

URGENT ACTION

IRANIAN KURD REMAINS AT RISK OF EXECUTION

Sherko Moarefi, a member of Iran's Kurdish minority, was not executed on 1 May, as had been widely expected. However, his sentence has now been sent for implementation, the final stage of the process, and he could be executed at any time.

Sherko Moarefi had been informally told by prison officials that he would be executed on 1 May 2011, but never received official confirmation of this. He went on hunger strike on 28 April 2011 to protest his "unknown and unspecific" legal circumstances, though he has since ended his hunger strike. On 27 April 2011, Sherko Moarefi's file was sent to the Office for the Implementation of Sentences (OIS) in Saqqez, in the north-western province of Kordestan after Branch 27 of the Supreme Court had upheld Sherko Moarefi's death sentence for a second time. His lawyer has said that steps have been taken to bring procedural irregularities to the attention of the court, but that as the case has passed to the OIS, the sentence could be implemented at any time.

Sherko Moarefi was arrested in October 2008 in the village of Dowlat Ghaleh near Saqqez, after which he was sentenced to death by a Revolutionary Court. Amnesty International has for many years raised concerns about the fairness of trials before Revolutionary Courts in Iran. Sherko Moarefi was sentenced to death for "acting against national security" and "enmity against God" for his alleged links to Komala, a banned Kurdish opposition group. The sentence was upheld on appeal and confirmed by the Supreme Court.

Another Kurdish political prisoner, **Habibollah Latifi**, remains at risk of execution after his execution scheduled for 26 December 2010 was called off at the last minute after domestic and international pressure (see UA 271/09, AI Index: MDE 13/102/2009 and follow ups). He is an industrial engineering student at Ilam University in western Iran convicted of membership of and alleged activities on behalf of the Party for a Free Life in Kurdistan (PJAK), another proscribed armed group. At least 14 other Kurdish political prisoners are known to be on death row.

PLEASE WRITE IMMEDIATELY in Persian, English or your own language:

- Urging the Iranian authorities not to carry out the execution of Sherko Moarefi and to grant a judicial review;
- Calling on them to commute the death sentences of Sherko Moarefi, Habibollah Latifi and anyone else on death row, including other Kurdish political prisoners;
- Stating that Amnesty International recognizes the right and responsibility of governments to bring to justice, in conformity with international standards for fair trial, those suspected of criminal offences, but opposes the death penalty as the ultimate cruel, inhuman and degrading punishment.

PLEASE SEND APPEALS BEFORE 6 JUNE 2011 TO:

Leader of the Islamic Republic

Ayatollah Sayed 'Ali Khamenei
The Office of the Supreme Leader
Islamic Republic Street – End of
Shahid Keshvar Doust Street, Tehran,
Islamic Republic of Iran

Email: info_leader@leader.ir

Twitter: "Call on #Iran leader
@khamenei_ir to call off execution and
commute death sentence of Sherko
Moarefi, Kurdish political prisoner "
Salutation: Your Excellency

Head of the Judiciary

Ayatollah Sadegh Larijani
[care of] Public relations Office
Number 4, 2 Azizi Street
Vali Asr Ave., above Pasteur Street
intersection
Tehran, Islamic Republic of Iran

Email: bia.judi@yahoo.com (In subject
line: **FAO Ayatollah Sadegh Larijani**)
Salutation: Your Excellency

And copies to:

Secretary General, High Council for
Human Rights
Mohammad Javad Larijani
High Council for Human Rights
[Care of] Office of the Head of the
Judiciary, Pasteur St., Vali Asr Ave.
south of Serah-e Jomhuri, Tehran
1316814737, Islamic Republic of Iran
(subject line: **FAO Mohammad Javad
Larijani**)

Salutation: Dear Sir

Also send copies to diplomatic representatives accredited to your country. Check with your section office if sending appeals after the above date.

