

URGENT ACTION

TORTURED PRISONER NEEDS MEDICAL CARE

Austrian-Iranian businessman Kamran Ghaderi is serving a 10-year prison sentence after a grossly unfair trial that relied on “confessions” obtained under torture to convict him of “co-operating with hostile states against the Islamic Republic”. He was denied access to a lawyer and his family, and he needs ongoing medical care for a tumour in his left leg.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

Head of the Judiciary Ebrahim Raisi
C/o Permanent Mission of Iran to the UN
Chemin du Petit-Saconnex 28 Postal
1209 Geneva, Switzerland

Dear Mr Raisi,

Austrian-Iranian businessman **Kamran Ghaderi**, aged 55, is serving a 10-year prison sentence after a grossly unfair trial in August 2016 that relied on forced “confessions” obtained after he was threatened and held in prolonged solitary confinement. He was convicted of “co-operating with hostile states against the Islamic Republic”, an overly broad and vague charge that contravenes the principle of legality. He was denied access to a lawyer for the first seven months of his detention and only saw a lawyer two days before his trial. He was also denied access to consular assistance. Since his arrest in January 2016, Kamran Ghaderi’s health has deteriorated. He has a tumour in his left leg for which he needs ongoing medical care.

Recalling the conditions in solitary confinement in section 209 of Evin prison, which is under the control of the ministry of intelligence, Kamran Ghaderi later told his wife that his cell felt like a “grave”. The cell measured around 1.5m in length, with neither windows nor a bed, forcing him to sleep on a thin rug on the floor. After nearly a year in solitary confinement, he was moved to a cell with another prisoner, still in section 209, before being transferred to the general ward in April 2017.

Kamran Ghaderi was arrested on 2 January 2016 at Imam Khomeini airport in Tehran by ministry of intelligence agents, after arriving on a trip to visit family. He was denied any family contact, except for one brief phone call to his wife in Austria to inform her he was alive, until April 2016. During this time, Kamran Ghaderi says interrogators told him his mother and brother had been arrested, and threatened to keep them in prison if he did not sign two “confessions” that had been prepared for him by the authorities saying he worked for the governments of Austria and the USA. It was only in April 2016, when his mother was finally allowed to visit him that he learned neither she nor his brother had been arrested.

I urge you to quash the conviction and sentence against Kamran Ghaderi and release him, unless he is charged with an internationally recognizable offence in accordance with international fair trial standards. His right to a fair trial has been grossly violated, including his right not to incriminate himself and his right to access a lawyer from the time of arrest. I also urge you to provide him with the specialized medical care he needs at an appropriate medical centre outside prison.

Yours sincerely,

AMNESTY
INTERNATIONAL



ADDITIONAL INFORMATION

Kamran Ghaderi is an IT consultant and manager. Prior to his arrest, he had travelled to Iran in October 2015 as part of an Austrian trade delegation with senior Austrian government officials, including then Austrian President Heinz Fischer.

For the first three months of his detention, Kamran Ghaderi was held in section 209 of Evin prison, in Tehran, and taken to an unidentified detention facility for interrogations. After nearly a year in solitary confinement, he remained in section 209 but in a cell with another prisoner before being transferred to the general ward in April 2017. He has said he now shares a 25m² space without windows with 16 other prisoners, which he has described as being like a “cellar”. He has also said the space is infested with cockroaches, bed bugs and rats.

Kamran Ghaderi was denied access to a lawyer for over seven months following his arrest: from January 2016 until two days prior to his August 2016 trial before a Revolutionary Court in Tehran. This included the period he was undergoing interrogations and put under duress to sign pre-written “confessions” against himself, alleging that he was working for the governments of Austria and the USA. His conviction and sentence for “co-operating with hostile states against the Islamic Republic”, a charge based on Article 508 of the Islamic Penal Code, was confirmed on appeal in October 2016. During a press conference on 18 October 2016, the former prosecutor general of Tehran named Kamran Ghaderi as one of three individuals sentenced to 10 years’ imprisonment for “espionage and co-operation with the government of America”. A request for judicial review by the Supreme Court, which was filed in December 2016, was rejected. He has also been denied access to consular assistance from Austria.

Kamran Ghaderi has had several health problems since his arrest in January 2016. While he was held in prolonged solitary confinement, he experienced severe back and hip pain and, by May 2017, he was having great difficulty walking unassisted. He told his wife that, during this time, he required the help of other prisoners to go to the bathroom. This pain continued all throughout 2017 and into 2018. He underwent surgery on his spine on 12 February 2018, when doctors removed two intervertebral discs. Kamran Ghaderi spent nearly 62 days on medical leave outside prison. His doctor said physical therapy needed to begin six months after surgery, but it only began one year later and was terminated after just seven of the required 10 sessions had been conducted. Kamran Ghaderi continues to have pain in his back. An MRI scan in February 2018 showed that a pre-existing tumour in Kamran Ghaderi’s left leg had increased in size. His doctors in Austria had said it needed to be monitored every six months, but he has only had two MRI scans since his arrest, with his last MRI scan taking place in March 2019. He requires ongoing medical care for it.

Torture and other ill-treatment, including prolonged solitary confinement, are widespread in Iran, especially during interrogations. Under international law, torture and other cruel, inhuman or degrading treatment or punishment are prohibited absolutely, in all circumstances and without exception. Article 7 of the International Covenant on Civil and Political Rights (ICCPR), to which Iran is a state party, prohibits torture and cruel, inhuman and degrading treatment and punishment. The Nelson Mandela Rules define prolonged solitary confinement as “solitary confinement for a time period in excess of 15 consecutive days”.

Some Iranian laws lack precision in the definition of various offences, in particular offences against national security, contrary to the principle of legality enshrined in Articles 9 and 15 of the ICCPR. International human rights bodies have noted that arrest and detention based on laws that are vague or overly broad may be arbitrary under international law and standards. Amnesty International has repeatedly called on the Iranian authorities to repeal or amend, with a view to bringing into conformity with international law, vaguely worded provisions of the Islamic Penal Code that unduly restrict the rights to freedom of expression, association and peaceful assembly, including Article 508 (see *Flawed reforms: Iran’s new Criminal Code of Procedure*, <https://www.amnesty.org/en/documents/mde13/2708/2016/en/>).

PREFERRED LANGUAGE TO ADDRESS TARGET: Persian, English

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 28 October 2019

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: Kamran Ghaderi (he/him)

ADDITIONAL TARGETS

Also send copies to diplomatic representatives accredited to your country.

HIS EXCELLENCY MR HAMID BAEIDINEJAD Embassy of the Islamic Republic of Iran 16 Prince's Gate SW7 1PT
020 7225 4208-9 Fax: 020 7589 4440 iranemb.lon@mfa.gov.ir

Please check with your section before sending appeals after the above date.