

PUBLIC

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25 August 2006

UA 229/06 Health concern / Torture / Possible Prisoner of Conscience/ Fear for safety

IRAN Ali Khodabakhshi (also known as Elyaz Yekanli) (m), activist, aged about 31
His family

Ali Khodabakhshi (also known as Elyaz Yekanli) is a prominent activist for the cultural, social and political rights of the Azeri Turkish minority in Iran (who also refer to themselves as Iranian Azerbaijanis). He has been detained without charge since his arrest on 8 June. He has been tortured in detention in order to extract a 'confession.' 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. The Ministry of Intelligence has allegedly been attempting to intimidate Ali Khodabakhshi's family through phone calls and by visiting their house. There are concerns for their safety.

Ali Khodabakhshi served an eighteen-month prison sentence from 1993, reportedly in connection with his activities on behalf of the rights of the Azeri Turkish community. He left Iran for Turkey, and was granted refugee status by the United Nations High Commissioner for Refugees in September 2005. He returned to Iran of his own accord in around April 2006. Upon his return, he was detained by the Ministry of Intelligence, and detained for ten days, during which time he was allegedly tortured.

On or around 8 June, Ali Khodabakhshi was arrested at his home in the village of Kahriz Yekan, in northwestern Iran. He had participated in mass demonstrations that took place across the region in May. He was detained for 30 days in solitary confinement, at a detention facility run by the Ministry of Intelligence (*Etelaat*) in the city of Tabriz, northwestern Iran. During this time, he did not have access to his family or lawyer, and his family did not know where he was detained. He was then transferred to Qirkhlar prison in the city of Marand, northwestern Iran, where he is still being held.

Ali Khodabakhshi was reportedly subjected to physical and psychological torture while detained in Tabriz. He was badly beaten, and was given electric shocks. He was apparently tortured until he made a forced confession. When his family visited him in Qirkhlar prison, Ali Khodabakhshi appeared extremely weak, and did not talk much. He apparently struggled to hold a glass due to the effect of electric shocks on his arms.

Ali Khodabakhshi is reportedly to be suffering from a variety of medical complaints. As a result of being tortured, and of previous medical conditions, he has a poor sense of balance, and has problems with his heart, kidneys, and digestion system, as well as impaired hearing and vision. It is not known whether he has received prompt or adequate medical treatment. It is feared that if the authorities fail to provide him with regular treatment, it could have grave consequences for his health.

Ali Khodabakhshi is reportedly detained in a cell in Qirkhlar prison with drug addicts and criminals, who harass and threaten him. Prison officers have reportedly told Ali Khodabakhshi that they are going to keep him there until he suffers a psychological breakdown. He reportedly has limited access to food.

BACKGROUND INFORMATION

In May 2006, massive demonstrations took place in towns and cities in north-western 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 and UA 163/06, MDE 13/063/2006). 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 4 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 Ali Khodabakhshi has been detained without charge since his arrest on 8 June,
- expressing concern that he is reported to be suffering from medical problems, some of which are allegedly the result of torture sustained while he was detained in a facility run by the Ministry of Intelligence in Tabriz;
- urging the authorities to ensure that he is treated humanely in detention;
- calling on the authorities to grant him immediate access to the medical treatment he requires, and regular access to his family and lawyer;
- reminding the authorities that Iran is a state party to the International Covenant on Civil and Political Rights (ICCPR), which states that "No one shall be subjected to cruel, inhuman and or degrading treatment", and calling for an investigation into all allegations of torture, with those found responsible brought to justice in fair trials;
- reminding the authorities that extracting confessions under duress is prohibited under Iranian law;
- asking the authorities for the reasons for his arrest, and including any charges against him;
- expressing concern that he may have been detained solely in connection with his peaceful activities on behalf of the rights of the Azeri-Turkish minority;
- 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 fair trial;
- expressing concern for the safety of his family, who have reportedly been harassed and intimidated by the authorities, and calling for them to be given all necessary protection to ensure their safety.

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: 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 06 October 2006.