

URGENT ACTION

IRANIAN KURD SENTENCED AFTER LETTER TO UN

Iranian Kurdish farmer Yousef Kakehmami, already serving nine years in prison after two unfair trials, has been sentenced to a further five years in prison after writing a letter to the UN Special Rapporteur on the human rights situation in Iran.

Yousef Kakehmami is a farmer from Iran's Kurdish minority serving a nine-year sentence in Oroumieh Central Prison, West Azerbaijan Province. The prison's branch of the Office for the Implementation of Sentences told him on 18 January that he had been sentenced to a further five years in prison, for "acting against national security through collaboration with PJAK" (Party of Free Life of Kurdistan). He had received an unfair trial on 12 January, where he had no legal representation and there was only one hearing, before Branch One of the Revolutionary Court of Mahabad. The court did not provide him with a state-appointed lawyer, though it had said it would do so before the trial began. He has not received the written verdict. Yousef Kakehmami had been convicted of the same charge after two unfair trials in 2006 and 2008, in which he received three- and six-year sentences, respectively.

Yousef Kakehmami, 38, was taken to Branch Six of the Office of the Prosecutor in Oroumieh several times in 2015, and questioned, without a lawyer present, in connection with charges of an entirely different nature. He was told he had been charged with "spreading propaganda against the system" and "communicating with foreign media and organizations", and questioned about a letter he had written in March 2015 to Ahmed Shaheed, the UN Special Rapporteur on the human rights situation in Iran, detailing his recent transfer to a detention facility run by the Revolutionary Guards, where he said he had been tortured and otherwise ill-treated. He was also taken to a Ministry of Intelligence office in Oroumieh in April 2015 for questioning over these charges. When he appeared in court on 12 January 2016, however, he found he was being tried once again on a charge of "acting against national security through collaboration with PJAK". Despite this new charge, the prosecutors presented his letter to the UN Special Rapporteur as evidence against him, and the judge questioned him about his communication with human rights organizations. His latest conviction appears to be a reprisal for his communication with UN human rights mechanisms. His appeal hearing will be held on 16 April, before Branch Two of the Court of Appeal in Oroumieh.

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

- Calling on the Iranian authorities to quash Yousef Kakehmami's recent conviction which appears to be for his communication with the UN Special Rapporteur, and ensure he is released no later than the expiry of his 2008 sentence;
- Reminding them that Articles 19 and 22 of the International Covenant on Civil and Political Rights, to which Iran is a state party, protect the rights to freedom of expression and association, including to communicate with UN human rights mechanisms;
- Urging them to give him immediate and regular access to a lawyer of his choosing, to investigate his allegations of torture and other ill-treatment, and expressing concern that Revolutionary Court hearings are seriously flawed and do not meet international fair trial standards.

PLEASE SEND APPEALS BEFORE 10 MAY 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. If there is no Iranian embassy in your country, please mail the letter to the Permanent Mission of the Islamic Republic of Iran to the United Nations, 622 Third Avenue, 34th Floor, New York, NY 10017, United States.

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation
Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



URGENT ACTION

IRANIAN KURD SENTENCED AFTER LETTER TO UN

ADDITIONAL INFORMATION

Yousef Kakehmami, who is from the village of Ghareh Balagh, near the city of Mahabad in West Azerbaijan Province, is serving a total of nine years in prison after unfair trials in 2006 and 2008. He was first arrested by Ministry of Intelligence officials on 20 August 2006, after which he was charged with “acting against national security through collaboration with PJAK”. He was held in a Ministry of Intelligence detention facility in Oroumieh without access to a lawyer, and released on bail a month later. Following an unfair trial in September 2006 before Branch Two of the Revolutionary Court in Mahabad, during which he was not present, he received a three-year suspended sentence. He was never formally told of this, and did not know he had been convicted and sentenced until his second trial in 2008. While at liberty, Yousef Kakehmami was arrested again on 24 October 2007 by officials from the Revolutionary Guards as he and a friend were travelling on a motorbike between the cities of Bukan and Mahabad in West Azerbaijan Province. He was taken to a detention centre run by the Revolutionary Guards and placed in solitary confinement and had no access to a lawyer. After a second unfair trial in January 2008, Branch One of the Revolutionary Court in Mahabad convicted him again of “acting against national security through collaboration with PJAK” and sentenced him to a further six years’ imprisonment. It was only during this second trial that the judge told Yousef Kakehmami he had a pre-existing conviction and sentence. As a result of his second conviction, his three-year suspended sentence became enforceable, bringing his prison term to a total of nine years.

Yousef Kakehmami was transferred from Ward 12 of Oroumieh Central Prison on 23 February 2015 to a detention centre run by the Revolutionary Guards, where he has said he was tortured and otherwise ill-treated for eight days before being returned to prison. He has said that he was given no food for the first three days. He wrote a letter from prison the next month, addressed to the UN Special Rapporteur on Iran, in which he detailed what had happened during those eight days. The next month, he was taken to Branch Six of the Office of the Prosecutor in Oroumieh for questioning. In April 2015, he was transferred to a Ministry of Intelligence detention centre in Oroumieh where he was placed in solitary confinement and repeatedly interrogated. He was returned to prison two weeks later.

Yousef Kakehmami and a number of other prisoners in Oroumieh Central Prison launched a mass hunger strike in November 2014 in protest at the conditions in Ward 12 of the prison, where political prisoners are held. Prisoners in Ward 12 began their hunger strike to protest against a decision to transfer to their ward 40 prisoners convicted of crimes such as murder and armed robbery, which made the ward more dangerous for them. The prison authorities threatened to execute death row prisoners on hunger strike, and are understood to have subjected hunger strikers to beatings and other punishments, and threatened them with transfer to remote prisons in the south of the country.

In his August 2015 report on cooperation with the UN, its representatives and mechanisms in the field of human rights, presented to the 30th Session of the Human Rights Council, the UN Secretary General stated that a number of UN Special Rapporteurs had expressed their concern at reported reprisals against various people in Iran who had engaged with UN human rights mechanisms. He said that while it was the primary obligation of the State to protect those who cooperate with UN human rights mechanisms and to ensure that they may do so safely and without hindrance, worryingly, acts of intimidation and reprisal were often perpetrated by government officials or representatives of the State. He reiterated that any act of intimidation or reprisal against individuals or groups for their engagement with the UN, its mechanisms and representatives in the field of human rights is completely unacceptable and must be halted immediately and unconditionally.

Name: Yousef Kakehmami
Gender m/f: m