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IRAN: RELEASE AZERBAIJANI TURKIC MINORITY RIGHTS ACTIVISTS DETAINED FOR PEACEFUL CULTURAL GATHERINGS

Amnesty International is calling on the Iranian authorities to immediately and unconditionally release activist **Ebrahim Nouri**, as well as anyone else still arbitrarily detained after the arrest of around 120 people in connection with two separate Azerbaijani Turkic cultural gatherings that took place in July and August 2018. The authorities must drop any charges against Ebrahim Nouri and anyone else targeted solely for peacefully exercising their rights to freedom of expression, association and assembly, including through their advocacy promoting the rights of the Azerbaijani Turkic minority in Iran. On the basis of research conducted over the last month, Amnesty International has concluded that Ebrahim Nouri is a prisoner of conscience.

Amnesty International's research also reveals disturbing reports of torture and other ill-treatment committed by security forces during and after the arrests, particularly those which took place in July. The authorities must initiate a prompt, impartial, independent and effective investigation into these allegations, bringing those responsible to justice in trials that meet international fair trial standards.

Amnesty International's research included conducting interviews with more than 10 individuals, as well as a close study of court verdicts, independent and state media reports, and posts on social media. The organization has withheld the names of individuals interviewed in order to protect their security.

ARBITRARY ARRESTS AND DETENTIONS IN AUGUST

Amnesty International has received information from credible sources that 40 people were arrested in connection with a peaceful Azerbaijani Turkic cultural gathering that took place overnight between 9 and 10 August 2018 near the city of Meshghin Shahr in Ardabil province. The 39 men and one woman were arrested by both uniformed police and plain-clothed security forces as they gathered at the base camp of Sabalan Mountain on the evening of 9 August 2018 during an annual gathering in which they sing and dance to Azerbaijani Turkic songs before they hike up the mountain the next day. Among those arrested and detained were activists **Mehdi Houshmand**, **Mostafa Parvin** and **Tohid Amir Amini**, who had also been arbitrarily arrested and detained in July and released the same month. According to reports, eyewitnesses present at the scene have said that those arrested were subjected to beatings by the security forces during arrest. All the detainees were taken to a detention centre in the city of Lahroud in Ardabil province and released on the evening of 10 August. Amnesty International has no information on whether they face any charges.

ARBITRARY ARRESTS AND DETENTIONS IN JULY

Thousands of people, including families with children, gathered peacefully on 6 and 7 July 2018 to celebrate an important occasion for Iran's ethnic Azerbaijani Turkic minority of several million people by chanting songs in the Azerbaijani Turkic language, their mother tongue, among other activities. The gathering takes place during the first weekend of July each year at a historic castle known as Babak Fort, which sits on a mountain top near the city of Kaleybar in East Azerbaijan province.

The occasion, which marks the birthday of Babak Khorramdin, a well-known revolutionary figure from the Azerbaijan region of Iran, is used to celebrate the culture of Azerbaijani Turks and to voice grievances about discrimination against Azerbaijani Turks in Iran, including the use of Persian as the sole medium of instruction at all levels of primary and secondary education, the suppression of publications in the Azerbaijani Turkic language, and the continued economic neglect of minority-populated areas. They also use the occasion to promote their rights, including the right to learn, promote and use their own language freely and without any interference, and to be protected against discriminatory and insulting speech, particularly in state radio and television programmes.

The presence of security forces in and around Babak Fort around the time of the annual gathering appears to have

been stepped up in recent years. This year, according to eyewitnesses interviewed by Amnesty International, thousands of members of the security forces were present, including personnel from the Revolutionary Guards, Ministry of Intelligence and the paramilitary Basij force.

Members of the security forces arrested more than 80 people from Iran's ethnic Azerbaijani Turkic minority across north and north-west Iran during the first week of July, both in the days leading up to the peaceful gathering at Babak Fort and during the gathering itself. The arrests took place in and around the cities of Ahar, Kaleybar and Tabriz in East Azerbaijan province, Ardabil in Ardabil province, and Urumieh in West Azerbaijan province, as well as in Tehran. At least one activist, Ebrahim Nouri, remains in detention from this incident. The rest were released between 7 July and 9 August 2018.

In the weeks leading up to the gathering at Babak Fort, the authorities telephoned a number of activists, including some of those whom they later arrested, and warned them that they were not allowed to take part in the planned gathering and that they would be arrested if they tried to attend. Following the arrests, one officer told some of the activists: "We told you not to go to Babak Fort. Why did you try to go when you knew you would be arrested?"

