

PUBLIC

AI Index: MDE 13/130/2006

30 November 2006

Further Information on UA 132/06 (MDE 24/037/2006, 15 May 2006) and follow-up (MDE 24/041/2006, 2 June 2006; MDE 13/091/2006, 11 August 2006; MDE 13/107/06, 25 September 2006) – Forcible return/ Fear of torture and ill-treatment and new concern: Possible death sentence

IRAN/SYRIA Faleh 'Abdullah al-Mansuri-Nikoueresht (m), aged 60, President of the Ahwazi Liberation Organisation (ALO), Dutch national
Rasool Mezrea' (m), ALO member
Taher 'Ali Mezrea' (m), aged 40
Jamal 'Obeidawi (m), aged 34, student, Chair of Ahwazi Student Union in Syria

All four Iranian men named above are now believed to be held in Karoun Prison, in Ahvaz city in Khuzestan. One of them is known to have been previously sentenced to death, and all four are believed to be at risk of the death penalty, as well as torture and ill-treatment.

A former officer in the Iranian armed forces, Faleh 'Abdullah al-Mansuri (also known by his Persian name, Faleh 'Abdullah Nikoueresht) is now known to have been sentenced to death in 1988 by a military court, apparently in connection with his activities as a member of the Ahwazi Liberation Organization (ALO). He was reportedly granted temporary leave (*morakhasi*) to visit his family, and fled the country. He eventually arrived in the Netherlands, where he was recognised as a refugee by the United Nations High Commissioner for Refugees (UNHCR) and later acquired Dutch nationality. The Dutch and Syrian authorities have confirmed that he was forcibly returned on 16 May from Syria. The other three, also recognized as refugees by the UNHCR, are believed to have been forcibly returned at around the same time, though neither side has confirmed any of the returns. Rasool Mezrea' and Taher 'Ali Mezrea' were reportedly allowed to telephone relatives to say they were in Karoun Prison, but have not yet been allowed family visits.

The family of Taher 'Ali Mezrea' (his wife and their four children) have been accepted for resettlement in Sweden. However, on 7 October the Syrian authorities reportedly stopped them from boarding a plane to Sweden, without giving any reason.

BACKGROUND INFORMATION

Much of Iran's Arab community lives in the province of Khuzestan, which borders Iraq. Following mass demonstrations in April 2005, and bombings which took place in Ahvaz city in June and October 2005 and in January 2006, hundreds were arrested; some were reportedly tortured, and at least two men were executed following unfair trials. At least 23 Iranian Arabs are reportedly under sentence of death, having apparently been found *mohareb* (at enmity with God). Some or all of them have been charged with involvement in the bombings, distributing material against the state and endangering state security.

As a State Party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), Syria has undertaken not to return anyone to a country where they would be at risk of torture or ill-treatment.

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

To the Iranian authorities:

- expressing concern for the safety of the four men (naming them) who were forcibly returned to Iran from Syria, some or all of whom may have been sentenced to death;

- stating that Amnesty International recognizes the right and responsibility of governments to bring to justice those suspected of criminal offences, but strongly opposes the death penalty as the ultimate cruel, inhuman and degrading punishment and violation of the right to life;
- if Rasool (or 'Abdulrasool) Mezrea', Jamal 'Obeidawi and Taher 'Ali Mezrea' have indeed been returned to Iran, asking where they are detained, and asking the authorities to give them immediate access to lawyers, their families and any medical treatment they may require;
- calling on the authorities to release the four unless they are to be promptly charged with recognizably criminal offences, and asking for details of any charges already brought against them;
- seeking assurances that they are not being tortured or ill-treated.

To the Syrian authorities:

- expressing grave concern that the Syrian authorities have forcibly returned Iranian Arab activist Faleh 'Abdullah al-Mansuri, and may have returned three others who are recognized refugees, to Iran, where they are at risk of torture, ill-treatment or the death penalty;
- expressing concern that this is in violation of Syria's obligations under the CAT;
- urging the authorities to reveal the whereabouts of Rasool Mezrea', Jamal 'Obeidawi and Taher 'Ali Mezrea';
- if the three are still detained in Syria, calling on the authorities to permit UNHCR staff to visit them;
- if they have been returned to Iran, urging the Syrian authorities to seek information from the Iranian authorities about the men's whereabouts and their wellbeing, and to make this information public;
- reminding the Syrian authorities that Article 12 of the International Covenant on Civil and Political Rights expressly states that: "Everyone shall be free to leave any country, including his own" and urging them to allow Taher 'Ali Mezrea's wife and four children to leave the country;

APPEALS TO:

Iranian authorities

Leader of the Islamic Republic

His Excellency Ayatollah Sayed 'Ali Khamenei, The Office of the Supreme Leader
Shoahada Street, Qom, Islamic Republic of Iran

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

Fax: +98 251 774 2228 (mark "FAO the Office of HE Ayatollah al Udhma Khamenei")

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: via the Persian site <http://www.iranjudiciary.org/contactus-feedback-fa.html>
(The Persian text reads: 1st line: name; 2nd line: email address; 3rd line: subject heading; type message in the text box)

Salutation: Your Excellency

Syrian authorities

President

His Excellency Bashar al-Assad, Presidential Palace, Abu Rummaneh, al-Rashid Street
Damascus, Syrian Arab Republic

Fax: + 963 11 332 3410

Salutation: Your Excellency

Minister of the Interior

His Excellency Major General Bassam Abdel Magid, Ministry of Interior, 'Abd al-Rahman Shahbandar Street
Damascus, Syrian Arab Republic

Fax: + 963 11 2223428

Salutation: Your Excellency

COPIES TO: diplomatic representatives of Iran and Syria accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 11 January 2007.