year sentence in Belgium for his role in a thwarted bomb attack at a 2018 rally in France, heightened concerns that Olivier Vandecasteele is being held to compel the Belgium authorities into a prisoner swap. Amnesty International also gathered information that Iranian officials privately told Olivier Vandecasteele on several occasions in 2022 that Belgium was "moving too slowly" on a bilateral treaty between Iran and Belgium, which would allow for the transfer of convicted foreign nationals to their home country and which was passed by the Belgium parliament in July 2022. The bilateral treaty between Belgium and Iran was finalized in a context where, according to public comments by Belgian authorities and media reports, the Iranian authorities were attempting to pursue a "deal" with Belgium to swap arbitrarily detained foreign and dual nationals in Iran. On 18 December 2022, five days after informing Olivier Vandecasteele's family of his conviction and sentence, the Belgian government issued a statement urging all Belgian nationals in Iran to leave the country as they faced "high risk of arrest, arbitrary detention and unfair trial". In light of the Iranian authorities' practice of using detained dual and foreign nationals as leverage, Amnesty International has repeatedly [urged](#) all states whose nationals are or have been detained at any point in Iran to promptly examine whether the deprivation of liberty amounts to an act of hostage-taking, and if so, take all appropriate measures to ensure accountability. Under the International Convention against the Taking of Hostages, the crime of hostage-taking refers to the seizure or detention of any person accompanied with threats to cause them harm, including by killing, injuring or continuing to detain them, in order to compel a third party, such as a state, to do or abstain from doing any act as an explicit or implicit condition for the release of the hostage. There is no requirement under international law for the conditions attached to the release of a detainee to have been explicitly uttered for the act of detention to amount to the crime of hostage-taking.

PREFERRED LANGUAGE TO ADDRESS TARGET: Persian, English

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 24 April 2023

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: Olivier Vandecasteele (his/him)