

PUBLIC

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EXTRA 77/02 Fear of imminent execution/  
Fear of torture and ill-treatment

2 October 2002

IRAN Said Masouri (m), aged 36

Amnesty International is concerned that Said Masouri faces imminent execution, after his death sentence was reportedly upheld by the Supreme Court approximately three weeks ago. He has reportedly been ill-treated in detention.

Said Masouri, allegedly an activist and supporter of the the People's Mojahedin Organization of Iran (PMOI), an armed political group opposed to the current Iranian government, has lived in Norway since 1988. He was allegedly sent to Iran in early 2001 in order to carry out a "military mission" for the PMOI. Before he was able to undertake his mission, however, he was arrested, either in the city of Dezful or the nearby city of Andimeshk, in western Iran.

Said Masouri was reportedly ill-treated and possibly tortured while in detention, and was allegedly threatened with summary execution if he refused to make a televised confession. Amnesty International has received information stating that Said Masouri "had been under torture for a long time and has lost a lot of weight [and that] his family did not recognize him". He is currently being held in Wing 209 of Evin Prison in Tehran.

In June 2002, Branch 6 of the Revolutionary Court, located in Evin prison in Tehran, sentenced him to death on various charges, including "acting against state security", "membership of a proscribed organization" and other security provisions. He was not allowed to choose his own lawyer and was allocated one by the court.

#### **BACKGROUND INFORMATION**

Amnesty International acknowledges the right and responsibility of all governments to bring to justice those guilty of recognizably criminal offences. However, the organization is fundamentally opposed to the death penalty in all cases as the ultimate violation of the right to life, as enshrined in the Universal Declaration of Human Rights.

According to Article 6(2) of the International Covenant of Civil and Political and Civil Rights (ICCPR) to which Iran is a state party, "In countries which have not abolished the death penalty, sentence of death may be imposed only for the most serious crimes..." It is intended to be a quite exceptional measure, according to the UN's Human Rights Committee.

Iran's Penal Code contains a number of vaguely worded articles relating to "national security" which prohibit a range of activities, including those connected with membership to political organizations, which do not amount to recognizably criminal offences.

The People's Mojahedin Organization of Iran (PMOI) has been proscribed by the governments of the European Union and The United States of America as a "terrorist" organization.

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

- urging that the death sentence imposed on Said Masouri be commuted immediately, possibly by means of commutation of the sentence by the Supreme Leader, Ayatollah Ali Khamenei, in line with Article 4 of the International Covenant on Civil and Political Rights (ICCPR), to which Iran is a state party;
- recognizing the rights and responsibilities of governments to bring to justice those suspected of criminal offences, but stating your unconditional opposition to the death penalty irrespective of the crime for which it is imposed, as the ultimate violation of the right to life;

- reminding the Iranian authorities of their commitment to the Universal Declaration of Human Rights, in particular Article 3: "Everyone has the right to life, liberty and security of person";
- seeking details of the trial procedures, expressing concern that Said Masouri may have been ill treated in detention and denied the right to legal counsel of his choosing, in violation of Article 35 of Iran's constitution, which states that "...parties to a lawsuit have the right in all courts of law to select an attorney";
- urging the authorities to arrange a retrial of Said Masouri which conforms to international standards for fair trial.

**APPEALS TO:**

Leader of the Islamic Republic

His Excellency Ayatollah Sayed 'Ali Khamenei  
The Presidency, Palestine Avenue, Azerbaijan Intersection, Tehran, Islamic Republic of Iran

**Telegram: Ayatollah Khamenei, Tehran, Iran**

**Fax: + 98 21 649 5880/ + 98 251 774 2228 (ask for faxes to be forwarded to Ayatollah Khamenei)**

**Salutation: Your Excellency**

President of Iran

His Excellency, Hojjatoleslam val Moslemin Sayed Mohammad Khatami  
The Presidency, Palestine Avenue, Azerbaijan Intersection, Tehran, Islamic Republic of Iran

**Telegram: President Khatami, Tehran, Islamic Republic of Iran**

**Fax: + 98 21 649 5880**

**Email: khatami@president.ir**

**Salutation: Your Excellency**

Head of the Judiciary

His Excellency Ayatollah Mahmoud Hashemi Shahrudi  
Ministry of Justice  
Park-e Shahr

Tehran, Islamic Republic of Iran

**Telegram: Head of Judiciary, Tehran, Islamic Republic of Iran**

**Fax: + 98 21 537 8827 (number may be unreliable)**

**Salutation: Your Excellency**

**COPIES TO:**

Minister of Foreign Affairs

His Excellency Kamal Kharrazi

Ministry of Foreign Affairs, Sheikh Abdolmajid Keshk-e Mesri Avenue  
Tehran, Islamic Republic of Iran

**Telegram: Foreign Affairs Minister, Tehran, Iran**

**Fax: + 98 21 390 1999 (number may be unreliable; please mark "care of the Human Rights Department, Foreign Ministry)**

**Salutation: Your Excellency**

and to diplomatic representatives of the Islamic Republic of Iran accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.**