

URGENT ACTION

FORCIBLE RETURN FROM LEBANON OF IRANIAN ARAB

Iranian national and member of Iran's Arab minority, **Mohammad Taher Batili**, is at risk of being forcibly returned from Lebanon to Iran. If returned, Amnesty International fears that he would be at risk of torture and possibly the death penalty.

Mohammad Taher Batili, aged 29, is recognized as a refugee by the UN refugee agency, UNHCR. He was arrested by members of the security forces when he was getting into a car in the Lebanese capital, Beirut, on 2 June 2010. He produced a UNHCR document proving his refugee status but was nevertheless arrested on the grounds that he entered Lebanon illegally from Syria and was detained in Zahle prison, in the Bekaa Valley in east Lebanon. On 26 June he was convicted for "irregular entry", and sentenced to two months' imprisonment and payment of a fine. He faces forcible return to Iran after serving the sentence.

Mohammad Taher Batili arrived in Lebanon from Syria with his family on 28 May 2009 and sought asylum there. They had fled Iran due to his and his father's political activities in support of the Arab minority in Ahvaz, Khuzestan province, Iran. If returned to Iran, he would be at risk of torture and may face the death penalty because of his political activities.

Following his detention in Zahle prison, officials from Iran's embassy in Lebanon twice interrogated Mohammad Taher Batili. They interrogated him at length about his father's political activities and that of other members of Iran's Arab minority in Syria and Lebanon. They threatened him that other inmates in the prison would harm him.

Lebanon hosts a large population of asylum-seekers and refugees, mostly from countries suffering from war or systematic human rights violations. Hundreds of them face arrest and prolonged detention as well as forcible return irrespective of whether they are formally registered as refugees by UNHCR. In 2008, the Lebanese authorities agreed informally to allow refugees a grace period of three months, renewable once, to find an employer to sponsor them and provide them with a residence permit, but the authorities do not appear to be keeping to this agreement.

PLEASE WRITE IMMEDIATELY in Arabic, French, English or your own language:

- Urging the Lebanese authorities not to forcibly return Mohammad Taher Batili to Iran, where he would be at risk of torture and possible execution;
- Expressing concern that his removal would violate Lebanon's obligations under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and contravene the principle of *non-refoulement*, which prohibits the return in any manner whatsoever of any person to a situation where they would be at risk of torture or other serious human rights violations;
- Calling on the Lebanese authorities to ensure that, while held, he is protected from torture or other ill-treatment, and is granted immediate access to his family, a lawyer of his choice, and adequate medical care. Iranian officials in Iran should not be allowed to interrogate him while in the custody of Lebanese security forces.

PLEASE SEND APPEALS BEFORE 11 AUGUST 2010 TO:

President

Michel Sleiman
Baabda Palace
Baabda, Mount Lebanon, Lebanon
Fax: + 961 5 959 210/922 400
Email: president_office@presidency.gov.lb
lb

Salutation: Your Excellency

Minister of Interior

Ziyad Baroud
Sanayeh, Beirut, Lebanon
Fax: + 961 1 751 618/750 084
Email: ministry@interior.gov.lb
Salutation: Your Excellency

And copies to:

Minister of Justice
Ibrahim Najjar
Rue Sami Solh, Beirut, Lebanon
Fax: + 961 1 612 564/427 975
Email: webmaster@justice.gov.lb
Salutation: Your Excellency

Also send copies to diplomatic representatives accredited to your country. Please check with your section office if sending appeals after the above date.

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ADDITIONAL INFORMATION

Ahwazi Arabs are one of Iran's many ethnic minorities and live mainly in Khuzestan province in south-western Iran, bordering Iraq. Khuzestan is strategically important because it is the site of much of Iran's oil reserves. The Arab population do not feel they have benefited as much from the oil revenue as the Persian population. Historically they have been marginalized and discriminated against, for instance by being denied the right to an education in their own language.

Although mainly Shi'a Muslims, some Ahwazi Arabs converted to Sunni Islam, leading the authorities to accuse some local activists of being Wahhabis (followers of a conservative form of Sunni Islam). Tension mounted among the Arab population after April 2005, when it was alleged that the government planned to disperse the country's Arab population or to force them to relinquish their Arab identity. Following bomb explosions in the city of Ahvaz in June and October 2005, killing at least 14 people, and explosions at oil installations in September and October 2005, the violence intensified, with hundreds of people reportedly arrested. There were reports of torture. Further bombings on 24 January 2006, in which at least six people were killed, were followed by further mass arbitrary arrests. At least 15 men have been executed as a result of their alleged involvement in the bombings. Around the end of September 2009, at least one Ahwazi man was executed following trials of some 10 Ahwazi men, some of whom were known political activists, before a branch of the Revolutionary Court in Ahvaz. They received unfair trials in which they had no access to a lawyer (see Amnesty International, *Iran: Seven men at risk of execution in Iran*, (Index: MDE 13/109/2009), 21 October 2009. <http://www.amnesty.org/en/library/info/MDE13/109/2009/en>).

Mohammad Taher Batili's father, Hadi Mohammad Jawad Batili, has been arrested in Iran several times for his political activities and his support to families of detained or killed Ahwazi people. In 1993 he was sentenced to 10 years' imprisonment; he served five years of the sentence, including seven months in solitary confinement, before being released on bail. He was reportedly tortured and otherwise ill-treated during this period. In 2004 he was handed a three-year suspended sentence and in 2005 he was arrested and detained for four months before being released on bail. He was summoned to appear before Branch 12 of the Revolutionary Court in Khuzestan on 9 July 2009 and the case is ongoing.

On 27 September 2008, six Ahwazi asylum-seekers, Ma'soumeh Ka'bi and her five children aged between four and 14, were forcibly returned to Iran from Syria. She and her children were immediately arrested upon arrival in Tehran. Her five children were released in late October 2008 (see *Iran: Forcible return/ Prisoners of conscience/ Fear of torture and ill-treatment*, (Index: MDE 13/147/2008), 10 October 2008, <http://www.amnesty.org/en/library/info/MDE13/147/2008/en>). On 1 January 2009, Ma'soumeh Ka'bi was sentenced by the Revolutionary Court in Ahwaz, Khuzestan province, to four and a half years' imprisonment for leaving Iran using false travel documents and reportedly in connection with her husband's political activities. She appealed the sentence and was released on bail of around US\$151,000. Amnesty International has not received information on the outcome of her appeal.

Although Lebanon is not a state party to the 1951 UN Convention relating to the Status of Refugees, it is, like all other countries, bound by international customary law, including the principle of *non-refoulement*: countries may not forcibly return people to countries where they would face serious human rights violations, including torture and other ill-treatment. It is also a party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

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