

amnesty international

-PRISONER OF CONSCIENCE APPEAL CASE -

Siamak Pourzand: a case study of flagrant human rights violations

May 2004

AI INDEX: MDE 13/025/2004



Siamak Pourzand in Modarres Hospital

©Kayhan (London)

Siamak Pourzand, (aged 74), Head of *Majmue-ye Farhangi-ye Honari-ye Tehran* (The Tehran Artistic and Cultural Centre) and an occasional newspaper correspondent, is a prisoner of conscience. He is serving an 11 year sentence imposed after a grossly unfair and politically motivated trial in connection with oral statements he allegedly made about Iran's political leaders; Amnesty International fears that the activities of his wife, Mehrangiz Kar, a human rights defender currently outside Iran, may have exacerbated the treatment of Siamak Pourzand. He has urgent medical requirements for which he recently started to receive specialist care. It remains to be seen whether this will be adequate. Amnesty International (AI) is calling for his immediate and unconditional release with a view to a full review of the charges and sentence he faced.

Arrest and incommunicado detention

On 24 November 2001, Siamak Pourzand was arrested in central Tehran, at around 9 o'clock in the evening. He had just left his sister's apartment. The family initially thought that he had "disappeared" as there was no official acknowledgement that he had been detained. On 7 December 2001 one of his sisters, Mahin Pourzand, was reportedly requested to bring a change of clothes for him to an office of the *Edare-ye Amaken*, or Bureau of Premises. The *Edare-ye Amaken* is reportedly responsible for the enforcement of accepted moral codes in places of work and other offices. When she asked where her brother was held and what he had been charged with, she was

reportedly told that it was none of her business.

Place of detention unknown

On 12 or 13 January 2002, his sister was permitted to meet with him for the first time at the *Edare-ye Amaken*. The meeting reportedly lasted 10 minutes and Siamak Pourzand, who arrived by car from an unknown location, reportedly appeared afraid and weak. No further information about his whereabouts was disclosed until 16 May 2002, when according to a report, Siamak Pourzand was transferred to Evin Prison. However, according to his family, he was only transferred to Evin Prison after his first temporary release.

Unfair trial

Siamak Pourzand reportedly made a "confession" in the first session of his closed trial on 7 March 2002. He was denied free and unfettered access to a lawyer of his choice, and he was reportedly ill-treated during his interrogation. He was sentenced to 11 years' imprisonment.

On 9 July 2002 the Tehran Appeals Court upheld the sentence. In a televised "confession" broadcast by the state media on 25 July 2002, he reportedly looked frail and seemed to have lost at least 30 kg. He also "confessed" to a range of accusations including "having links with monarchists and counter-revolutionaries", "spying and undermining state security" and "creating disillusionment among young people".

Siamak Pourzand was temporarily released from prison on 30 November 2002 due to his poor health. During his release, he stayed at his sister's residence where he reportedly confirmed that he was detained in solitary confinement in an unknown prison.

Return to prison

In March 2003, Siamak Pourzand was sent to Evin Prison, possibly by agents of *Edare-ye Amaken*. He was reportedly urged to implicate other individuals in acts about which he did not know and to take part in a television program reportedly then being prepared to show which artists "had acted against Iran". He reportedly refused. He was later sent home.

In April 2003, Siamak Pourzand was summoned to a court where he was reportedly asked again whether he would "cooperate" and appear in the television program referred to above. After having refused once again, he was sent with two guards to his sister's residence where he gathered personal effects – save for medicine he

SP00154

requires - and he was taken to Evin Prison.

Medical concerns

Around May 2003, Siamak Pourzand wrote to the Head of the Judiciary, Ayatollah Shahroudi, explaining his medical condition. Attached to his letter were reports supporting his need for an operation. These reports were supported by doctors working for the judiciary.

According to a diagnosis given on 30 July 2003 at the Imam Khomeini Hospital in Teheran Siamak Pourzand is suffering from spinal stenosis (a condition in which the spinal canal narrows and pinches the spinal cord and nerve root, possibly leading to paralysis) which requires a surgical intervention. He is unable to walk and to attend to his "daily needs". Furthermore, in October 2003, his medical records were reviewed by a doctor in the US who concluded that if unattended, Siamak Pourzand's condition would deteriorate and he would be made wheelchair-dependant. It was recommended that he be urgently treated at duly equipped surgical centres.

Around 31 March 2004, Siamak Pourzand reportedly suffered a heart attack that left him in a coma. He was not treated until another prisoner, the lawyer and human rights defender Nasser Zarafshan¹ went to the prison medical facility and insisted that someone examine him. Siamak Pourzand was taken to Tehran's Modarres Hospital for treatment and after 36 hours in a coma he regained consciousness.

Siamak Pourzand was again admitted to Tehran's Modarres Hospital on 18 April. According to initial reports, he was chained to his bed by his feet and denied family visits. Three days later, he was moved to the Coronary Care Unit (CCU) in the hospital where he reportedly remained for 10 days and received specialist care. Following his return to the ordinary ward and according to information received by AI, Siamak Pourzand reportedly received a telephone call from Evin Prison asking him to give an interview to a prisons' publication to declare that he had never been ill-treated and that his trial had been fair. Shortly after this phone call, Siamak Pourzand had to be transferred again to CCU.

Siamak Pourzand is due to be transferred to Mahrad Hospital to undergo a spinal surgery. He is then scheduled to return to Modarres Hospital to receive treatment for his kidneys and prostate.

Other information:

Siamak Pourzand is the husband of lawyer and human rights defender, Mehrangiz Kar, who continues to face charges in connection with her participation at a social and cultural conference, which was held in Berlin in April 2000. She is a former prisoner of conscience (see UA 103/00, MDE 13/20/00 3 May 2000 and follow ups)

RECOMMENDED ACTIONS

Please send telegrams/ telexes/ faxes/ express/ e-mail letters in English or French:

- expressing concern that Siamak Pourzand is a prisoner of conscience, arrested solely for the peaceful expression of his beliefs; and he should be released immediately and unconditionally;
- urging the authorities to allow Siamak Pourzand to receive adequate medical attention and regular access to family visits whilst he remains in;
- expressing concern that he has been denied the right to adequate and regular access to legal representation of his choice prior to and after his trial;
- urging the authorities to end the practice of solitary confinement, in line with the recommendations made by the UN Working Group on Arbitrary Detention (WGAD) following its visit to Iran in February 2003 (UN document E/CN.4/2004/3/Add.2), which noted that "such 'imprisonment within imprisonment' is arbitrary in nature and must be ended";
- reminding the authorities that Rule 32 of the UN's Standard Minimum Rules for the Treatment of Prisoners states that close confinement should not depart from the prohibition on cruel, inhuman or degrading punishment;

PLEASE SEND YOUR APPEALS TO:

Leader of the Islamic Republic

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

Telegram: Ayatollah Khamenei, 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)

Salutation: Your Excellency

Influential Parliamentarian

Gholamali Haddad Adel
Majles-e Shoura-ye Eslami (Parliament)
Imam Khomeini Avenue,
Tehran, Islamic Republic of Iran

Fax: + 98 21 646 1746

To show your solidarity with Siamak Pourzand, you could send him a copy of your appeal:

Evin Prison

Siamak Pourzand
Evin Prison, Chamran Highway,
Shahid Katchuyi Street Darakeh,
Tehran, Islamic Republic of Iran

¹ Please see: <http://web.amnesty.org/library/index/ENGMDE130122002>