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ADDITIONAL INFORMATION

Sherko Moarefi's death sentence was upheld first by an Appeal Court and then by the Supreme Court. His court-appointed lawyer stated in an interview on 18 October 2009 that his request to the Amnesty and Clemency Commission had been rejected and that he had applied for a judicial review. This, too, was denied. Sherko Moarefi was told verbally in March that his execution was scheduled for 1 May, but his lawyers were never officially informed. Under Iranian law lawyers must be notified 48 hours prior to the implementation of the death penalty for a client. He went on hunger strike on 28 April 2011 to protest his "unknown and unspecified" legal circumstances, though he has since ended his hunger strike. His family was able to visit him on 3 May 2011.

Kurds, who are one of Iran's many minority groups, live mainly in the west and north-west of the country, in the province of Kordestan and neighbouring provinces bordering Kurdish areas of Turkey and Iraq. They experience discrimination in the enjoyment of their religious, economic and cultural rights (see: *Iran: Human rights abuses against the Kurdish minority*, (Index: MDE 13/088/2008), 30 July 2008 at: <http://www.amnesty.org/en/library/info/MDE13/088/2008/en>). For many years, Kurdish organizations such as the Kurdistan Democratic Party of Iran (KDPI) and the Marxist group Komala conducted armed struggle against the Islamic Republic of Iran, although neither currently does so. An alleged member of the KDPI, Farhad Tarom, was reported by Kurdish sources to have been executed in February 2011. A further group, the Party For Free Life of Kurdistan (PJAK), was formed in 2004, and carried out armed attacks against Iranian security forces, but declared a unilateral ceasefire in 2009, although it still engages in armed clashes with security forces in what it terms "self-defence". Hossein Khezri, a member of Iran's Kurdish minority, is feared to have been executed on 15 January 2011 in north-western Iran after being convicted of "enmity against God" on account of his membership of PJAK. The authorities announced that a PJAK member was executed on 15 January 2011 but did not name the individual. On 16 January 2011, PJAK issued a statement pledging an "appropriate response" to what they clearly believe to have been Hossein Khezri's execution and calling for a week of "resistance" to Iran.

Amnesty International condemns without reservation attacks on civilians, which includes judges, clerics, and locally or nationally-elected officials, as attacking civilians violates fundamental principles of international humanitarian law. These principles prohibit absolutely attacks on civilians as well as indiscriminate and disproportionate attacks. Such attacks cannot be justified under any circumstances.

The scope of capital crimes in Iran is broad. The death penalty is one of four possible punishments for those convicted of *moharebeh*, a charge often brought against those accused of armed opposition to the state. Other capital crimes include other national security offences such as espionage. At least 13 other Kurdish men and one Kurdish woman are believed to be on death row in connection with their alleged membership of and activities for proscribed Kurdish organizations. They are Sami Hosseini, Jamal Mohammadi, Rashid Akhkandi, Rostam Arkia, Anvar Rostami, Mostafa Salimi, Mohammad Amin Abdollahi, Ghader (or Aziz) Mohammadzadeh, Hassan Talai, Habibollah Golparipour, Abdollah Sorouri, Loghman (or Loqman) Moradi, Zaniar Moradi (who was only 17 when arrested) and Zeynab Jalalian. Some have had initial prison sentences increased to death sentences. Ehsan Fattahian, a member of Komala, was executed on 11 November 2009 in Sanandaj, the capital of Kordestan province.

December 2010 and January 2011 saw an alarming rise in the rate of executions, mainly of individuals convicted of offences related to trafficking and possession of illegal drugs, although the rate has since declined. Additionally, since the start of 2011, up to 18 men have been hanged in public, compared to 14 such executions recorded by Amnesty International in the whole of 2010. Thirteen of those executions have taken place since 16 April 2011. On 20 April 2011, two juvenile offenders – identified only as "A.N" and "H.B" - were among three individuals hanged in public in Bandar Abbas, southern Iran, after being convicted over a rape and murder committed when they were only 17. A fourth man was hanged at the same time for rape. A 16-year-old member of the Ahwazi Arab minority was reportedly hanged in Khuzestan province between 5 and 7 May 2011 in the wake of clashes between Arabs and security forces on 15 April 2011.

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