

PUBLIC

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Fear of ill treatment or torture

4 March 2003

IRAN

Qasem Sho'leh Sa'di, (m) aged 58, lawyer and political science professor

Amnesty International fears that Qasem Sho'leh Sa'di, a lawyer, may be facing torture or ill treatment in incommunicado detention following his arrest at Tehran's international airport at 5 o'clock in the morning on 24 February.

Qasem Sho'leh Sa'di, a lawyer and political science professor at Tehran University, went to France on 6 December 2002, following publication of an open letter addressed to the Leader of Iran, Ayatollah Sayed >Ali Khamenei. The letter, which respectfully questioned the basis of the Leader's position and criticised a range of the Leader's policies, did not incite violence or racial hatred. It was published on the writer's own website, <http://www.sholehjadi.com/default.php>. When Qasem Sho'leh Sa'di returned to Iran on 24 February he was immediately detained.

At the airport, Qasem Sho'leh Sa'di was permitted a 30 second telephone call to his home following his arrest. The next day, 25 February he informed his family in a telephone call that he was being detained at Evin Prison. He made a further call the following day but was not heard from again for six days until the morning of 4 March when he is reported to have said this that he had been moved to the "public" section of Evin Prison. This has not been confirmed and his family fears that it may not be true.

On the same day, 4 March, a lawyer chosen by the family went to Evin Prison to meet with Qasem Sho'leh Sa'di so that he could sign the agreement for him to be his lawyer. However, despite being detained in a 'public' section of the prison, the lawyer was not permitted to meet with Qasem Sho'leh Sa'di. His family thus fears that he may not be held in Evin and that his call saying that he was may have been made under duress.

BACKGROUND INFORMATION

Freedom of expression and association in Iran is curtailed by legal restrictions and by flaws in the administration of justice. It has resulted in a catalogue of unfair trials and the imprisonment of prisoners of conscience.

Qasem Sho'leh Sa'di was detained while members of the United Nations Working Group on Arbitrary Detention were visiting Iran.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English, French, Persian, Arabic or your own language:

- urging the judiciary to grant the family and lawyer of Qasem Sho'leh Sa'di immediate access to him, in accordance with Articles 32 and 35 of the Constitution of Iran and Article 9 of the International Covenant on Civil and Political Rights (ICCPR) to which Iran is a state party;
- seeking assurances that Qasem Sho'leh Sa'di is not currently subjected to torture or to cruel, inhuman or degrading treatment or punishment, which is prohibited by Article 7 of the ICCPR and Article 38 of the Constitution of Iran;
- seeking urgent clarification of the charges against Qasem Sho'leh Sa'di, noting that such charges should be in accordance with internationally recognisable criminal offences;
- stating that if the charges are connected with the views he expressed in his open letter of 6 December 2002, this would give him the status of prisoner of conscience and he should therefore be released immediately and unconditionally.

APPEALS TO:Leader of the Islamic Republic

His Excellency Ayatollah Sayed >Ali Khamenei,
The Presidency, Palestine Avenue,
Azerbaijan Intersection, Tehran, Islamic Republic of Iran

Email: webmaster@wilayah.org (on the subject line write: For the attention of the office of His Excellency, Ayatollah al Udhma Khamenei, Qom)

Salutation: Your Excellency

President

His Excellency Hojjatoleslam val Moslemin Sayed Mohammad Khatami
The Presidency, Palestine Avenue
Azerbaijan Intersection, Tehran, Islamic Republic of Iran

E-mail: khatami@president.ir (please resend your message if it does not get through the first time)

Salutation: Your Excellency

Head of the Judiciary

His Excellency Ayatollah Mahmoud Hashemi Shahrudi
Ministry of Justice, Park-e Shahr, Tehran, Islamic Republic of Iran

Faxes: + 98 21 879 6671 (unreliable; please mark "care of Director of International Affairs, Judiciary")

Email: Irjpr@iranjudiciary.com (Public Relations Office of Judiciary; please mark for the attention of HE Ayatollah Shahrudi)

Salutation: Your Excellency

Law Enforcement Forces (LEF, or the police)

If possible, please address your letter to the Islamic Republic of Iran Police Force@, at info@policieri.org

Salutation: Dear Sir

COPIES TO:Minister of Foreign Affairs,

His Excellency Kamal Kharrazi
Ministry of Foreign Affairs, Sheikh Abdolmajid Keshk-e Mesri Av
Tehran, Islamic Republic of Iran

Faxes: + 98 21 390 1999 (unreliable; please mark "care of the Human Rights Department, Foreign Ministry)

Islamic Human Rights Commission

Mr Mohammad Hassan Zia'i-Far
Secretary, Islamic Human Rights Commission
PO Box 13165-137, Tehran, Islamic Republic of Iran

Faxes: + 98 21 204 0541

Parliamentary Committee

Chairperson, Article 90 Commission (Komisyon-e Asl-e Navad), Majles-e Shura-ye Eslami,
Imam Khomeini Avenue, Tehran, Islamic Republic of Iran

Telegrams: Majles, Tehran or Telex: 21 42 32 ICAI IR

Faxes: + 98 21 646 1746 (Can be difficult to reach, please be patient)

Grand Ayatollah al-Uzma, Haj Sheikh Yusef Saanei (senior religious leader)

E-mail: saanei@saanei.org

[The office of] Grand Ayatollah al-Uzma Makarem Shirazi (senior religious leader)

Email: makarem@makaremshirazi.org

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 14 April 2003.