Amnesty International understands that security forces had set up a major security checkpoint on the main road that goes from Ahar to Kaleybar, a city on the main route into Babak Fort. The authorities used this checkpoint to block activists who were making their way to the gathering and to arrest them. They had also set up checkpoints along the path that people use to hike up the mountain to Babak Fort and harassed and arbitrarily arrested or temporarily detained members of the public to interrogate them about their reasons for attending the annual gathering.

Amnesty International believes that all the arrests were arbitrary and part of an orchestrated campaign aimed at cracking down harshly on activists from Iran's Azerbaijani Turkic minority in an attempt to deter them and others from attending the gathering and punish those who did.

Activist and law student **Ebrahim Nouri** was arrested in Tehran on 2 July 2018 and transferred to Section 209 of Tehran's Evin prison, which is run by the Ministry of Intelligence. In the days prior to his arrest, Ministry of Intelligence authorities had warned him and his brother Faraj Nouri that they were not allowed to take part in the annual Babak Fort gathering and that, if they tried to do so, they would be arrested. Apart from one short telephone call to his family the day after his arrest, he has not been allowed any contact with his family or a lawyer. Ebrahim Nouri has been arrested on numerous prior occasions solely because of his peaceful activism, including in 2006, 2013, 2014, and 2015 for taking part in private ceremonies to mark International Mother Language Day. He has been prosecuted, convicted and sentenced, in three separate cases, to a total of 16 months in prison and a 10-month suspended prison sentence on trumped-up charges entirely related to his peaceful activism, including "gathering and colluding to commit crimes against national security".



Ebrahim Nouri © Private



Abbas Lesani © Private

Abbas Lesani, a prominent advocate of Azerbaijani Turkic minority rights, was arrested in Ardabil on 2 July 2018 and released on bail on 14 July 2018. Abbas Lesani has been targeted by the authorities for over a decade because of his peaceful advocacy on behalf of Azerbaijani Turks in Iran, including through taking part in gatherings at Babak Fort and on International Mother Language Day, and publishing a calendar in the Azerbaijani Turkic language.

In April 2015, Branch 1 of the Revolutionary Court in Ardabil convicted him of "spreading propaganda against the system" and sentenced him to one year in prison for taking part in a peaceful protest over the drying up of the famous Lake Orumieh, which lies between the provinces of East Azerbaijan and West Azerbaijan, and

which was once the largest salt-water lake in the Middle East. In March 2017, he was put on trial again before a Revolutionary Court in Meshgin Shahr, Ardabil province, on trumped up charges related to his advocacy for the Azerbaijani Turkic language through organizing private gatherings commemorating International Mother Language Day.

In an interview with the Center for Human Rights in Iran on 10 April 2017, Abbas Lesani said: “International Mother Language Day is marked around the world and my Azerbaijani Turkic friends and I attended an event that was completely peaceful... Now they have accused us of acting against national security.” In total, Abbas Lesani has spent several years either in prison or in internal exile inside Iran.



Jaffar Rostamirad © Private

Also on 2 July 2018, **Jaffar Rostamirad** was arrested without a warrant by plain-clothed security officers in Tehran and transferred to Section 209 of Evin prison, where he spent around seven days in solitary confinement before being transferred to a general ward of the prison.

According to reports, he has been charged with “spreading propaganda against the system”. He was released on bail on 31 July 2018. Jaffar Rostamirad has been similarly arrested and detained on numerous previous occasions, including on 21 February 2014 after he attended a private ceremony to mark International Mother Language Day with other Azerbaijani Turkic activists.

Kiumars Eslami, a scholar of Azerbaijani history and culture, was arrested at his home in Parsabad, Ardabil province, on 3 July 2018 by Ministry of Intelligence officials who gave no information to his family about the reason for his arrest or where they were taking him. According to information received by Amnesty International, the officials seized many of his belongings and beat him on his head causing it to bleed.

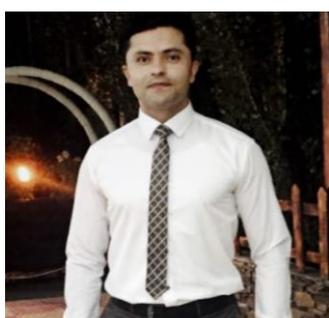
He was transferred to Moghan prison near Parsabad, where, according to reports, he was subjected to torture, including through beatings and the denial of access to medical care for the injuries he sustained during his torture. He was not given access to a lawyer and was not allowed any visits from his family since his arrest.



