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- DEATH SENTENCES - APPEAL CASE

11 Iranian Arab men facing death sentences

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At least 11 men, all members of Iran's Arab minority, are reportedly under sentence of death and at risk of execution. They are believed to have been accused of involvement in bomb explosions in the city of Ahvaz, in Khuzestan province, southabroad; and endangering state security. Amnesty International recognizes the rights and responsibilities 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.

Brothers **Zamel Bawi**, 29, and **Imad Bawi**, 31, were reportedly arrested by security forces on 11 August 2005 along with their three other brothers and a cousin. Their father and uncle, Hajj Salem Bawi, a tribal leader and a businessman who runs a number of computer stores in Khuzestan province, was arrested by security forces after enquiring about where his sons and nephew were being detained. He was released on 28 August 2005 and had apparently met three of his sons while he was held in Amaniya Prison, in the city of Ahvaz. He could see that they had been ill-treated.



Zamel Bawi © Ahwaz Human Rights Organization (AHRO)

Zamel Bawi is a businessman who owns shops in Ahvaz. He is married and has an 11 month-old son, Hareth.



Imad Bawi © AHRO

Imad Bawi was studying law at the Lebanese University of Beirut. He was visiting his family in Ahvaz during the summer holiday when the Iranian authorities banned him from returning to Lebanon. Amnesty International has no further information on the reasons for the ban.

At the end of October 2005, Amnesty International received reports that both Zamel and Imad had been sentenced to death. Further reports indicated that the brothers appeared before a Tehran court on 21 February 2006 accused of distributing material against the state, having contact with dissident organizations operating abroad, and endangering state security, possibly in connection with bomb explosions in Ahvaz city. These reports also suggested that they had not been allowed legal representation and that the court sessions took place behind closed doors. On 19 March 2006 the death sentence was reportedly confirmed for Zamel Bawi. No details of the hearing or the outcome were divulged. Amnesty International has no further information about Imad Bawi.

The nine remaining men, **Dr Awdeh Afrawi**, **Nazem Bureihi**, **Aliredha Salman Delfi**, **Ali Helfi**, **Ali Manbouhi**, **Jaafar Sawari**, **Risan Sawari**, **Mohammad Ali Sawari**, **Moslem al-Ha'i**, may also have been sentenced to death for their alleged involvement in bomb explosions in the city of Ahvaz, which took place in October 2005. Seven of them have been shown "confessing" on local television, with one other mentioned as a participant in the bombings. Another has

reportedly been convicted of the same offence. Two other men have already been executed.

There has been confusion over the convictions as the trials have been held behind closed doors. Government officials have also given conflicting statements on whether the nine men have been sentenced to death in relation to the bombings.

According to the Minister of Justice, 45 people have been arrested in connection with the October explosions. On 14 February 2006, the Minister of Justice told the state news agency IRNA that seven of them had been convicted on charges including "enmity with God and corruption on earth (*moharebeh and ifsad fil-arz*, for which the penalty is execution, cross amputation, crucifixion or banishment), and murder" and that their sentences would be announced shortly. On 20 February 2006, the Prosecutor General reportedly said that "some of those convicted in this case have been sentenced to death, including the two main culprits, whose presence in the recent Ahvaz incidents was proved and their execution verdict is definite". On 21 February, in a statement to IRNA commenting on this report, the Minister of Justice stated that only two had been sentenced to death and these sentences were under review by the Supreme Court. He noted that "the seven convicts have not all committed crimes that call for the death penalty."

Although seven men were said to have been convicted of involvement in the October bombings, nine men were shown "confessing" on Khuzestan Provincial TV on 1 March 2006. Among them were Mehdi Nawaseri and Ali Awdeh Afrawi, who were hanged in public the following morning; Dr Awdeh Afrawi (father of executed Ali Awdeh Afrawi), Risan Sawari, Jaafar Sawari, Aliredha Salman Delfi, Ali Manbouhi, Ali Helfi, and Nazem Burehi.

Dr Awdeh Afrawi, 52, is a psychologist at Ahvaz's Shahid Chamran hospital. He and his son, Ali Awdeh Afrawi, were reportedly arrested in Ahvaz shortly after the October 2005 explosions.



Risan Sawari © AHRO

Teacher **Risan Sawari**, 30, was reportedly arrested in April 2005, released and arrested

again in September.

