

URGENT ACTION

PRISONER TAKEN FROM CELL AT RISK OF TORTURE

On 24 February 2011, student activist and prisoner of conscience Sayed Ziaoddin (Zia) Nabavi was taken without warning from his prison cell in the city of Ahvaz, southwest Iran, apparently by Ministry of Intelligence officials. Now believed to be held at an unknown location, he is at risk of torture.

On 24 February 2011, Zia Nabavi was taken without prior notice from Karoun Prison in Ahvaz, Iran. He may have been transferred to an unknown detention facility under the control of Iran's Ministry of Intelligence. These facilities are not under the supervision of the Judiciary in Iran and people held in such conditions are particularly vulnerable to torture and other ill-treatment. The circumstances of his transfer may amount to an enforced disappearance.

Amnesty International considers Zia Nabavi a prisoner of conscience, held solely for peacefully exercising his rights to freedom of expression and association in connection with his activities for the Council to Defend the Right to Education. He was arrested on 14 June 2009, shortly after attending a protest against the announcement that incumbent President Mahmoud Ahmadinejad had been re-elected. Held since then, he was sentenced in January 2010 to 15 years' imprisonment, reduced on appeal in May 2010, to 10 years' imprisonment in internal exile.

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

- Calling on the Iranian authorities to immediately disclose Sayed Ziaoddin (Zia) Nabavi's whereabouts, to allow him to communicate with his family and his lawyer without delay and to grant him adequate medical care;
- Urging the authorities to ensure that he is not subjected to torture or other ill-treatment;
- Expressing concern that the circumstances of Sayed Ziaoddin (Zia) Nabavi's transfer from Karoun Prison to an unknown place of detention may amount to an enforced disappearance;
- Stressing that he is a prisoner of conscience held solely for his peaceful human rights activities, and should be immediately and unconditionally released, and urging the authorities accordingly to review his conviction as a matter of urgency with a view to overturning it.

PLEASE SEND APPEALS BEFORE 30 MARCH 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
via website:
<http://www.leader.ir/langs/en/index.php?p=letter> (English)

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
Email: info@humanrights-iran.ir (subject
line: FAO Mohammad Javad Larijani)

Salutation: Dear Sir

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

**AMNESTY
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ADDITIONAL INFORMATION

The Council to Defend the Right to Education is a body set up in 2009 by students barred from further study because of their political activities or on account of their being Baha'is. Zia Nabavi was previously arrested in 2007 while studying at Mazandaran University, in relation to his participation to a sit-in protest at the arrest of a student, and was later barred from resuming his studies.

Zia Nabavi was initially sentenced to three years' imprisonment for "gathering and colluding against national security"; one year for "propaganda against the system"; one year for "disturbing public order"; as well as ten years for "enmity against God" for his alleged links to and cooperation with the People's Mojahedin Organization of Iran (PMOI), a banned political group, to be served in internal exile in Izeh, Khuzestan province. He was also sentenced to 74 lashes for "creating unease in the public mind". On appeal, he was acquitted of the first two charges, but his ten-year sentence for "enmity against God" was upheld. In the Iranian Penal Code, one of the four possible punishments for a conviction of "enmity against God" is banishment, usually imprisonment in internal exile. Prisoners are sent to serve prison sentences specifically in a distant location, far from where their families live. The individual imprisoned is therefore unable to receive regular visits from family and friends because such visits require travel via air or ground transport in excess of a day's journey. Zia Nabavi was sentenced to serve ten years' imprisonment in internal exile in Ahvaz, over 600 kilometres from his family's home in Semnan, northern Iran.

Zia Nabavi says that he was beaten, kicked, insulted and humiliated during his interrogation in detention. His particularly heavy sentence appears in part to be linked to the fact that he has family members based in Iraqi camps run by the PMOI. He denies having any personal links to the PMOI, stressing that he has never had contact with the PMOI and has been extremely careful never to give the impression of doing so, since he has relatives living in PMOI-run camps in Iraq. His cousin, Atefeh Nabavi, who was arrested at the same time as he was, is serving a four-year prison sentence in Evin Prison, Tehran.

Initially held in Evin Prison, Tehran, Zia Nabavi was transferred to Karoun Prison in September 2010 which takes his family up to 48 hours travelling to reach. He was reportedly beaten on arrival and has said that the prison conditions are very poor.

The Iranian authorities have claimed that the PMOI and other groups were responsible for organizing the 2009 post-election demonstrations. The Iranian authorities have also claimed that the PMOI was responsible for organizing further demonstrations on 14 February 2011, blaming the organization as well for the deaths of two demonstrators, but the PMOI has denied any involvement.

Individuals arrested by officials from the Ministry of Intelligence or other intelligence branches of Iran's security forces are frequently held in detention facilities, either within prisons (such as Sections 209 and Section 2A of Evin Prison) or "safe houses", none of which are subject to supervision by the Judiciary. Despite the requirement in Iranian law that a provisional dossier should be forwarded to the competent judicial authorities within 24 hours, an arrested individual's family may spend days, weeks, or even months seeking information about their relatives from prisons, Prosecutors' Offices and courts before being told where they are held and being granted access to them. It is particularly difficult for family members of individuals serving sentences in internal exile to follow up on the fate of their relatives, as it is usually necessary to go in person to the different institutions to seek information. Individuals held in such circumstances are particularly vulnerable to torture or other ill-treatment.

International law strictly prohibits enforced disappearance which it defines as "arrest ... by agents of the state ... followed by ... concealment of the fate or whereabouts of the disappeared person which place[s] such a person outside the protection of the law".

UA: 69/11 Index: MDE 13/029/2011 Issue Date: 11 March 2011

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