Kiumars Eslami © Private

Although the court set bail for Kiumars Eslami, it initially refused to release him even though his family attempted to make the payment for bail. Kiumars Eslami went on hunger strike on 28 July 2018 in protest at the court’s refusal to release him on bail. Immediately after he launched his hunger strike, the prison authorities moved him to a section of the prison where apparently prisoners convicted of robbery, drug-related offences and other non-political crimes are held, despite Iran’s own prison regulations which require the separation of different categories of prisoners. He was eventually released on bail on 9 August 2018.

Kiumars Eslami has also been arrested a number of times previously because of his peaceful activism calling for greater respect for the rights of the Azerbaijani Turkic minority in Iran.



Hamid Abid © Private

Hamid Abid was one of the few Azerbaijani Turkic activists who had made it to Babak Fort by 6 July 2018 when he was arrested the same day.

He and his friends were stopped by members of the security forces as they were hiking up the mountain and interrogated, without a lawyer present, for several hours about what they were doing in Babak Fort.

He was released on the same day.

Amnesty International has also been able to obtain detailed information from eyewitnesses about the arrests which took place in Kaleybar and nearby cities, including Ardabil. Many of the individuals arrested, including activists, were taken to a detention centre in Kaleybar run by the Intelligence Unit of the Revolutionary Guards. None of them were informed of the reasons for their arrest and all were denied access to a lawyer and their families. A number of individuals were held in solitary confinement. They were all told that they would only be released on condition that they sign a pre-written statement undertaking to stay away from Babak Fort, as well as Kaleybar – situated on the main route into Babak Fort – in the future, refrain from attending cultural gatherings, and expressing remorse for their actions. They all refused to sign but all were eventually released nevertheless, some on bail. They were transported outside the detention centre in pairs and released in apparently random locations, often miles away from Kaleybar and their homes.

Cousins **Mohammad Jolani** and **Meysam Jolani** were arrested together with **Ali Khairjoo**, **Mohsen Esmaili**, **Tohid Amir Amini** and several other activists on 4 July 2018, by mostly plain-clothed security forces, as they made their way along the main road towards Kaleybar to go to Babak Fort.

During their arrest, the security forces attacked them, subjecting them to beatings with batons and kicks, and using pepper spray and electroshock weapons on them.

They were then taken to the detention centre in Kaleybar where they were beaten again by different officers over the course of the following days and denied access to lawyers and their families. Their families only discovered what had happened to them after they were all released on 7 July 2018.

In detention, the authorities insulted them as well as their family members and made threats against them.



From top left to bottom right: Mohammad Jolani, Meysam Jolani, Mohsen Esmaili, Ali Khairjoo © Private

They told the activists: “You are criminals. You get orders from the United States.” Some of them were put into solitary confinement. All were forced to sleep on the floor and kept in poor conditions of detention with their hands tied behind their backs until their release.



Asgar Akbarzadeh © Private

Asgar Akbarzadeh, who has been arrested numerous times over the past decade because of his activism, was arrested by security forces on 2 July 2018 at his place of work in Ardabil and transferred to a detention centre run by the intelligence unit of the police in Ardabil. He was held in a cell with four other activists, **Rahim Gholami**, **Ali Vaseghi**, **Saeed Sadeghifar** and **Mehdi Houshmand**, who had all been arrested separately.

Mehdi Houshmand had handed himself into the police after ignoring an earlier summons from the authorities and after receiving telephone calls from them saying that, if he failed to turn himself in, his brother would be arrested instead.

They were taken to the prosecutor’s office in Ardabil the next day and asked why news about their arrest had been published in media outside Iran. They were told they had been charged with “forming a group composed of more than two people with the purpose of disrupting national security” under Article 498 of the Islamic Penal Code. When the activists asked for the reason they were facing this charge, the

prosecutor's office reportedly told them: "The reason will be made clear later." On 3 July 2018, they were transferred to Ardabil prison where they were put in the same section as prisoners convicted of violent crimes and drugs offences in overcrowded and unhygienic conditions. The five activists were transferred the next day to another detention facility, where they remained until they were released on bail on 10 July 2018.



