

PUBLIC

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11 October 2006

UA 273/06 Arbitrary Arrest/ Prisoners of conscience/ Fear of torture and ill-treatment

IRAN **Mostafa Evezpoor (m), aged 25**
Mohammad Reza Evezpoor (m), aged 14, his brother
More than 13 others

Mostafa Evezpoor and his 14-year-old brother Mohammad Reza Evezpoor, both members of the Iranian Azerbaijani minority, were reportedly arrested on 21 September, two days before the start of the new academic year in Iran on 1 *Mehr* (23 September). Iranian Azerbaijani activists had called for a boycott of the first day of the school year and for demonstrations to be held calling for the right for Iranian Azerbaijani children to be educated in their own language. They are among more than 15 people reportedly detained before and after the boycott (see AI Public Statement, <http://web.amnesty.org/library/Index/ENGMDE131082006?open&of=ENG-IRN>). All of those detained are at risk of torture and ill-treatment.

According to reports, Mostafa and Mohammad Reza Evezpoor, along with their brother Morteza, aged 16, were arrested at their home in Tabriz, Azerbaijan province, northwestern Iran, in the early morning of 21 September, by Ministry of Intelligence officials. The officials reportedly beat the boys' father when he questioned his sons' arrests. The house was searched and books and the family computer were confiscated.

On or around 9 October, Morteza Evezpoor was reportedly released, but reports suggest that Mohammad Reza remains in a Ministry of Intelligence detention facility in Tabriz, whilst Mostafa has been transferred to Tabriz Central Prison after going on hunger strike. They have not been granted legal access nor family visits.

Amnesty International believes that Mostafa and Mohammad Reza Evezpoor and others detained in relation to the boycott and associated demonstrations may be prisoners of conscience, detained solely on account of their peaceful activism for the rights of the Iranian Azerbaijani minority in Iran. If this is the case, they should be immediately and unconditionally released. Otherwise, they should be promptly charged with a recognisably criminal offence and given a prompt and fair trial.

Mostafa, Morteza and Mohammad Reza Evezpoor had previously been arrested in April 2006, and Mohammad Reza was reportedly tortured (see UA 120/06, MDE 13/047/2006, 5 May 2006:

<http://web.amnesty.org/library/index/ENGMDE130472006?open&of=ENG-IRN>

and follow-up, MDE 13/068/2006, 20 June 2006:

<http://web.amnesty.org/library/Index/ENGMDE130682006?open&of=ENG-IRN>).

BACKGROUND INFORMATION

Iranian Azerbaijanis, who are mainly Shi'a Muslims, are the largest minority in Iran, believed to constitute between 25 and 30 per cent of the population. They are located mainly in the north and northwest of Iran. As Shi'a, they are not subject to as much discrimination as minorities of other religions, and are well-integrated into the economy, but there is a growing demand for greater cultural and linguistic rights, including the right to education through the medium of Azerbaijani Turkic. A small minority advocate secession of Iranian Azerbaijan from the Islamic Republic of Iran and union with the Republic of Azerbaijan. Those who seek to promote Iranian Azerbaijani cultural identity are viewed with suspicion by the Iranian authorities, who often accuse them of vague charges such as "promoting pan-Turkism".

Iran is a state party to the UN Convention on the Rights of the Child (CRC), which states: "No child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be

in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time." The CRC also states that "every child deprived of liberty shall be treated... in a manner which takes into account the needs of persons of his or her age [and] shall have the right to maintain contact with his or her family through correspondence and visits, save in exceptional circumstances." Iran is also a state party to the International Covenant on Civil and Political Rights (ICCPR), which provides for the right to freedom of expression and association.

Under international law, people belonging to minority groups have the right to use their own language, in private and in public, freely and without interference or any form of discrimination. States cannot deny the right to use one's own language. While the state provides education in the state's official language(s) for the majority population, members of minorities have a right to establish and maintain schools where education is provided in their own language, provided that they conform to the minimum educational standards laid down by the state. Parents have a prior right to choose the kind of education that shall be given to their children. This includes the right to choose for their children institutions other than those established and maintained by the public authorities.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Persian, Arabic, English, French or your own language:

- expressing concern for the safety of Mostafa and Mohammad Reza Evezpoor, who may be held incommunicado;
- expressing concern for some 13 other detainees held in relation to the 1 Mehr boycott and associated demonstrations called for by Iranian Azerbaijani activists, and seeking assurances that none of those detained are being tortured or ill-treated;
- calling for all the detainees to be given immediate access to lawyers of their own choosing, their families and any medical treatment they may require;
- calling on the authorities to release them immediately and unconditionally, unless they are to be promptly charged with a recognizably criminal offence;
- reminding the authorities of their obligations under the ICCPR and the UN Convention on the Rights of the Child.

APPEALS TO:

Leader of the Islamic Republic

His Excellency Ayatollah Sayed 'Ali Khamenei, The Office of the Supreme Leader
Shoahada Street, Qom, Islamic Republic of Iran

Email: info@leader.ir OR istiftaa@wilayah.org

Salutation: Your Excellency

Minister of Intelligence

Gholam Hossein Mohseni Ejeie

Ministry of Intelligence, Second Negarestan Street, Pasdaran Avenue, Tehran, Islamic Republic of Iran

Email: iranprobe@iranprobe.com

Salutation: Your Excellency

Head of the Judiciary

His Excellency Ayatollah Mahmoud Hashemi Shahroudi

Ministry of Justice, Park-e Shahr, Tehran, Islamic Republic of Iran

Email: Please send emails via the feedback form on the Persian site of the website:

<http://www.iranjudiciary.org/contactus-feedback-fa.html>

(The text of the feedback form translates as: 1st line: name, 2nd line: email address, 3rd line: subject heading, then enter your email into the text box)

Salutation: Your Excellency

COPIES TO:

President

His Excellency Mahmoud Ahmadinejad

The Presidency, Palestine Avenue, Azerbaijan Intersection, Tehran, Islamic Republic of Iran

Email: dr-ahmadinejad@president.ir

or via website: www.president.ir/email

Speaker of Parliament

His Excellency Gholamali Haddad Adel

Majles-e Shoura-ye Eslami, Imam Khomeini Avenue, Tehran, Islamic Republic of Iran

Email: hadadadel@majlis.ir

and to diplomatic representatives of Iran accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 22 November 2006.