Mandate of the Working Group on Arbitrary Detention

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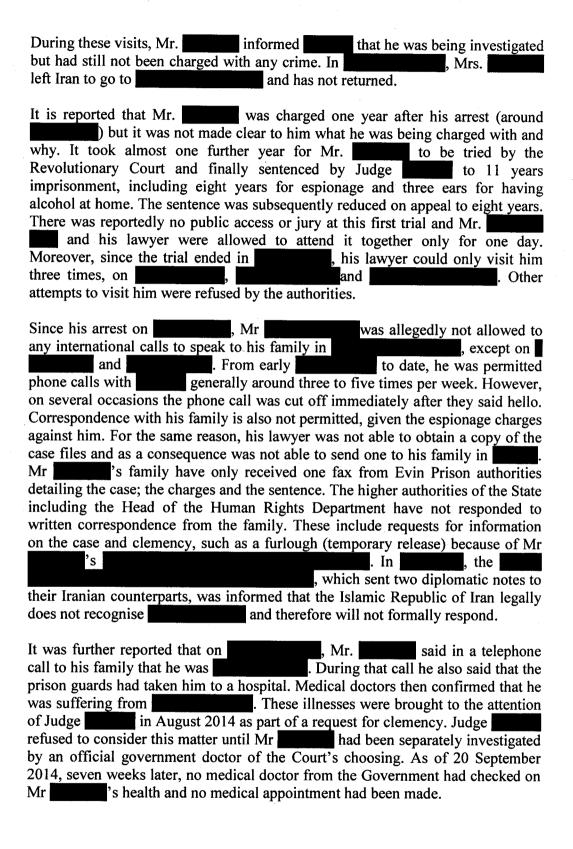
Excellency,

I have the honour to address you in my capacity as Chair-Rapporteur of the Working Group on Arbitrary Detention pursuant to Human Rights Council resolution 24/7.

In this connection, I would like to bring to the attention of your Excellency's Government information I have received concerning the detention of Mr.

According to information received:

Mr.	was born on	and is both an Iranian
and British citizen. H	e is	
	, all living in	. Before his
detention, he was a		. Mr
about to turn	old and has	
	•	
T		
		and were at home in
		s who identified themselves as
_		show an arrest warrant and did
		Mrs. to follow them
	n to Evin Prison, where Mr.	is still detained to date
in		
Mrc Woe	released after being detained	for 45 days without charge
-	· -	m a judge to visit her husband
		pted to visit Mr. five
umes out was author	ised by the Evin prison author	orities to visit him only twice



Serious concern is expressed at the continued detention of Mr.	and
at the allegations that he was detained several months without charge and trial, with	h only
irregular access to legal counsel and limited contact with his family. Even after h	naving
been charged, Mr. was not able to grasp the reason for such a detention an	
and no evidence was brought against him. Grave concern has further been expr	
about Mr. sphysical and mental integrity.	

While I do not wish to prejudge the accuracy of these allegations, I would like to draw the attention of your Excellency's Government to the relevant international norms and standards that are applicable to the issues brought forth by the situation described above.

While I do not wish to prejudge the accuracy of these allegations or to express an opinion on whether or not the detention of Mr. is arbitrary, the above allegations appear to be in contravention of the right not to be deprived arbitrarily of his liberty as set forth in article 9 of the Universal Declaration of Human Rights (UDHR) and article 9 of the International Covenant on Civil and Political Rights (ICCPR) acceded by the Iran on 24 June 1975, as well as the right to fair proceedings before an independent and impartial tribunal, as set forth in article 10 of the UDHR and article 14 of the ICCPR.

The right to the enjoyment of the highest attainable standard of physical and mental health is reflected, inter alia, in article 12 of the ICCPR. This includes an obligation on the part of all State Parties to ensure that health facilities, goods and services are accessible to everyone, especially the most vulnerable or marginalized sections of the population, without discrimination.

The full texts of the human rights instruments and standards recalled above are available on www.ohchr.org can be provided upon request.

In view of the urgency of the matter, I would appreciate a response on the initial steps taken by your Excellency's Government to safeguard the rights of the above-mentioned person in compliance with international instruments.

It is the Working Group's responsibility, under the mandates provided to it by the Human Rights Council, to seek to clarify all cases brought to its attention. I would be grateful for your observations on the following matters:

- 1. Please provide any information, observation or comment your Excellency's Government may have on the above-mentioned allegations.
- 2. Please provide information concerning the legal grounds for the arrest, detention and trial of Mr. and how these measures are compatible

with international norms and standards as stated, inter alia, in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. Please also explain why Mr. statement 's legal representative had difficulties meeting with his client.

- 3. Could you please provide information about the charges, especially specifying the charges Mr. was found guilty of and those for which he was found innocent.
- 4. Please provide the details, and where available the results, of any investigation, medical examinations, and judicial or other inquiries carried out in relation to this case. If no inquiries have taken place, or if they have been inconclusive, please explain why.
- 5. Please provide details of any action taken to ensure the enjoyment of the right to the highest attainable standard of health for Mr. In this respect, please indicate the type of medical assistance provided to Mr. during his detention, including access to adequate medicines and health care.

While awaiting a reply, the Working Group's urges that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the above allegations to be correct, to ensure the accountability of any person responsible of the alleged violations.

Your Excellency's Government's response will be made available in a report to be presented to the Human Rights Council for its consideration.

Please accept, Excellency, the assurances of our highest consideration.

Mads Andenas
Chair-Rapporteur of the Working Group on Arbitrary Detention