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Iran: Olivier Vandecasteele must be immediately released

The Iranian authorities must immediately release Olivier Vandecasteele, a Belgian aid worker arbitrarily detained in Iran since his arrest on 24 February 2022 by Revolutionary Guards agents. His arrest took place during a brief trip to Tehran, where he returned after working as a humanitarian aid worker with international organizations in Iran for several years. Pending his release, the Iranian authorities must reveal his whereabouts, protect him from further 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 Belgian authorities. A prompt, independent, effective, and impartial investigation into those suspected of ordering, committing, aiding or abetting unlawful acts against Olivier Vandecasteele, including torture, must be conducted and those suspected of such offences brought to justice in fair trials.

On 14 December 2022, Olivier Vandecasteele's family learned from the Belgian government that the Iranian authorities had sentenced Olivier Vandecasteele to a 28-year prison term; no information about the nature of charges and/or the tribunal which issued the conviction and sentence is known. During a 28 November 2022 consular meeting, Olivier Vandecasteele revealed that he had been taken to court without the independent lawyer of his own choosing and that he was subsequently convicted of the charges brought against him. Amnesty International considers his detention arbitrary due to the gravity of violations 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 meaningfully challenge the legality of his detention, and to a trial in front of independent, competent and impartial tribunal have been violated.

From the time of his arrest to August 2022, Olivier Vandecasteele was held in Tehran's Evin prison, where he was subjected to interrogations for the first three months of his detention without access to a lawyer. During this time, Iranian authorities subjected Olivier Vandecasteele to torture and other ill-treatment, including by keeping him in prolonged solitary confinement in a room with bright lights on 24 hours a day, causing him deep distress. Prison authorities have also exposed him to extreme cold and discomfort by denying him shoes and socks for months. In August 2022, the Iranian authorities transferred him to an unknown location, where he remains held outside the protection of the law in conditions akin to an enforced disappearance, whereby the authorities have refused to disclose his place of detention to his family or lawyer of his own choosing or consular officials. During brief and infrequent phone calls believed to be in the presence of intelligence agents, his family learned that authorities are holding Olivier Vandecasteele in a windowless basement cell without access to natural light and fresh air. He is only permitted out of the cell for 15 minutes per day. He told his family that since his arrest, he has lost significant weight and his toenails have fallen off, raising serious concerns about his health. His family also subsequently learned that Olivier Vandecasteele has blood pockets forming on his toes and is suffering from dental and gastric problems. On 15 November 2022, in protest at his continued arbitrary detention, Olivier Vandecasteele began a hunger strike, about which his family learned on 28 November 2022.

Olivier Vandecasteele's 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 an act of hostage-taking, and if so, take all appropriate measures ensure accountability. Concerns that Olivier Vandecasteele is being used for leverage were heightened following statements by the Belgium Minister of Justice on 14 December 2022 stating that Olivier Vandecasteele's arrest was linked to Asadollah Asadi, a former Iranian diplomat who was arrested in June 2018 and subsequently sentenced by a criminal court in Belgium to 20 years' imprisonment in February 2021 for his role in a thwarted bomb attack at a 2018 rally in France.