Mehdi Houshmand © Private

TORTURE AND OTHER ILL-TREATMENT

Amnesty International has obtained eyewitness testimonies describing how security forces used violence against activists they had arrested in and around Kaleybar, including beatings with batons and wooden sticks, kicks and punches to the head, back, chest, and stomach, as well as the use of pepper spray and electroshock weapons.

Amnesty International was also able to obtain detailed information about the treatment of those held in detention, particularly the dozens of individuals who were transferred to the detention centre in Kaleybar. The organization has not been able to obtain the same level of information about the treatment of detainees held in other centres.

The information indicates the violence to which activists were subjected by officers at the detention centre in Kaleybar included being beaten, being thrown to the ground, being dragged across the floor by the hair, and having handcuffs tied tightly such that they caused severe pain, swelling, cuts and bruises to the wrists. Some of the violence was of a sexual nature; at least one detainee reported being beaten in the genitals and several others had their trousers pulled off.

In some cases, officers made threats against detainees or their families, such as threatening to pull out fingernails, and subjected them to vulgar insults. One officer told a group of detainees: "I will kill all of you one by one and pay your blood money (*diyah*) so that we can be rid of you."

Most individuals were not given any medical care for the injuries they sustained as a result of the beatings to which they were subjected during their arrest or detention. They were detained in an overcrowded detention centre without adequate access to safe drinking water, decent food, fresh air, or sanitation facilities.

Azerbaijani Turkic activist **Morteza Parvin** was arrested by plain-clothes officers from the Intelligence Unit of the Revolutionary Guards on 4 July 2018, as he and three other activists, **Mohammad Azad**, **Ali Rouhbakhsh** and **Hojjat Fekri**, were making their way along the main road leading from Ahar to Kaleybar.



According to reports, dozens of security forces had blocked off the road and appeared to be waiting for them. The security forces kicked Morteza Parvin and beat him with batons on his head and other parts of his body. One of the officers was heard ordering the others to "beat him on his back and stomach".



Following his arrest, he was taken to the detention centre in Kaleybar and held for three days in solitary confinement before being released on 7 July 2018 without any information about whether he faced any charges.

From top left to bottom right: Morteza Parvin, Mostafa Parvin, Ali Rouhbakhsh, Tohid Amir Amini © Private

Morteza Parvin has been arbitrarily arrested, detained, tried and imprisoned a number of times over the past seven years. In November 2015, Morteza Parvin, his brother Mostafa Parvin, and several other activists, including Meysam Jolani and Tohid Amir Amini, were imprisoned for three months and flogged 30 times after being convicted of

“disturbing public order” for holding up a placard during a football match that said “Abbas Lesani and other Azerbaijani Turkic prisoners must be freed”.



Gholam Gholizadeh © Private

On 4 July 2018, activist **Gholam Gholizadeh** was arrested in Kaleybar as he was making his way to Babak Fort and taken to the detention centre in Kaleybar. At the time of his arrest, the security forces beat him and kicked him in his chest and caused his wrists to swell by binding them tightly. Following his beatings, Gholam Gholizadeh suffered from seizures and a temporary partial loss of sight to his right eye. As a result of his injuries, he spent his first night in the medical room of the detention centre but was then transferred to Urumieh prison the next day, where he did not have access to medical care. He was released on bail on 29 July 2018. It is unclear what charges, if any, he is facing. Gholam Gholizadeh has been arrested and detained a number of times previously in connection with his peaceful activism in support of Azerbaijani Turkic rights.

Student and activist **Mohammad Azad** was arrested on 4 July 2018 as he was entering Kaleybar with three other activists. Without producing any arrest warrants, security force officers threatened to use force against them if they did not step into the waiting police cars. According to witnesses present, the officers beat and kicked Mohammad Azad, and used electroshock weapons on him, even though he offered no resistance.



Mohammad Azad © Private

As a result of the beatings, he suffered a deep wound on his right knee that left him unable to walk; he received no medical care for it in detention. According to reports, the security forces continued to beat him periodically in detention. He was released on 7 July 2018 without any information about whether he faces any charges.

He continues to suffer from the physical ramifications from the injuries he sustained during his torture by the security forces, including problems with his knee.

BACKGROUND

The Azerbaijani Turkic minority is the largest ethnic minority in Iran, believed to constitute between 25 and 30% of the total population. The Azerbaijani Turkic population is concentrated largely in the north and northwest of Iran. Like other ethnic minorities in Iran, Azerbaijani Turks face discrimination, arbitrary restrictions to their access to education, employment, adequate housing, and their enjoyment of their social, cultural and linguistic rights. One of the grievances repeatedly voiced by Iran’s Azerbaijani Turks concerns the lack of opportunities to learn, promote and use their own language, in private and in public, freely and without any interference or discrimination.

