

EXTERNAL (for general distribution)

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Legal concern

7 May 1992

IRAN:

**Naser Arabha, editor of a science magazine
and three others**

Amnesty International is concerned that Naser Arabha, the editor-in-chief of the science magazine *Farad*, and three unnamed colleagues arrested with him in Tehran on 11 April 1992 appear to be prisoners of conscience, held solely for the non-violent expression of their conscientiously held beliefs. They have reportedly been held in incommunicado detention in Evin Prison since their arrest. According to the Islamic Republic News Agency (IRNA), Naser Arabha was arrested for "printing a cartoon which insulted the founder of the Islamic Republic Imam Khomeini". The cartoon, according to descriptions in the press, depicts a wounded religious personality playing football. It is not known whether they have been charged.

According to reports, Naser Arabha and his colleagues are at present being held under the jurisdiction of the Islamic Revolutionary Prosecution Office, whereas, according to Article 34 of the Iranian Press Law, "matters concerning the press falls within the jurisdiction of the General Courts, where the defendants should be tried in the presence of a jury". If tried by the Islamic Revolutionary Courts, Amnesty International fears that Naser Arabha and his colleagues may be unfairly tried.

Two demonstrations were reported to have taken place on 9 and 11 April outside the offices of *Farad*, in protest against the "insulting cartoon". The publication of the magazine was banned by the Ministry of Islamic Culture and Guidance on 11 April.

Since that date a number of further demonstrations in Tehran and Qom have been reported in the Iranian press, with calls by demonstrators for the strict punishment of the publishers of the magazine. According to a report by *Agence France Presse*, Ayatollah Ahmad Jannati, a member of the Council of Guardians, has called for "the maximum penalty" to be issued in this case.

Amnesty International is asking the Iranian authorities to clarify the legal situation of these detainees. It believes that, if Naser Arabha and his colleagues are being held solely for the non-violent expression of their conscientiously held beliefs, they should be released immediately and unconditionally as prisoners of conscience.

Otherwise, they should be given immediate and regular access to legal counsel and receive a fair trial in accordance with internationally recognized standards.

Amnesty International is also seeking assurances that the detainees are treated humanely and receive visits by lawyers, their families, and independent medical assistance if necessary.

BACKGROUND INFORMATION

According to reports received by Amnesty International over the years, trials before Islamic Revolutionary Courts fall far short of internationally recognized standards for fair trial. Trial hearings are usually held *in camera*, inside prisons; proceedings are summary, hearings often last only for a few minutes, with defendants having no access to legal counsel. The majority of death sentences in Iran in recent years have been imposed by Islamic Revolutionary Courts.

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RECOMMENDED ACTIONS: Please send telegrams/telexes/airmail letters:

- expressing concern at the reported incommunicado detention, since 11 April 1992 of Naser Arabha and three other employees of the science magazine Farad;
- seeking clarification about the precise reasons for Naser Arabha and his three colleagues' arrest and information on any charges against them and their legal basis;
- urging the immediate and unconditional release of Naser Arabha and his three colleagues if, as it appears, they are being held solely for the non-violent expression of their conscientiously held beliefs, and otherwise that they should receive a fair trial in accordance with internationally recognized standards;
- seeking assurances that they are being humanely treated and urging that they be given immediate access to a lawyer of their own choice, and their family members and medical doctors if necessary.

APPEALS TO

1) His Excellency **Salutation: Your Excellency**
Hojatoleslam Ali Akbar Hashemi Rafsanjani
The Presidency
Palestine Avenue
Azerbaijan Intersection, Tehran
Islamic Republic of Iran
Telegrams: President Rafsanjani, Tehran, Iran
Telexes: 214231 MITI IR; 213113 PRIM IR (marked for the attention of
President Rafsanjani)

2) His Excellency Ayatollah Mohammad Yazdi **Salutation: Your Excellency**
Head of the Judiciary
Ministry of Justice
Park-e Shahr, Tehran
Islamic Republic of Iran
Telegrams: Justice Minister, Tehran, Iran
Telexes: 214231 MITI IR; 213113 PRIM IR
(marked for the attention of the Head of the Judiciary)

3) His Excellency **Salutation: Your Excellency**
Dr Mohammad Khatami
Minister of Islamic Culture and Guidance
Ministry of Islamic Culture and Guidance
Baharestan Square
Kmalalmolk Street, Tehran
Islamic Republic of Iran
Telegrams: Islamic Culture and Guidance Minister, Tehran, Iran

Telexes: 215642 RECU IR

COPIES OF YOUR APPEALS TO:

His Excellency
Ali Akbar Velayati
Minister of Foreign Affairs
Ministry of Foreign Affairs
Sheikh Abdolmaji Keshk-e Mesri Avenue
Tehran
Islamic Republic of Iran

and to diplomatic representatives of Iran in your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, of your section office, if sending appeals after 18 June 1992.