

URGENT ACTION

JAILED IT EXPERT DENIED ACCESS TO MEDICAL CARE

The trial of Nizar Zakka, a Lebanese national and permanent US resident held in detention in Tehran's Evin Prison since September 2015, has concluded after two brief sessions before Branch 15 of the Revolutionary Court in Tehran. His health is deteriorating but the authorities are denying him access to medical care.

Lebanese national and permanent US resident **Nizar Zakka**, a 49-year-old businessman and information communications technology (ICT) expert who has been detained for nearly a year in Tehran's Evin Prison, has several health conditions, including severe back pain, and has found blood in his stools. His family have said that he has lost a significant amount of weight and become very weak. Despite this, the authorities have refused to provide him with medical care, including his medication and examinations for the blood found in his stools.

Nizar Zakka has been denied the right to a fair trial. He was arrested in Tehran on 18 September 2015 by men believed to belong to the Revolutionary Guards and transferred to Section 2-A of Evin Prison where he was held in solitary confinement until August 2016, after which the authorities put four men in his cell. He was only allowed to appoint a lawyer in January 2016 but he was not allowed to meet with him in private until April 2016. Amnesty International understands that, up until this point, he was not made aware of the charges against him. He was repeatedly interrogated about his ICT work and asked if he was a spy, which he denied. He was forced under pressure to give his email address and password to his interrogators. On 4 April 2016, he learned from his lawyer that his charges include "collaborating with hostile governments", presumably the US government. The material facts which form the basis of this accusation remain unclear. On 22 August, Nizar Zakka was taken before Branch 15 of the Revolutionary Court in Tehran for his first trial session. This was followed by a 30-minute session on 30 August, when he was told that his trial had concluded and that he would receive the verdict within 12 days. Nizar Zakka's lawyer was denied full access to his case file in order to prepare his defence and was only allowed limited opportunities to communicate with his client before the trial.

Please write immediately in English, Persian, Arabic, French, Spanish or your own language:

- Calling on the Iranian authorities to immediately provide Nizar Zakka with any specialized medical treatment he needs, including outside prison;
- Urging them to release him immediately unless he is charged with an internationally recognizable criminal offence (that does not punish him for his legitimate work with ICT organizations) and tried in an ordinary court in proceedings that meet international fair trial standards;
- Calling on them to allow him regular contact with his lawyer and visits from and phone calls with his family, and to allow him to communicate with Lebanese consular officials.

PLEASE SEND APPEALS BEFORE 28 OCTOBER 2016 TO:

Head of the Judiciary
Ayatollah Sadegh Larijani
Salutation: Your Excellency

President
Hassan Rouhani
Salutation: Your Excellency

And copies to:
Permanent Mission of Lebanon to the United Nations
Dr. Nawaf Salam
866 United Nations Plaza, Room 531-533, New York, NY 10017
Fax: +1 212 838 2819
Email: contact@lebanonun.org

Please send your appeals to the care of diplomatic representatives accredited to your country, listed below. If there is no Iranian embassy in your country, please mail the letter to the Permanent Mission of the Islamic Republic of Iran to the United Nations, 622

Third Avenue, 34th Floor, New York, NY 10017, USA. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the first update of UA 123/16. Further information:

<https://www.amnesty.org/en/documents/MDE13/4086/2016/en/>

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ADDITIONAL INFORMATION

Nizar Zakka was not allowed to have any contact with his family for several months after his arrest. His family had no information about his fate and whereabouts and only found out when they conducted a search via a local contact. In protest at the authorities' refusal to allow him access to his family, he went on hunger strike between 13 March and 4 April 2016 and was later given intermittent access to his family through telephone calls and visits. He launched a second week-long hunger strike in August 2016 in protest at the placement of four men in his cell, including one who claimed to be a member of the armed group calling itself the Islamic State (IS). Nizar Zakka's ailing 87-year-old mother, who had Alzheimer's disease and heart disease and had been in the intensive care unit of a hospital in Lebanon, died in July 2016 without seeing him.

On 3 November 2015, Iranian state television IRIB (Islamic Republic of Iran Broadcasting) reported that the authorities had arrested a man whom they described as a "treasure trove" because of his alleged "deep links" to the US military and intelligence establishment. On the same day, state news agency Mehr News published on its website a photograph of Nizar Zakka wearing army-style fatigues in what it called "Riverside military base" in the USA. Riverside Military Academy in Gainesville, Georgia, is a high school and Amnesty International has been told by a source close to Nizar Zakka that the photograph was taken during the graduation ceremony of his son who had attended the school. Nizar Zakka had also attended Riverside Military Academy. The announcements on Iranian state media followed reports in the Lebanese press a few days earlier, which had revealed for the first time that Nizar Zakka had been arrested by the Revolutionary Guards after attending a conference in Tehran. Nizar Zakka had travelled to Iran on four separate occasions previously with the knowledge of Iranian authorities without encountering any problems. On 3 April 2016, an audio recording of Nizar Zakka's voice, in which he addressed the Lebanese Prime Minister and Foreign Minister, was published on YouTube. In it he said: "Saturday 2 April 2016 is the 21st day since I started my hunger strike, and the 197th day since I was kidnapped by the Iranian Revolutionary Guards, which happened when I accepted a formal invitation by the Iranian Vice-President [on Women and Family Affairs] to deliver a lecture... Since I was kidnapped on 18 September 2015, I haven't been able to meet any lawyer or any one from the Lebanese Embassy..."

Nizar Zakka, who lives in Washington D.C., is the Secretary General of IJMA3. The organization has offices in Lebanon, Iraq and the USA, and was formed to represent a regional alliance of ICT organizations across 13 countries in the Middle East and North Africa region. It has a Persian-language component, which the organization had intended to expand. Prior to his arrest, Nizar Zakka had travelled to Iran with the full knowledge of the Iranian authorities and, on at least two occasions, with official invitations from Iran's Ministry of Information and Communication Technology. IJMA3 has a charter on internet freedom principles, part of which states its intentions to co-operate with organizations in countries to promote freedom of expression, association and peaceful assembly with respect to the internet and ICT.

The Iranian authorities regularly deny political prisoners, including prisoners of conscience, adequate medical care. Amnesty International's research shows that the denial is often a deliberate act by the judiciary, in particular the Office of the Prosecutor, and/or the prison administration. In some cases, there is also evidence that the denial is being used as a means to extract "confessions" from political prisoners or to intimidate or punish them. Failing to provide adequate medical care to prisoners is a violation of Iran's international human rights obligations, including under the International Covenant on Economic, Social and Cultural Rights, which guarantees "the right of everyone to the enjoyment of the highest attainable standard of physical and mental health." The failure to provide adequate health care to prisoners may also violate the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment, including under Article 7 of the International Covenant on Civil and Political Rights, to which Iran is also a state party (see *Health taken hostage: Cruel denial of medical care in Iran's prisons*, <https://www.amnesty.org/en/documents/mde13/4196/2016/en/>).

Name: Nizar Zakka
Gender m/f: m

Further information on UA: 123/16 Index: MDE 13/4847/2016 Issue Date: 16 September 2016