

# AMNESTY INTERNATIONAL

## Public Statement

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### **Iran: Inquiry needed in the death of Baha'i prisoner of conscience**

Amnesty International has written to the head of Iran's Judiciary to express concern at continuing abuses committed against the country's Baha'i community and to urge him to ensure that no-one is imprisoned on account of their religious or cultural identity or because of their peaceful activities in support of their community.

The organization said it was greatly saddened by the death in custody of Dhabihullah Mahrami, a Baha'i prisoner of conscience who had been detained for 10 years solely on account of his faith. Amnesty International urged the Iranian authorities to order a thorough and impartial investigation into the cause and circumstances of his death.

Dhabihullah Mahrami was arrested in 1995 and was sentenced to death for apostasy in 1996. His death sentence was commuted to life imprisonment in 1999. Amnesty International adopted him as a prisoner of conscience in 1996 and campaigned for his immediate and unconditional release, highlighting his case in a report entitled *Iran: Dhabihullah Mahrami: Prisoner of Conscience* (AI Index: MDE 13/34/96).

According to reports, Dhabihullah Mahrami was found dead in his cell in Yazd prison on 15 December 2005. His family were apparently informed that he had died of a heart attack and were given his body, which has since been buried. However, Dhabihullah Mahrami was reported to be in good health shortly prior to his death and was not known to be suffering from heart disease, though he was apparently made to engage in strenuous physical labour while in prison raising concern that this may have caused or contributed to his death. He is also said to have received death threats.

In its letter to Ayatollah Mahmoud Hashemi Shahroudi, head of Iran's Judiciary, Amnesty International urged that any investigation into Dhabihullah Mahrami's death in custody should be carried out in conformity with the UN Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions and that any person found responsible for his death should be brought to justice and given a prompt and fair trial.<sup>1</sup>

Amnesty International also criticised an apparently increasing pattern of harassment of the Baha'i community which has seen at least 66 Baha'is arrested since the beginning of 2005, apparently on account of their identity as Baha'is or their peaceful activities on behalf of the Baha'i community in Iran. Most have been released but at least nine reportedly remain in prison, including Mehran Kawsari and Bahram Mashhadi, respectively sentenced to three and one year prison terms in connection with a letter they addressed to former President Hojatoleslam val Moslemin Sayed Mohammad Khatami demanding an end to human rights violations against Baha'is. Six of the seven others - Afshin Akram, Shahram Bolori, Vaheed Zamani, Mehraban Farman-Bordari, Sohrab Hamid, and Hooshang Mohammad-Abadi –

were arrested on 8 November 2005 but neither they nor the ninth man, Behrooz Tavakkoli, are known to have been charged or tried. Amnesty International believes they may be prisoners of conscience who should be released immediately and unconditionally.

In addition, members of Iran's Baha'i community have reportedly been attacked by unidentified assailants in recent months and Baha'i cemeteries and holy sites have been vandalized and destroyed. Some Baha'is have had their homes confiscated by the authorities. Baha'is generally are subject to discriminatory laws and regulations which limit their access to employment and to benefits such as pensions, and for many years young people belonging to the Baha'i community have been denied access to higher education by an official requirement that applicants state their allegiance to Islam or one of three other recognized religions. Although this requirement is no longer maintained, Baha'i applicants have had their applications returned with their religion designated as Muslim, apparently to persuade them to renounce their faith to improve their chances of gaining access to higher education. In 2004, despite promises that this designation would be removed, only ten of the 800 or so Baha'i applicants who passed were eventually admitted. These ten refused to attend university in protest at the exclusion of their fellow Baha'is.

Amnesty International has urged the Iranian authorities to take steps to ensure that no one in Iran, including those who belong to unrecognized religious minorities, is imprisoned or discriminated against solely on account of their faith or their peaceful religious activities.

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<sup>1</sup>The UN Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions Recommended by Economic and Social Council resolution 1989/65 of 24 May 1989, state, in Principle 9:

There shall be thorough, prompt and impartial investigation of all suspected cases of extra-legal, arbitrary and summary executions, including cases where complaints by relatives or other reliable reports suggest unnatural death in the above circumstances. Governments shall maintain investigative offices and procedures to undertake such inquiries. The purpose of the investigation shall be to determine the cause, manner and time of death, the person responsible, and any pattern or practice which may have brought about that death. It shall include an adequate autopsy, collection and analysis of all physical and documentary evidence and statements from witnesses. The investigation shall distinguish between natural death, accidental death, suicide and homicide.