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Iran: Johan Floderus must be immediately released

The Iranian authorities must immediately release Johan Floderus, aged 33, a Swedish national and an employee of the EU, arbitrarily detained in Iran since his arrest on 17 April 2022 amidst indications that the Iranian authorities are holding him hostage to compel Swedish authorities to swap him for a former Iranian official imprisoned in Sweden. Pending Johan Floderus' release, the Iranian authorities must protect him from torture and other ill-treatment, ensure that he is provided with access to regular phone calls to family, adequate medical care, a lawyer of his own choosing and unhindered consular assistance from the Swedish authorities. A prompt, independent, effective, and impartial investigation into those suspected of criminal responsibility for the unlawful acts against Johan Floderus, including torture and hostage-taking, must be conducted and those suspected of such offences brought to justice in fair trials.

Security and intelligence agents believed to be from the Ministry of Intelligence arrested Johan Floderus on 17 April 2022, while he was visiting Iran with friends. For over six weeks following his arrest, authorities subjected Johan Floderus to enforced disappearance, a crime under international law, whereby his family and the Swedish government were denied all information about his fate and whereabouts. Since his arbitrary detention, Iranian authorities also have subjected him to torture and other ill-treatment, including by keeping him in prolonged solitary confinement in a tiny cell. On 14 September 2022, during his first consular visit with Sweden's ambassador, Johan Floderus revealed he was held in solitary confinement for the first three weeks of his detention. He was again held in prolonged solitary confinement from May/June 2022 to early January 2023. At the time of writing, he was held, alongside other prisoners, in a cell with bright lights on 24 hours a day in section 209 of Evin prison, under the control of the Ministry of Intelligence. Johan Floderus has repeatedly told the Swedish ambassador and his family that being in solitary confinement caused him great distress. He also spoke about the impact of constant bright lights, leaving him without a sense of day and night and causing him severe pain and anguish and difficulties sleeping, compounded by the authorities denying him a bed and forcing him to sleep on the floor with three blankets. Johan Floderus also is being denied access to natural light and fresh air except for three times a week for thirty minutes alone.

He is also being denied regular contact with his family. His first phone call to family was on 20 February 2023, over 10 months after his arbitrary arrest and detention, and under conditions tightly controlled by intelligence and security agents, who also insist Johan Floderus only communicates with his family in English. Since this first phone call, Johan Floderus has been allowed to make only rare phone calls under similar conditions. During a 7 June 2023 phone call to his family, Johan Floderus informed them he had undergone a hunger strike for 48 hours in protest at the denial of regular phone calls to his loved ones, raising grave concerns for his well-being. In August 2023, he underwent another hunger strike in protest at the ongoing denial of regular contact with his loved ones. According to an informed source, Johan Floderus has had no access to health care since his detention last year, and in two brief video calls, looked visibly as though he had lost an alarming amount of weight.

On 8 March 2023, without prior notice, Johan Floderus was taken to before Branch 26 of the Revolutionary Court of Tehran without a lawyer or Swedish consular assistance, and informed he was being charged with national security offences. On 19 June 2023, he was again taken before the same Revolutionary Court where he was denied the right to adequately defence. He was permitted only one brief meeting prior to trial in early May 2023 with his lawyers conducted in presence of two individuals believed to be intelligence and security agents. He told his family that the judge interrogated him in court about his travels and work as an employee of the EU, and required him to provide answers in English. Amnesty International's research consistently shows that Revolutionary Courts lack independence and impose harsh sentences on individuals held for politically motivated reasons and under the influence of security and intelligence bodies and following grossly unfair, summary and predominantly secret processes which undermine the right to a fair trial. Prior to this, in late July 2022, Iran's Ministry of Intelligence announced they had detained of an unnamed Swedish national for "espionage", now believed to be in reference to Johan Floderus. In September 2023, Iranian state media

outlets said Johan Floderus was detained in Iran for “spying for Sweden”, which his family and Johan Floderus have repeatedly denied.

Amnesty International considers that Johan Floderus’ detention has become arbitrary as a result of violation of his fair trial rights. His right to access a lawyer of his choosing, to adequate defence, to be protected from torture and other ill-treatment, to be presumed innocent, and to meaningfully challenge the legality of his detention and to a trial in front of independent, competent and impartial tribunal have been repeatedly violated.

There is also mounting evidence, including public statements by Iranian officials and private comments made by Iranian officials to Johan Floderus, heightening concerns that the Iranian authorities are holding him hostage to compel the Swedish authorities to handover a former Iranian official, Hamid Nouri, who was sentenced to life in prison over his role in crimes relating to the 1988 prison massacres in Iran.

On 28 May 2023, Askar Jalalian, the deputy director of international affairs and human rights at Iran’s ministry of justice, in an interview with Iranian state media affiliated with the judiciary stated that efforts were underway for Hamid Nouri’s release, noting that negotiations with Sweden were ongoing and that he was “hopeful to be able to share good news about the case of Hamid Nouri”. This statement was made two days after another former Iranian official, Assadollah Asadi, who was serving a 20-year prison sentence in Belgium, was released and returned to Iran as part of a prisoner exchange between Belgium and Iran.

On 20 June 2023, the day after Johan Floderus’ hearing before a Revolutionary Court, the spokesperson for the judiciary stated that the Iranian authorities will “continue diligent pursuits” until Hamid Nouri is released. He also noted that “it was observed that the follow up in Assadollah Assadi’s case led to his release.” The spokesperson also noted that he believed Hamid Nouri “would soon return [to Iran].

Additionally, days after Johan Floderus’ arbitrary detention, on 29 April 2022, the Swedish Ministry of Foreign Affairs advised its nationals “against non-essential travel to Iran because of the security situation.” The advisory added, “[l]aw enforcement’s activities and interpretation of the law may be unlawful. Foreign travelers can be arbitrarily detained and prosecuted without clear reasons.”

The issuance of this advisory and its timing provide an implicit recognition by the Swedish authorities that their nationals are at risk of being arbitrarily detained and used by the Iranian authorities as leverage amid heightened tensions between Iran and Sweden over the trial and detention of Hamid Nouri, who was convicted and sentenced to life in prison by a Swedish court over crimes relating to the 1988 prison massacres in July 2022, following an historic trial under the principle of universal jurisdiction. Hamid Nouri has appealed his conviction and sentence with a decision expected from the appeals court in late November 2023

Johan Floderus arbitrary arrest took place amidst the Iranian authorities’ long history of using arbitrarily detained dual and foreign nationals as leverage, as highlighted by the UN Special Rapporteur on the situation of human rights in Iran and the UN Working Group on Arbitrary Detention. In light of ongoing concerns regarding the Iranian authorities’ practice of using detained dual and foreign nationals as leverage, Amnesty International again urges all states whose nationals are or have been detained at any point in Iran to promptly examine whether the deprivation of liberty amounts to the offense of hostage-taking and, if so, take all appropriate measures as provided by the International Convention against the Taking of Hostages .