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Iran: Urgent need for effective investigations into deaths in custody

Amnesty International today expressed its deep concern at the death in custody of political prisoner Valiollah Feyz Mahdavi in Gohar Dasht Prison (also known as Reja'i Shahr) near Tehran. The death in custody is the second to occur in Iranian prisons in recent weeks, after imprisoned student activist Akbar Mohammadi died in Evin Prison on 31 July 2006. Amnesty International is calling on the Iranian government to take immediate and urgent measures to ensure that all deaths in custody are investigated promptly and effectively, including that of Akbar Mohammadi and Valiollah Feyz Mahdavi.

Valiollah Feyz Mahdavi, a supporter of the People's Mojahedin Organization of Iran (PMOI), was reportedly arrested in 2001 and sentenced to death after an unfair trial in a Revolutionary Court after being convicted of *moharebeh* (enmity with God, a charge often applied to those accused of armed resistance to the state).

Following reports in March 2006 that he was at imminent risk of execution, it was announced that his death sentence had been commuted to life imprisonment. However, Valiollah Feyz Mahdavi reportedly did not receive confirmation of this commutation, and his lawyer was later told that this had not yet taken place.

Valiollah Feyz Mahdavi began a hunger strike on 26 August 2006, demanding to be informed of the status of his case, to be transferred to Evin Prison, and to be granted access to his lawyer.

At around 8pm on 2 September 2006, his condition apparently deteriorated, and the prisoners he shared a cell with sought, unsuccessfully, to get him medical assistance. An hour later, Valiollah Feyz Mahdavi is reported to have suffered a heart attack, and was taken away by prison officials. At some point he was reportedly transferred to the Shari'ati Hospital in Tehran, but at no point were his family or lawyer officially informed about his situation, or given access to him.

There are discrepancies between the reports of his co-prisoners and the statements of prison officials. On 4 September 2006, Sohrab Soleymani, the Director of the Tehran Province Prisons Organization, told the Fars news agency that Valiollah Feyz Mahdavi had attempted to commit suicide by hanging himself in the washing area of the prison, and had been sent to the Shari'ati hospital where he was under observation. He denied that Valiollah Feyz Mahdavi had been on hunger strike. On 6 September it was announced that Valiollah Feyz Mahdavi had died in hospital the previous day. Reports suggest that Valiollah Feyz Mahdavi's family have not received official confirmation of this news, despite a family member attending the Revolutionary Court to seek information.

Amnesty International calls on the Iranian authorities to open an immediate and impartial investigation into the death in custody of Valiollah Feyz Mahdavi and any other cases in which prisoners have died in suspicious or unusual circumstances. The methods and findings of such an investigation must be made public, with anyone found responsible brought to justice in fair trials.

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 urges the Iranian authorities to take urgent measures to ensure that political prisoners are afforded a fair and public trial, and that torture and ill-treatment is halted, and that prisoners are granted prompt and regular access to their families, lawyers, and any medical treatment they may require.