

PUBLIC

AI Index: MDE 13/019/2004

22 March 2004

Further Information on UA 25/04 (MDE 13/004/2004, 21 January 2004) and follow-up (MDE 13/012/2004, 17 February 2004) - Fear for safety/ Torture and ill-treatment/ Legal concern

IRAN **Ensafali Hedayat (m), freelance journalist**

Ensafali Hedayat's temporary detention has been extended until 6 April. The detention order was extended on 18 March, two days before it was due to expire.

According to a 17 March report on the Iranian internet news site *Peyk-e Iran*, on or around 3 March Ensafali Hedayat was given a vaccination injection that was infected, so that he fell ill. On 10 March he started to suffer from intestinal bleeding, and for four days he allegedly did not receive medical attention. On 14 March he was taken to a medical facility at Tabriz prison, possibly after his lawyer and others raised concerns about his condition. His lawyer was able to meet with him on or around 15 March, and his condition is said to be improving. It is not known whether he is still in the medical facility.

Freelance journalist Ensafali Hedayat was arrested on 17 January, shortly after he returned from a conference in Berlin held between 8 and 10 January, organised by the *Ettihad-e Jomhuri Khahan-e Iran* (known in English as 'Unity for Democracy and Secular Republic in Iran'). The organisation supports the principles of a pluralistic republic, parliamentary democracy, the separation of religion and state, and a non-violent approach to establish a new system of government in Iran that adheres to equal rights for all based on the Universal Declaration of Human Rights. He reportedly faces charges relating to national security in connection with his participation in this conference and with a visit to Turkey in 2003, and defamation charges relating to an article he wrote which appeared on a website. According to information received by Amnesty International, the prosecutor will also be judging the case, in contravention of Guideline 10 of the United Nations' Guidelines on the Role of Prosecutors, and undermining the guarantee of an impartial hearing as required under international standards for fair trial.

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

- asking why Ensafali Hedayat's period of temporary detention has been extended;
- calling on the authorities to give details of the charges against Ensafali Hedayat, and noting that he should be released unless he is to be charged with a recognisably criminal offence;
- reminding the authorities of their responsibility under Article 9(2) of the International Convention on Civil and Political Rights 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
- expressing concern for the health and wellbeing of Ensafali Hedayat and calling for assurances that he will be treated humanely while in detention, and given immediate and unconditional access to any medical treatment he may require.

APPEALS TO:

President

His Excellency Hojjatoleslam val Moslemin Sayed Mohammad Khatami

The Presidency, Palestine Avenue, Azerbaijan Intersection, Tehran, Islamic Republic of Iran

Telegram: His Excellency **Hojjatoleslam val Moslemin Sayed Mohammad Khatami, Tehran, Islamic Republic of Iran**

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

Salutation: Your Excellency

Head of the Judiciary

His Excellency Ayatollah Mahmoud Hashemi Shahrudi

Ministry of Justice, Park-e Shahr, Tehran, Islamic Republic of Iran

Telegram: **Head of the Judiciary, Tehran, Islamic Republic of Iran**

Fax: + 98 21 879 6671 (please keep trying; please mark "care of Director of International Affairs, Judiciary")

Salutation: Your Excellency

Minister of Intelligence

Hojjatoleslam 'Ali Younesi

Ministry of Information, Second Negarestan Street

Pasdaran Avenue

Tehran, Islamic Republic of Iran

Salutation: Your Excellency

COPIES TO:

Islamic Human Rights Commission

Mr Mohammad Hassan Zia'i-Far

Secretary, Islamic Human Rights Commission

PO Box 13165-137, Tehran, Islamic Republic of Iran

Fax: + 98 21 204 0541

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 1 May 2004.