Azerbaijani Turkic activists have been subjected to years of oppression at the hands of the Iranian authorities, including through intimidation and harassment, arbitrary arrest, detention, and imprisonment, and torture and other ill-treatment. Some have received prison and/or flogging sentences after unfair trials. As with other ethnic minority rights activists, Iran’s intelligence and security forces frequently associate them with “separatist currents”, and accuse them of inciting tension to divide the nation and undermine Iran’s territorial integrity.

In addition to those listed in this document, numerous other Azerbaijani Turkic activists have been subjected to harassment, arbitrary arrest, torture and other ill-treatment, unfair trials, and prison sentences for promoting the rights of Azerbaijani Turks in Iran. According to the Association for the Human Rights of the Azerbaijani people in Iran (AHRAZ), they include Siamack Mirzaei, an advocate for the right to teach the Azerbaijani Turkic language in schools, who is serving a three-year prison sentence in Evin prison, to be followed by one year in internal exile in the city of Tabas in South Khorasan province, and Latif Hasani, secretary general of Yeni Gamoh, an organization advocating Azerbaijani Turkic cultural and political rights, who is serving a nine-year prison sentence in Raja’i Shahr prison in Karaj, north-west of Tehran.

INTERNATIONAL LAW AND STANDARDS

Freedom of expression

Azerbaijani Turks in Iran should be able to peacefully express their views and gather to express them free from harassment, threats, violence and the fear of criminalization. Under international human rights law binding on Iran, their right to freedom of expression includes the right to peacefully advocate for their rights, including to enjoy their own culture and to use their own language. It also includes the right to peacefully advocate for greater autonomy, independence or any other political processes, as long as they do not involve “Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence.”

Ethnic minority rights

Iran is a state party to the International Convention on the Elimination of all forms of Racial Discrimination, which imposes specific obligations to prevent, prohibit and eliminate any distinction, exclusion, restriction or preference based on, among other grounds, racial, national or ethnic origin, which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights. Article 27 of the International Covenant on Civil and Political Rights (ICCPR), to which Iran is a state party, provides that ethnic, religious and linguistic minorities must not be denied the right to enjoy their own culture, to profess and practise their own religion, or to use their own language.

Arbitrary detention

Article 9(1) of the ICCPR provides that “No one shall be subjected to arbitrary arrest or detention.” The Working Group on Arbitrary Detention, an expert body mandated by the UN Human Rights Council to investigate cases of deprivation of liberty imposed arbitrarily, has identified five categories of arbitrary deprivation, based on key human rights instruments: (1) when it is clearly impossible to invoke any legal basis justifying the deprivation of liberty; (2) when the deprivation of liberty results from the exercise of the rights or freedoms guaranteed by key articles of the Universal Declaration of Human Rights and the ICCPR, including freedom of expression, association, peaceful assembly and thought, conscience and religion; (3) when the total or partial non-observance of the international norms relating to the right to a fair trial is of such gravity as to give the deprivation of liberty an arbitrary character; (4) when asylum-seekers, immigrants or refugees are subjected to prolonged administrative custody without the possibility of appeal or parole; and (5) when the deprivation of liberty constitutes a violation of international law on grounds of discrimination, including based on birth, national or ethnic origin and language.

Amnesty International considers that the arrest and detention of Azerbaijani Turks gathered to celebrate their history, culture and language, that is, to peacefully exercise their rights to freedom of assembly as an ethnic and linguistic minority, clearly constitute arbitrary arrest, falling under at least categories 2 and 5.

Torture and other ill-treatment

Any use of force against persons who are in the custody or control of officials and are not posing any threats to officials or detainees is a violation of the absolute prohibition on torture and other cruel, inhuman or degrading treatment or punishment (other ill-treatment), with which Iran is obliged to comply as a state party to the ICCPR. The ICCPR also obliges Iran to treat all persons deprived of their liberty with humanity and with respect for the inherent dignity of the human person. Failure to do so may also constitute cruel, inhuman or degrading treatment or punishment.

Corporal punishment, including flogging, is prohibited absolutely under international human rights law as a form of torture or other cruel, inhuman or degrading punishment.