

PUBLIC

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17 August 2006

UA 221/06 Incommunicado detention / fear of torture/ possible prisoner of conscience

IRAN Mehdi Babaei Ajabshir (known as Oxtay) (m), aged 31, activist

Mehdi Babaei Ajabshir (known as Oxtay), a prominent Azerbaijani activist, was arrested on 11 July. He is detained incommunicado at an undisclosed location, believed to be either Tabriz prison or a Ministry of Intelligence detention facility in Tabriz, northwestern Iran, where he is at risk of torture. He may be detained on account of his peaceful activities on behalf of the rights of the Azeri-Turkish minority, in which case Amnesty International would consider him a prisoner of conscience.

On 28 June, at 10.30pm, around sixteen police officers from the Ministry of Intelligence (*Etelaat*) entered Mehdi Babaei Ajabshir's house in order to arrest him. He was not present at the time. The police searched the house until 12.30am before arresting Mehdi Babaei Ajabshir's brother Ali. The police confiscated Turkish-language books, CDs, family's computer, a poster, and family photograph albums. They allegedly threatened members of his family that when they caught Mehdi Babaei Ajabshir he would be tortured, or even shot. That night, the Ministry of Intelligence police made repeated telephone calls to the family's house, demanding that they reveal the whereabouts of Mehdi Babaei Ajabshir.

The following day, Ali Babaei Ajabshir was released, on the condition that he would convince his brother Mehdi to report to the Tabriz Ministry of Intelligence office. However, Mehdi Babaei Ajabshir did not return home. On 11 July, his family was told that he had been seen being arrested in the street by Ministry of Intelligence officials. His family did not know his whereabouts until 21 July, when he telephoned them and told them that he is detained in a detention facility run by the Ministry of Intelligence in Tabriz. He has had no contact with his family since and no access to his lawyer. It is not known whether he remains detained at the Ministry of Intelligence detention facility, or whether he has been transferred to Tabriz prison.

BACKGROUND INFORMATION

Mehdi Babaei Ajabshir is an activist from the Azeri-Turkish minority community. The largest ethnic minority in Iran, the Azeri Turkish community is believed to number between 25-30 percent of the total population and is found mainly in the north-west. Activists who promote Azeri Turkish cultural identity are viewed with suspicion by the Iranian authorities, who often charge them with vaguely worded offences as "promoting pan-Turkism".

In May 2006, massive demonstrations took place in towns and cities in northwestern Iran, where the majority of the population is Azeri Turkish, in protest at a cartoon published on 12 May by the state-owned daily newspaper *Iran* which many Azeri Turks found offensive. Hundreds were arrested during or following the demonstrations (see UA 151/06, MDE 13/055/2006, 26 May 2006, and UA 163/06, MDE 13/063/2006, 8 June 2006). Some of those detained have allegedly been tortured, with some requiring hospital treatment. Publication of the newspaper was suspended on 23 May and the editor-in-chief and the cartoonist were arrested. Azeri sources have claimed that dozens were killed and hundreds injured by the security forces. The security forces have generally denied that anyone was killed, although on 29 May a police official acknowledged that four people had been killed and 43 injured in the town of Naqada.

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

- expressing concern that Mehdi Babaei Ajabshir, an activist from the Azeri-Turk minority community, is detained without access to his lawyer or family, at an undisclosed location;
- calling on the authorities to disclose his places of detention and the reasons for his arrest, including any charges against him;
- calling on the authorities to ensure that he is not tortured and ill-treated, and to allow him immediate access to a lawyer of his own choosing, his family, and to any medical treatment he may require;
- expressing concern that Mehdi Babaei Ajabshir may have been detained solely in connection with his peaceful activities on behalf of the rights of the Azeri-Turkish minority, in which case Amnesty International would consider him a prisoner of conscience;
- calling on the authorities to release him immediately and unconditionally unless he is to be promptly charged with a recognizable criminal offence and given a prompt and fair trial.

APPEALS TO:

Leader of the Islamic Republic

His Excellency Ayatollah Sayed Ali Khameni

The Office of the Supreme Leader, Shoahada Street, Qom, Islamic Republic of Iran

Fax: + 98 251 774 2228 (mark "FAO the office of His Excellency, Ayatollah al Udhma Khameni")

Email: Info@leader.ir
istiftaa@wilayah.org

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: Please send emails via the feedback form on the Persian site of the website
<http://www.iranjudiciary.org/contact-feedback-fa.html>

The text of the feedback form translates as:

**1st line: name, 2nd line: email address, 3rd line: subject heading
then enter your email into the text box**

Salutation: Your Excellency

Ministry of Intelligence

Gholam Hossein Mohseni Ejeie

Ministry of Intelligence, Second Negarestan Street

Pasdaran Avenue, Tehran, Islamic Republic of Iran

Email: iranprobe@iranprobe.com

Salutation: Your Excellency

COPIES TO:

President

His Excellency Mahmoud Ahmadinejad

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

Fax: + 98 21 6 649 5880

Email: dr-ahmadinejad@president.ir
via website: www.president.ir/email

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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 28 September 2006.