

URGENT ACTION

BUSINESSMAN IN LONG-TERM SOLITARY CONFINEMENT

Lebanese national and permanent US resident Nizar Zakka has been held in solitary confinement in Tehran's Evin Prison since his arrest on 18 September 2015. He is due to go on trial on 6 June in Iran on national security-related charges. He was in Iran to speak at an international conference on the role of women in sustainable development.

Businessman and information technology expert **Nizar Zakka**, 49, a Lebanese national and permanent US resident, is due to go on trial on national security-related charges before Branch 15 of the Revolutionary Court in Tehran on 6 June. He was arrested in Tehran on 18 September 2015 by men in plain clothes believed to belong to the Revolutionary Guards while on his way to the airport to leave the country. He had travelled to Tehran to attend the second International Conference and Exhibition on Women in Sustainable Development, held between 15 and 18 September 2015, and had received an official invitation from Iran's Vice President for Women and Family Affairs Shahindokht Molaverdi to attend as one of the main speakers. After his arrest, Nizar Zakka was transferred to Section 2-A of Evin Prison, where he has since been held in solitary confinement. His family had no information about his whereabouts and only discovered his arrest when they conducted a search via a local contact. He went on hunger strike between 13 March and 4 April in protest at his detention and was later given intermittent access to his family through telephone calls and weekly visits. He was allowed to appoint a lawyer in January 2016 but was not allowed to meet with him in private until April, despite repeated interrogations. His lawyer continues to be denied access to his casefile. Nizar Zakka's interrogators apparently took his email address and password from him under duress during the first few days of his detention. They later presented him with printed copies of numerous emails written by him from his account, all related to his business, ordering him to sign them. The Iranian authorities have apparently ignored numerous requests from the Lebanese embassy to visit Nizar Zakka in prison.

Nizar Zakka has not been officially informed of his charges, though it seems that the authorities have verbally told his lawyer that they include "collaborating with hostile governments". In November 2015 an Iranian state media report claimed that Nizar Zakka "had close ties to US intelligence and military agencies" and had been detained on "suspicion of being an American spy". These allegations have been rejected by sources close to Nizar Zakka.

Please write immediately in Persian, English, Arabic, French Spanish or your own language:

- Calling on the Iranian authorities to allow Nizar Zakka regular contact with an independent lawyer of his own choosing and visits and phone calls from his family, and allow him to communicate with Lebanese consular officials;
- Urging them to remove him from solitary confinement, as prolonged solitary confinement violates the absolute prohibition of torture and other ill-treatment;
- Calling on them to ensure that he is protected from torture and other ill-treatment, is granted any medical attention he may require, and that any statements extracted under duress or while he was denied access to a lawyer are excluded from any proceedings against him.

PLEASE SEND APPEALS BEFORE 4 JULY 2016 TO:

Office of the Supreme Leader
Ayatollah Sayed 'Ali Khamenei
Salutation: Your Excellency

Head of the Judiciary
Ayatollah Sadegh Larijani
Salutation: Your Excellency

And copies to:
President
Hassan Rouhani

Please send your appeals to the care of diplomatic representatives accredited to your country, listed below. H.E. Mohammad Hassan Habibollahzadeh, Embassy of the Islamic Republic of Iran, 16 PRINCES GATE LONDON SW7 1PT, Tel: 02072254208 or 02072254209 Email: iranemb.lon@mfa.gov.ir

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

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

In early May 2016, the Office of the Prosecutor in Tehran's Evin Prison informed Nizar Zakka's lawyer Salah Fallah that his case had been sent to Branch 15 of the Revolutionary Court in Tehran for trial. On 3 November 2015, Iranian state television IRIB (Islamic Republic of Iran Broadcasting) reported that the authorities had arrested a man whom they described as a "treasure trove" because of his alleged "deep links" to the US military and intelligence establishment. The report mistakenly referred to him as holding both US and Lebanese nationalities. On the same day, state news agency Mehr News published on its website a photograph of Nizar Zakka wearing army-style fatigues in what it called "Riverside military base" in the USA. Riverside Military Academy in Gainesville, Georgia, is a high school and Amnesty International has been told by a source close to Nizar Zakka that the photograph was, in fact, taken during the 2014 graduation ceremony of his son who had attended the school. Nizar Zakka also attended Riverside Military Academy. The announcements on Iranian state media followed reports in the Lebanese press a few days earlier, which had revealed for the first time that Nizar Zakka had been arrested by the Revolutionary Guards after attending a conference in Tehran. Nizar Zakka had travelled to Iran on four separate occasions previously without encountering any problems. His 87-year-old mother, who suffers from Alzheimer's disease and heart failure, is in the intensive care unit of Bellevue Medical Centre in the village of Mansourieh, just outside Beirut in Lebanon.

On 3 April 2016, an audio recording of Nizar Zakka's voice, in which he addressed the Lebanese Prime Minister and Foreign Minister, was published on YouTube. In it he said: "Saturday 2 April 2016 is the 21st day since I started my hunger strike, and the 197th day since I was kidnapped by the Iranian Revolutionary Guards, which happened when I accepted a formal invitation by the Iranian Vice-President to deliver a lecture on women's rights in Tehran. Since I was kidnapped on 18 September 2015, I haven't been able to meet any lawyer or any one from the Lebanese Embassy..."

Nizar Zakka, who lives in Washington D.C., is the Secretary General and one of the founding members of the Arab Information and Communications Technology Organization (also known as IJMA3). The organization has offices in Lebanon, Iraq and the USA, and was formed to represent a regional alliance of information and communication technology organizations across 13 countries in the Middle East and North Africa region. According to an Associated Press article published on 18 May 2016, the organization has received \$730,000 worth of grants from the US government for projects in the region.

Denial of the right of detainees to communicate with the outside world and to receive visits facilitates human rights violations in custody, including torture and other ill-treatment and enforced disappearance, and violates fair trial rights. Article 14(3) of the International Covenant Civil and Political Rights (ICCPR), to which Iran is a state party, guarantees the right of detainees to have adequate time and facilities for the preparation of their defence and to communicate with counsel of their own choosing. The UN Human Rights Council has stated: "The right to communicate with counsel requires that the accused is granted prompt access to counsel." Under international law, delaying access to legal assistance may only be permitted under exceptional circumstances, which must be prescribed by law and limited to occasions when it is considered to be indispensable to maintain security and good order. However, even in such limited cases, access should not be delayed by more than 48 hours from the time of arrest or detention. Under Article 48 of the 2014 Code of Criminal Procedure, which entered into force in June 2015, individuals who face criminal charges can request the presence of a lawyer from the start of detention and the lawyer can meet the detainee paying due attention to the confidentiality of the investigations. The Code, in breach of international law and standards, does not guarantee the right to access an independent lawyer of one's choosing in certain cases, including those related to national security. In such cases, the accused individual is limited to choosing their lawyer from a list of lawyers who have been pre-approved by the Head of the Judiciary.