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Iran must ensure an effective investigation into Sattar Beheshti's death in custody

Amnesty International is calling on the Iranian authorities to act decisively to end the continuing confusion surrounding the cause of the death in custody of blogger, Sattar Beheshti and to establish the truth of what happened.

The Supreme Leader must ensure that a thorough and impartial investigation is carried out into this and all other deaths in custody. These should be conducted in a manner that complies with international standards for such investigations.

Given Iran's track record of failing to investigate deaths in custody, its long history of impunity for those widely believed to be responsible for abuses, and the conflicting announcements from different officials, Amnesty International fears that the 'investigation' carried out by judicial officials into Sattar Beheshti's death is nothing but a whitewash aimed at hiding the truth about what happened to him in detention, leaving his family unable to obtain justice and reparation.

Amnesty International urges the Iranian authorities to request the assistance of the Special Rapporteur on the situation of human rights in Iran in the establishment of a transparent and impartial mechanism that facilitates thorough investigations into events such as deaths in custody and other miscarriages of justice.

Sattar Beheshti, 35, was arrested by Iran's Cyber Police on 30 October 2012 at his home in Robat Karim, southwest of Tehran. It appears that the men who arrested him did not have an arrest warrant and did not give a reason for the arrest. Sattar Beheshti's family had no further contact with him and their attempts to find out his whereabouts were dismissed by the authorities until 6 November when they received a telephone call telling them to collect his body from Tehran's Kahrizak detention centre.

On 10 November, 41 political prisoners held in Section 350 of Evin Prison, including prisoners of conscience Mohammad Ali Dadkhah and Abdolfattah Soltani, both human rights lawyers, wrote an open letter in which they testified that Sattar Beheshti was detained at Evin's Section 350 from 31 October to 1 November. The letter stated that they had witnessed injuries on his body including his face and head, his wrists and arms, and that he had bruises on his neck, stomach, and his back. The letter also said that Sattar Beheshti told eye witnesses in Evin Prison that, since his arrest, he had been tortured and ill-treated. He said he was beaten while his hands and feet were tied to a chair and severely beaten while suspended by his wrists from the ceiling – one of the forms of a longstanding method of torture called *qapani*. He added that his interrogators, wearing army boots, had kicked him on his neck and head while he was on the floor. According to the letter, while Sattar Beheshti was in Evin Prison, he lodged a complaint against his interrogators, in which he complained that he had been tortured since his arrest.

Contradictory statements by officials

On 27 November, the Head of the Law Enforcement Force, Brigadier General Esmail Ahmadi-Moghaddam, in a press conference accepted partial responsibility for the death of Sattar Beheshti. He said that due to negligence of Cyber Police officials, sedatives prescribed for him by the Evin Prison doctors were not given to Sattar Beheshti. However, he denied that Sattar

Beheshti had been subjected to beatings and ill-treatment, despite the fact that the Coroner's Office had previously confirmed that Sattar Beheshti's body had bruises on it.

Esmail Ahmadi-Moghaddam, in response to the statement made by Mehdi Davatgari, a member of the National Security and Foreign Policy Commission who had previously announced that detention of Sattar Beheshti in the Cyber Police detention Centre was illegal, stated that the death should be investigated.

Earlier, on 22 November, Tehran's Office of the Prosecutor released a statement confirming Sattar Beheshti's death on 3 November while he was held in a Cyber Police detention centre. The Office of the Prosecutor also announced the final findings of the Coroner's Office stating that "determination of the exact cause of death has not been possible from the medical point of view." According to this statement, the seven specialist doctors of the investigating commission of the Coroner's Office concluded in their final report that the examination of the body did not identify any diseases that could have led to death. The most likely cause of death, according to this report, could have been a "shock" possibly caused by beatings of sensitive parts of the body or severe psychological pressure, without confirming whether or not such acts had indeed taken place.

Prior to the statement made by Office of the Prosecutor and the Head of the Law Enforcement Force, various judicial officials and parliamentarians had issued contradictory explanations concerning Sattar Beheshti's death.

On 12 November, Mohammad Hassan Asafari, a member of the National Security and Foreign Policy Commission told the press that according to the report of the Coroner's Office, Sattar Beheshti died as a result of a heart attack. This was contested by Sattar Beheshti's family who insist that he was in good health prior to his arrest and detention.

