

PUBLIC

AI Index: MDE 13/033/2004

20 August 2004

Further Information on UA 87/04 (MDE 13/016/2004, 27 February 2004) and follow-up (MDE 13/018/2004, 22 March 2004) - Fear for safety/Fear of torture or ill-treatment/Medical concern

IRAN **Arzhang Davoodi (m), aged 46**

Arzhang Davoodi is now in solitary confinement in Evin prison, where it is feared that he is at risk of torture. He has been detained without charge since his arrest approximately 10 months ago, and is reportedly suffering from medical problems for which he has been denied necessary treatment.

He was arrested in October 2003 after he assisted in the making of a secretly and illegally filmed TV documentary, in which he criticised the Iranian authorities. He was kept in solitary confinement for over three months in a detention facility run by the Revolutionary Guard, where he was severely tortured, resulting in injuries including a broken shoulder blade, bleeding in his left eye, deafness, a broken jaw and broken teeth. He was later transferred to Evin prison, where he has been moved around several different wings. His family paid bail in March, but he was not released.

Arzhang Davoodi has not been charged, and his lawyer has recently been told that the case against his client is still not complete. Arzhang Davoodi been summoned to court to see the judge assigned to his case on at least three occasions, and each time he has been asked to sign a confession several pages long. The judge is alleged to have told him that the court will not hear his case, and he will not be released, until he signs the confession.

It is believed that Arzhang Davoodi was moved into solitary confinement approximately two weeks ago. Since then he has been able to meet with his lawyer only once, extremely briefly, but has not been allowed phone calls or visits from his family.

Since his arrest Arzhang Davoodi has been allowed infrequent and extremely short meetings with his lawyer. Under the Iranian Penal Code, lawyers are not permitted to accompany their clients to interrogation sessions until they have been formally charged. Arzhang Davoodi has alleged that he has been ill-treated during interrogation sessions, and has recently lodged a complaint against an interrogator.

He is believed to have been tortured or ill-treated frequently. In a handwritten open letter reproduced in several Iranian internet publications, believed to be dated around the end of June, he describes how he and 22 others had been kept in a 24-square-metre room, without air-conditioning or water. The letter describes the beatings that he has suffered, including more than 500 blows to his left ear alone, and the terrible pain that he has been in since his arrest as a result.

Arzhang has suffered from numerous medical problems since his detention, and it is believed that he has not always been allowed prompt and adequate medical treatment. In his open letter he alleges that a prison doctor made a formal request to the prison authorities that Arzhang's left ear be operated on as soon as possible. The judge responsible for his case allegedly refused on the grounds that in hospital Arzhang would spread the story that he was being treated for injuries caused by torture in detention.

A 23 June letter to Amnesty International from the Embassy of the Islamic Republic of Iran in London regarding Arzhang Davoodi's case said that he "was suffering from illnesses affecting his ears and eyes prior to his detention. During his stay in prison, his previous heart problem was also treated". While the

organization welcomes this communication from the authorities, its concerns for Arzhang Davoodi have not been allayed.

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 Arzhang Davoodi, who has reportedly been tortured in custody and is believed to be in solitary confinement;
- seeking assurances that he will be humanely treated in custody, and given any medical treatment he may need, including the operation on his left ear that a prison doctor has reportedly recommended;
- urging the authorities to end the practice of solitary confinement, in line with the recommendations made by the UN Working Group on Arbitrary Detention following its visit to Iran in February 2003, which noted that "such 'imprisonment within imprisonment' is arbitrary in nature and must be ended";
- reminding the authorities that Iran is a state party to the International Covenant on Civil and Political Rights (ICCPR), of which Article 7 says, "No one shall be subjected to cruel, inhuman or degrading punishment", and calling for an investigation into all allegations of torture, with those found responsible brought to justice in fair trials;
- expressing concern that Arzhang Davoodi has been detained without charge since his arrest in October 2003, and reminding the authorities of their obligation under Article 9(2) of the ICCPR to inform anyone arrested of the reasons for doing so at the time of their arrest, and to promptly inform them of any charges against them;
- asking why Arzhang Davoodi was arrested and what, if any, charges he faces, and calling for him to be released unless he is to be charged with a recognizably criminal offence;
- calling for the authorities to adhere to the law ratified by the Guardian Council on 6 May 2004, the Respect for Legitimate Freedoms and the Preservation of Civil Rights Bill, which 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: webmaster@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')

COPIES TO:

Article 90 Commission

Chairperson, Article 90 Commission (Komisyon-e Asl-e Navad)

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

Fax + 98 21 646 1746 (can be difficult to reach, please be patient)

Email: mellat@majlis.ir

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 2 October 2004.