

EXTERNAL

AI Index: MDE 13/05/96

2 February 1996

Further information on UA 138/95 (MDE 13/10/95, 15 June 1995) - Death Penalty

IRAN                    Ahmed Bakhtari, aged 41, agricultural engineer

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According to reports received by Amnesty International, Ahmed Bakhtari is at risk of execution on or around 11 February 1995.

Ahmed Bakhtari was reportedly arrested on 16 February 1992 and sentenced to death by an Islamic Revolutionary Court on 17 January 1993, after conviction on charges said to include activities for the People's Fedaiyan Organization of Iran (Minority) (an illegal opposition group), sedition, and armed robbery.

The trial was reportedly unfair as he was said not to have had access to a lawyer. The sentence was confirmed after appeal on 20 October 1993, but was apparently commuted to life imprisonment in 1994. He was retried, apparently on the same charges, in 1994, and again sentenced to death. In this trial, he was defended by a court-appointed lawyer. This second death sentence has reportedly been confirmed by the Supreme Court.

Amnesty International's concern at the reports that the death sentence has been confirmed and that execution is imminent is reinforced by replies received from various Iranian embassies by members of the Urgent Action Network following its appeals in mid-1995. The authorities stated the following about the case:

*According to the reports of Iranian media, "Mr Ahmed Bakhtari was arrested on charge of armed bank robbery, illegal possession of arms and munitions and involvement in an aborted assassination of a clergyman in Sari, a city in north Iran. He was brought to trial and the hearing sessions were held at one of the divisions of the Islamic Revolutionary Court in Tehran. Mr Bakhtari had access to legal counsel and finally after taking due legal process, he was found guilty by the court. In regard to the seriousness of the crimes committed, he was sentenced to capital punishment but his case has been transmitted to the supreme court for the final examination."*

While this reply does not include any reference to the alleged political activities of Ahmed Bakhtari, Amnesty International remains concerned that he may have been sentenced to death for political reasons.

Amnesty International opposes the use of the death penalty in all cases as a violation of the right to life and the right not to be subjected to cruel, inhuman and degrading treatment or punishment as proclaimed in the Universal Declaration of Human Rights.

The organization also remains concerned that Ahmed Bakhtari's trial may not have met international standards for fair trial, which are all the more important where people face the death penalty. Article 14.3(b) of the International Covenant on Civil and Political Rights, to which Iran is a state party, states that everyone charged with a criminal offence is entitled "[t]o have adequate time and facilities for the preparation of his defence and to communicate with counsel of his own choosing". Article 5 of the United Nations Economic and Social Council's resolution 1984/50 adopting safeguards guaranteeing protection of the rights of those facing the death penalty states that those facing capital charges should have the right to "adequate legal assistance at all stages of the proceedings".

**FURTHER RECOMMENDED ACTION: Please send telegrams/airmail letters in English or your own language:**

- expressing concern that Ahmed Bakhtari may be facing imminent execution and appealing for his death sentence to be commuted;
- expressing concern that he may have been sentenced to death for political reasons and seeking full details of Ahmed Bakhtari's second trial, including a copy of the trial transcripts; asking whether he had unrestricted and confidential access to his lawyer before and during all stages of his trial.

**APPEALS TO:**

1) Leader of the Islamic Republic

His Excellency Ayatollah Sayed 'Ali Khamenei

The Presidency, Palestine Avenue

Azerbaijan Intersection, Tehran, Islamic Republic of Iran

**Telegrams: Ayatollah Khamenei, Tehran, Iran**

**Salutation: Your Excellency**

2) His Excellency Hojjatoleslam

Ali Akbar Hashemi Rafsanjani

The Presidency, Palestine Avenue

Azerbaijan Intersection, Tehran, The Islamic Republic of Iran

**Telegrams: President Rafsanjani, Tehran, Iran**

**Salutation: Your Excellency**

3) Head of the Judiciary

His Excellency Ayatollah Mohammad Yazdi

Ministry of Justice

Park-e Shahr, Tehran, Islamic Republic of Iran

**Telegrams: Justice Minister, Tehran, Iran**

**Salutation: Your Excellency**

4) Minister of the Interior

His Excellency Mohammad Ali Besharati Jahromi

Ministry of the Interior

Dr Fatemi Avenue, Tehran, Islamic Republic of Iran

**Telegrams: Interior Minister, Tehran Iran**

**Salutation: Your Excellency**

**COPIES TO:**

Minister of Foreign Affairs

His Excellency Dr Ali Akbar Velayati

Ministry of Foreign Affairs, Sheikh Abdolmajid Keshk-e Mesri Avenue

Tehran, Islamic Republic of Iran

Sa'id Raja'i Khorasani

Chairman of the Islamic Consultative Assembly's Human Rights Committee

Imam Khomeini Avenue, Tehran, Islamic Republic of Iran

Mr Hussain Farahi, Secretary, Islamic Human Rights Commission

PO Box 13165-137, Tehran, Islamic Republic of Iran

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 15 March 1996.