On the same day the Prosecutor General, Gholamhossein Mohseni Eje'i, announced that according to the Coroner's Office report, the examination of the heart, lungs, and the sexual organs had not revealed any suspicious abnormalities but conceded that Sattar Beheshti had bruises on his ankles, hands, upper back and one of his thighs. This was in contrast with a statement made by Alaeddin Boroujerdi, Head of the National Security and Foreign Policy Commission, another body also said to be investigating the death, which said that "according to the preliminary investigation, no signs of beatings were seen on the body". Gholamhossein Mohseni Eje'i also said the original copy of Sattar Beheshti's complaint was missing.

Calls for independent investigation

On 15 November, the UN Special Rapporteurs on the situation of human rights in Iran, summary executions, torture, and freedom of expression, urged the Iranian authorities to undertake a thorough, independent and impartial investigation of the death in custody of Iranian blogger Sattar Beheshti, particularly the allegations of torture, and to make the result of such an investigation public.

Amnesty International continues to urge the Iranian authorities to conduct an impartial, transparent, and thorough investigation into Sattar Beheshti's death, in compliance with the [UN Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions](#), which sets out standards for investigation of all suspected cases of such killings, including cases of deaths in custody where complaints by relatives or other reliable reports give reason to suspect the death was not natural.

According to these Principles, the investigation must include an adequate autopsy, collection and analysis of all physical and documentary evidence and statements from witnesses. Those conducting the investigations must be able to function impartially and independently and the family of the deceased must have the right to have a medical or other qualified representative present at the autopsy.

Amnesty International calls on the Iranian authorities to ensure that Sattar Beheshti's family and their legal representatives have access to any hearings and all information relevant to the investigation, including in particular the autopsy report.

The organization is alarmed by the reports of harassment of members of Sattar Beheshti's family who have been threatened by the security forces with arrest and detention if they give interviews to the media. According to information received by Amnesty International, security officials are constantly monitoring the family's movements and their telephones have been cut in an apparent attempt to stop them from giving further interviews about Sattar Beheshti's death.

Amnesty International is also dismayed at the apparent harassment and intimidation of an eye witness, prisoner of conscience [Abolfazl Abedini Nasr](#), who was among the signatories to the letter. Abolfazl Abedini Nasr was shortly afterwards transferred to Ahvaz Prison in south-western Iran in what appears to be a punitive measure but was later returned to Tehran's Evin Prison.

The Iranian authorities should ensure that his family and witnesses are protected from violence, threats of violence and arrest, and any other form of intimidation or harassment.

The organization calls on the Iranian authorities to allow international scrutiny of the human rights situation in Iran, including by allowing the UN Special Rapporteur on Iran to visit, in addition to the thematic UN human rights mechanisms that have requested visits, particularly the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment and the Special Rapporteur on extrajudicial, summary or arbitrary executions, as well as independent international human rights organizations such as Amnesty International.

Amnesty International also urges the Iranian government to ratify promptly and without reservation the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment and to put in place measures to fully implement its provisions to ensure that no one held in Iran is tortured or otherwise ill-treated and that anyone suspected of torture or other ill-treatment is prosecuted and promptly brought to trial in fair proceedings without recourse to the death penalty.

Background

Amnesty International has recorded over 40 deaths in custody since 2003 in Iran, where torture or other ill-treatment, including lack of adequate medical treatment, may have played a part. The precise cause of death has often remained unknown as either no investigation has been carried out or they have failed to be impartial and independent, resulting in near-total impunity for anyone responsible for abuses.

The Iranian authorities acknowledged that at least three detainees at Kahrizak detention centre died as a result of torture or other ill-treatment after arrest during a government crackdown that followed Iran's 2009 presidential elections. Subsequently, 12 men, including 11 officials accused of committing serious violations at Kahrizak were brought to trial. This, however, appeared to scapegoat low-ranking officials for only some of the serious violations that took place after the June 2009 election. Two of the 12 were sentenced to death but then pardoned by their victims' families, as permitted under Iranian law. Nine others received prison terms. No one has ever been held responsible for the death of **Zahra Kazemi**, a photo-journalist with dual Canadian-Iranian nationality who was held in Evin Prison and died in 2003 from beatings sustained after her arrest. A Ministry of Intelligence official was subsequently acquitted of her murder, the only one of five officials initially arrested to be charged and tried. Similarly, the death in custody in suspicious circumstances of **Zahra Bani Yaghoub** in Hamedan in 2007 has not seen anyone held responsible.