

PUBLIC

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23 October 2008

Further Information on 269/08 (MDE 13/141/2008, 22 September 2008) Fear of torture and other ill treatment/Incommunicado detention

IRAN **Alireza (Elirza) Serrafi (m), civil engineer, journalist and cultural activist**
Akbar (Ekber) Azad (m), writer
Hassan (Hesen) Rashidi (m), engineer, writer and lecturer
Sa'id (Seid) Mohammadi (Mehemmedi) Mughanli (m), poet and journalist
Hassan (Hesen) Rahimi (Rehimi) Bayat (m), civil engineer, human rights activist
Hossein Haydari (Huseyn Heyderi) (m), student
Abbas Na'imi (Neimi) (m), cultural activist
Mehdi Na'imi (Neimi) (m), poet and university lecturer
Sayyad Mohammadian (Seyyad Mehemedian) (m), activist

Five of the nine Iranian Azerbaijani activists named above have been conditionally released in October. All nine were charged with "acting against national security" and had been held in solitary confinement in Section 209 of Tehran's Evin prison, which is run by the Ministry of Intelligence, since their arrest on 10 September 2008. The four remain in solitary confinement and were allowed to meet with family members on 13 October for the first time but have had no access to lawyers.

Akbar Azad, Hossein Haydari, Abbas Na'imi, and Sayyad Mohammadian were released on 8 October, and Hassan Rahimi Bayat was released on 16 October. The five were released on the condition that they each post bail of 500 million rials (approximately US\$51,000) and present a personal bail guarantor. The personal guarantor will have to provide several months of pay stub, and will be held responsible if the activists do not show up when they are summoned by the authorities, or if they flee the country. The activists have been told by the judge who set the bail that if they do not pay the required sum then they will be returned to prison. Akbar Azad was summoned to Judge Metine Rasekh's court room on 15 October and was told to find the 500 million rials bail. The released activists so far have not found a guarantor and have not been able to raise 500 million rials for the bail.

Akbar Azad stated that during his entire time in detention he was only allowed outside for about 30-40 minutes each day in his last 2 days of detention. During his time in detention he was unable to gain access to medical treatment for stomach problems although he was allowed to see a nurse once after fainting from severe pain from stomach pain. Akbar Azad was interrogated for long periods that sometimes lasted overnight. The interrogators threatened his and his family's life and since being released he has also received telephone calls in which further threats were uttered.

BACKGROUND INFORMATION

Iranian Azerbaijanis, who are mainly Shi'a Muslims, are recognized to be the largest minority in Iran and are generally believed to constitute between 25-30 percent of the total population of Iran. They are located mainly in the north and north-west of Iran. Although generally well-integrated into society, in recent years, they have increasingly called for greater cultural and linguistic rights, such as the right to education through the medium of the Azerbaijani Turkic language and to celebrate Azerbaijani culture and history at cultural events.

Iranian Azerbaijani activists have previously called for a boycott of the first day of the school year and for demonstrations to be held calling for Iranian Azerbaijani children to be allowed the opportunity to be educated in their own language (see AI Public Statement at

<http://www.amnesty.org/en/library/asset/MDE13/108/2006/en/dom-MDE131082006en.html>

The current academic year in Iran started on 1 Mehr (23 September) and the arrest of the activists appears to be an attempt by the authorities to pre-empt protests and boycotts. Amnesty International believes they may be prisoners of conscience, held solely for the peaceful expression of their right to freedom of expression and association.

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

- urging the authorities to ensure that the remaining four Azerbaijani rights activists Alireza Serrafi, Hassan Rashidi, Sa'id Mohammadi Mughanli, and Mehdi Na'imi are not facing torture or other ill treatment;
- urging the authorities to allow them immediate and regular access to their family and a lawyer of their choice, and to any medical treatment they may require;
- calling on the authorities to release the remaining four activists detained since 10 September unless they are to be charged with a recognizably criminal offence and given a prompt and fair trial;
- noting that if they are held solely on account of their peaceful exercise of their right to freedom of expression and assembly, then they are prisoners of conscience, and should be released immediately and unconditionally.

APPEALS TO:

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Salutation: Your Excellency

Head of the Judiciary

Ayatollah Mahmoud Hashemi Shahroudi

Howzeh Riyasat-e Qoveh Qazaiyeh / Office of the Head of the Judiciary

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Email: info@dadgostary-tehran.ir (In subject line write: FAO Ayatollah Shahroudi)

Salutation: Your Excellency

COPIES TO:

Director, Human Rights Headquarters of Iran

His Excellency Mohammad Javad Larijani

Howzeh Riyasat-e Qoveh Qazaiyeh (Office of the Head of the Judiciary)

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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 04 December 2008.