

Further Information on 107/06 (MDE 13/042/2006, 28 April 2006) and follow-up (MDE 13/127/2006, 13 November 2006) - Fear of torture and ill-treatment/ Medical concern/ Possible prisoner of conscience/ Fear of imminent execution

IRAN	Ali Matouri-Zadeh (m), aged 30 Fahima Ismail Badawi (f) aged 26 Salma' (f), aged nine months, their daughter] husband and wife]
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Ali Matouri-Zadeh was reportedly executed on 19 December, along with two other men, in Sepidar prison in Khuzestan province. The men's bodies have reportedly not been handed to their families for traditional burial, and there are fears they will be buried in an unmarked, mass grave site called *La'natabad* (Place of the damned). The security forces are reportedly preventing people from visiting the men's families to offer their condolences.

Ali Matouri-Zadeh, a member of Iran's Arab minority and one of the founding members of the illegal political party *Hizb al-Wifaq* (or *Lejnet al-Wefaq*), was reportedly arrested on 28 February and held incommunicado in an unknown place of detention where he was at risk of torture. His wife, Fahima Ismail Badawi, and her mother were reportedly arrested at the couple's home a few hours later and taken to Sepidar prison. Her mother was released a week later.

Fahima Ismail Badawi was eight months pregnant when she was arrested and gave birth to Salma' in the prison on 25 March. Both mother and child were then reportedly transferred to Karoon prison. At the beginning of June, Fahima Ismail Badawi was reportedly sentenced to 15 years' imprisonment by Branch 3 of the Revolutionary Court in Ahvaz, in Khuzestan province. She had been a school teacher in Ahvaz city, and had studied mathematics at Dezfoul University, north of Ahvaz, where she became politically active.

On 4 November, the Judiciary banned *Hizb al-Wifaq* and declared it illegal on charges of instigating unrest and opposing the system. According to a statement from the Ahvaz Prosecutor's office "The *Lejnat al-Wefaq* party (Committee of reconciliation) is illegal and ... membership and connection with that party will be severely confronted".

BACKGROUND INFORMATION

Much of Iran's Arab community lives in the province of Khuzestan, which borders Iraq. The province is strategically important because it is the site of much of Iran's oil reserves, but the Arab population does not feel it has benefited as much from the oil revenue as the Persian population. Historically, the Arab community has been marginalised and discriminated against. In April 2005, Iranian Arabs took part in mass demonstrations in Ahvaz city, after it was alleged that the government planned to disperse the country's Arab population or to force them to relinquish their Arab identity. Hundreds were arrested and some were reportedly tortured. Following bomb explosions in Ahvaz city in June and October 2005, which killed at least 14 people, and explosions at oil installations in September and October, the cycle of violence intensified, with hundreds people reportedly arrested. Further bombings on 24 January 2006, in which at least six people were killed, were followed by further mass arrests. Two men, Mehdi Nawaseri and Ali Awdeh Afrawi, were executed in public on 2 March 2006 after they were convicted of involvement in the October bombings. Their executions followed unfair trials before a Revolutionary Court during which they are believed to have been denied access to lawyers, and their "confessions", along with those of seven other men, were broadcast on television. Amnesty International recognizes the right and responsibility of governments to bring to justice those suspected of criminal offences, but is unconditionally opposed to the death penalty as the ultimate violation of the right to life. Please see *Iran: Death Sentences appeal case – 11 Iranian Arab men facing death sentences*, AI Index MDE 13/051/2006, May 2006).

Iran has a history of airing video-taped "confessions" on television. In previous cases, people who have made such "confessions" have later stated that such confessions were made after they had been tortured or ill-treated.

Iran is a state party to the International Covenant on Civil and Political Rights (ICCPR), which includes the right not to be compelled to testify against oneself or to confess guilt (Article 14.3.g). Principle 21 of the UN Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment states that it should be prohibited to take undue advantage of the situation of a detainee for the purpose of compelling him to confess or incriminate himself.

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

- expressing dismay that Ali Matouri-Zadeh was executed on 19 December 2006;
- expressing concern that Ali Matouri-Zadeh's and Fahima Ismail Badawi's trials appear to have been unfair, and asking for details of their trial proceedings, including the specific charges against them, whether they had access to independent lawyers of their choice, and whether they were allowed to appeal against their convictions and sentences, as required by Article 14 (5) of the International Covenant on Civil and Political Rights;
- expressing concern that Ali Matouri-Zadeh may have been compelled to testify against himself or to confess guilt during interrogations which did not respect the necessary human rights safeguards, such as the right to access to legal counsel;

- acknowledging that governments have a responsibility to bring to justice those suspected of criminal offences, but stating your unconditional opposition to the death penalty, as the ultimate cruel, inhuman and degrading punishment and violation of the right to life;
- calling on them to ensure that Fahima Ismail Badawi is given immediate access to lawyers, her family, interpreters and any medical treatment she and her daughter may need.

APPEALS TO:

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

Salutation: **Your Excellency**

Head of the Judiciary

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

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 2 February 2006.*****