Jaafar Sawari and **Aliredha Salman Delfi** were reportedly arrested in September 2005. Mehdi Nawaseri was reportedly arrested on 19 October 2005 and teacher, **Mohammad Ali Sawari**, on or around 4 November 2005. **Moslem al-Ha'i** was mentioned during the "confessions" as a participant in the bombings, but it is not known when he was arrested.

Ali Manbouhi, **Ali Helfi** and **Nazem Bureihi** have reportedly been in custody since 2000, when they were arrested on charges of "insurgency" and were each sentenced to 35 years' imprisonment. However, they also featured in the "confessions" footage. In March 2006 there were unconfirmed reports that they were to face a retrial on charges of *moharebeh* and murder.

On 10 May 2006, according to *E'temad* newspaper, the Governor of Khuzestan, Amir Hayat Moqaddam, announced that the cases of an unspecified number of people suspected of involvement in the bombings had been transferred to the judiciary and would be tried soon. He said, "*It is anticipated that, on account of the type of crime committed, a number of these people will be executed.*"

Background

Much of Iran's Arab community lives in the province of Khuzestan which borders Iraq. It 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. Tension has mounted among the Arab population since April 2005, when scores of Arabs died, hundreds were injured and hundreds more detained following demonstrations in protest at a letter allegedly written in 1999 by a presidential adviser, who denied its authenticity. This appeared to set out policies for the reduction of the Arab population of Khuzestan, including resettling Arabs in other regions of Iran, resettling non-Arabs in the province, and replacing Arabic place names with Persian ones. The text, with an English translation, can be found at

<http://www.ahwaz.org.uk/images/ahwaz-khuzestan.pdf>; the supposed author's denial that he wrote the letter, along with an explanation of the contents, can be found (in Persian) at <http://www.webneveshteha.com/>. The security forces appear to have used excessive force in stopping the demonstration resulting in unlawful killings or possible extra-judicial executions.

Since then, the cycle of violence has intensified in the province. Scores of Arabs were arrested following four pre-election bomb blasts in Ahvaz and two others in Tehran which killed up to 10 people and injured at least 90. Other bombs in October 2005 and January 2006 killed at least 12 people and were followed by waves of arrests. Arrests have also followed demonstrations on culturally significant occasions such as the Muslim festivals of 'Id al-Fitr and 'Id al-Adha. Amnesty International has received the names of around 500 Iranian Arabs detained since April 2005, some repeatedly, although the true number of detainees is likely to be much higher.

RECOMMENDED ACTION

Please send faxes/ e-mail letters in Persian, Arabic, English or French:

- calling for the eleven men to be given immediate access to lawyers, their families, interpreters and medical treatment if necessary;
- seeking assurances that they are not being tortured or ill-treated in detention;
- expressing grave concern that the eleven men (naming them) may be at risk of execution;
- urging the Iranian authorities to commute any death sentences passed against them immediately;
- asking for details of the men's trial proceedings, including the specific charges against them, whether they have been granted access to independent lawyers of their choice, and, if they have been convicted and sentenced to death, whether they have been allowed to appeal against their convictions and sentences, as required by Article 14 (5) of the International Covenant on Civil and Political Rights, to which Iran is a state party;
- 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.

PLEASE SEND YOUR 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

President

His Excellency Mahmoud Ahmadinejad
The Presidency, Palestine Avenue, Azerbaijan
Intersection, Tehran, Islamic Republic of Iran

Fax: Via foreign affairs: +98 21 6 674 790 and
ask to be forwarded to H.E Ahmadinejad

Email: dr-ahmadinejad@president.ir
via website: www.president.ir/email

Salutation: Your Excellency

Speaker of Parliament

His Excellency Gholamali Haddad Adel
Majles-e Shoura-ye Eslami
Imam Khomeini Avenue,
Tehran, Islamic Republic of Iran

Fax: + 98 21 6 646 1746

COPIES TO

Head of the Judiciary

His Excellency Ayatollah Mahmoud Hashemi
Shahrudi

Ministry of Justice, Park-e Shahr, Tehran, Islamic
Republic of Iran

Fax: (Via Ministry of Justice) + 98 21 3 311 6567

(Mark: "Please forward to HE Ayatollah
Shahrudi")

Email: irjpr@iranjudiciary.org (mark "Please
forward to His Excellency Ayatollah
Shahrudi")

via the judiciary website:

www.iranjudiciary.org/feedback_en.html

Salutation: Your Excellency

Minister of the Interior

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Governor General of Khuzestan Province

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Salutation: Your Excellency