

PUBLIC

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2 August 2001

Further information on UA 157/01 (MDE 13/019/2001, 22 June 2001) - Death penalty

IRANAzizullah Shenwari [m], Pakistani national, aged 13
(May be known as Aziz Afghan, of Afghan nationality)

Amnesty International has learned that Azizullah Shenwari, a Pakistani minor sentenced to death in Iran, was reportedly made to assume a false identity by his kidnappers, and may be known to the Iranian authorities as Aziz Afghan, an Afghan national.

Azizullah Shenwari went missing from his home in Landi Kotal, Khyber Agency, Pakistan, in November 1999. An Afghan national, imprisoned with him in Iran at one point, has reportedly told his family that the gang that kidnapped him promised him a job in Iran transporting "material". He was apparently threatened if he did not cooperate. He was detained in Iran at a later date and possibly tried and imprisoned in Yazd, a city in central Iran.

In November 2000, Azizullah Shenwari's family received a letter, purportedly from him, telling them that he was detained on charges of drug smuggling. Further information received by the family indicates that at the time of his arrest, Azizullah Shenwari may have been forced by the gang that kidnapped him to introduce himself as an Afghan. It is alleged that he has been known as 'Aziz Afghan' since his arrest, and that this is the name he appears under in prison records.

A Pakistani human rights group has confirmed that they consider the information to be accurate. The group reportedly wrote to the Iranian consulate in Peshawar in June 2001, and received assurances that the matter would be investigated. However, as of July 2001, the family had not yet received a reply from the consulate.

Shariat Baqeri, General Director of International Affairs at the Ministry of Justice, has reportedly said in the radio programme *Voice of the Islamic Republic of Iran* that he regrets "rumour mongering by Amnesty International". He rejected reports that Azizullah Shenwari had been sentenced to death, saying that: "In accordance with Islamic law such a person is regarded as a juvenile and as such cannot carry criminal responsibility and it is impossible to issue a death sentence in such instance."

FURTHER RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English, Farsi or in your own language:

- asking the authorities to clarify whether Azizullah Shenwari has been detained and sentenced under the name of Aziz Afghan;
- seeking details of trial proceedings and any appeals related to the case, and calling for him to be granted full and immediate access to his family, legal and consular assistance and medical attention as necessary, in line with Article 40(d) of the Convention on the Rights of the Child (CRC), to which Iran is a state party;
- asking to be informed of Azizullah Shenwari's exact place of detention;
- asking for clarification regarding whether juvenile courts and detention centres have been established in line with previous commitments made by the authorities;

- urging the Iranian authorities to take immediate steps to halt and eventually abolish the imposition of the death penalty, particularly for crimes committed by persons under 18 years of age.

APPEALS TO:

Leader of the Islamic Republic of Iran,

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

Telegrams: Ayatollah Khamenei, Tehran, Islamic Republic of Iran
Salutation: Your Excellency

President

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

Telegrams: President Khatami, Tehran, Islamic Republic of Iran
Faxes: + 98 21 649 5880
E-mails: khatami@president.ir
Salutation: Your Excellency

Head of the Judiciary

His Excellency Ayatollah Mahmoud Hashemi Shahruudi
Ministry of Justice, Park-e Shahr
Tehran, Islamic Republic of Iran

Telegrams: Head of Judiciary, Tehran, Islamic Republic of Iran
Faxes: + 98 21 879 6671 (number may be unreliable, please be patient)
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

Faxes: + 98 21 390 1999 (Human Rights Department)
**E-mails: matbuat@mfa.gov.ir (please ask for the message to be forwarded to the
Human Rights Department)**

Salutation: Your Excellency

Director, Organization for Defending Victims of Violence

PO Box 16765-911, Tehran, Iran

Fax: + 98 21 653091
Email: odvv@neda.net

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 13 September 2001.