

PUBLIC

AI Index: MDE 13/065/2005

2 November 2005

**Further Information on UA 233/05 (MDE 13/051/2005, 9 September 2005) - Fear of Torture and Ill-treatment / Incommunicado detention and new concern: Death sentence**

IRAN	Mohsen Bawi (m), aged 35	]	
	Imad Bawi (m), law student	]	
	Zamel Bawi (m)	]	brothers
	Hani Bawi (m), student	]	
	Moslem Bawi (m), student	]	
	Hajj Salem Bawi (m), their father		
	Asad Bawi (m), their cousin		
	Mansour Tayouri (m)	]	members of the extended Bawi family
	Hassan Boughedar (m)	]	

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Imad Bawi and his brother Zamel Bawi have reportedly been sentenced to death. It is not known what they were convicted of, or whether there will be an appeal. If there is no appeal, and the sentence goes directly to the Supreme Court for ratification, they could be executed at any time.

The brothers' father, Hajj Salem Bawi, was reportedly released on 28 August. He apparently met three of his sons while he was held in Amaniya Prison, in the city of Ahvaz. He could see that they had been ill-treated.

The five Bawi brothers and their cousin Asad Bawi were reportedly arrested on 11 August, and Hajj Salem Bawi later that day when he made enquiries about their whereabouts. It is not known precisely when Mansour Tayouri or Hassan Boughedar were arrested. The Bawi family are prominent in Ahvaz, in the eastern province of Khuzestan, which is home to most of Iran's Arab minority. Relatives have reportedly claimed that at least three of the detainees have been tortured physically and psychologically.

#### **BACKGROUND INFORMATION**

On 14 August, the Iranian government reportedly accused the United Kingdom and the United States of instigating recent ethnic unrest involving the country's Arab and Kurdish minorities and the state security forces. The Ministry of Intelligence has reportedly announced that those responsible for the unrest and bombing in Khuzestan province in April and June, which followed allegations that the government was planning to disperse the country's Arab population, have been identified and arrested.

Two explosions on 15 October killed six people and injured at least 100 others in Ahvaz. The Judiciary announced on 22 October that 30 people had been arrested in connection with the explosions. President Mahmoud Ahmadinezhad reiterated his view that the United Kingdom was linked to the attacks, which the UK has denied.

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

- urging the authorities to commute the death sentence imposed on Imad and Zamel Bawi immediately;
- asking for details of the charges against them, their trial and any appeals, and of their legal representation;
- acknowledging that governments have a responsibility to bring to justice those suspected of criminal offences, but stating your unconditional opposition to the death penalty, as the ultimate cruel, inhuman and degrading punishment and violation of the right to life.

- expressing concern for the safety of the other six still in custody (naming them), who are reportedly held incommunicado, and seeking assurances that they are not being tortured or ill-treated;
- calling on the authorities to reveal where they are detained, and to release them immediately unless they are to be charged with a recognizably criminal offence;
- calling for them to be given immediate access to lawyers of their choice, their family, interpreters and medical treatment if necessary;
- reminding the authorities that confessions extracted under duress are prohibited by Article 38 of the Iranian constitution ("All forms of torture for the purpose of extracting confession or acquiring information are forbidden,") and that Iran is a state party to the International Covenant on Civil and Political Rights, of which Article 7 states that "No one shall be subjected to cruel, inhuman or degrading punishment."

**APPEALS TO: (Fax numbers and e-mail addresses for Iran are unreliable so please send letters if you cannot get through)**

Leader of the Islamic Republic

His Excellency Ayatollah Sayed 'Ali Khamenei

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

**Fax: + 98 21 649 5880 (please mark 'For the attention of the Office of His Excellency, Ayatollah al Udhma Khamenei)**

**Email: info@leader.ir**

**Salutation: Your Excellency**

President

His Excellency Dr Mahmoud Ahmadinezhad

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

**E-mail: (via website) <http://www.president.ir/email/>**

**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: irjpr@iranjudiciary.org (mark 'Please forward to HE Ayatollah Shahroudi')**

**Salutation: Your Excellency**

**COPIES TO:**

Speaker of Parliament

Gholamali Haddad Adel

Majles-e Shoura-ye Eslami

Imam Khomeini Avenue,

Tehran, Islamic Republic of Iran

**Email: webmaster@majlis.ir (mark 'Please forward to Mr Gholami Haddad Adel')**

**Fax: + 98 21 646 1746**

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 14 December 2005.