

EXTERNAL (for general distribution)

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UA 382/92 Fear of torture/death penalty

3 December 1992

IRAN: Abdollah Bagheri

Amnesty International has learned that, Abdollah Bagheri, a former member of the Kurdish opposition group, Komala, was arrested at the beginning of November 1992 outside Mariwan, close to the Iraq border. The precise date of his arrest and his present whereabouts are unknown. Abdollah Bagheri was reportedly no longer a member of Komala at the time of his arrest, but had been an active member of the organization for several years.

In a statement reported on 7 November the Information and Security Minister, Hojatoleslam Ali Fallahian, said that "Iranian intelligence services had arrested an official of the Marxist Komala movement" and that a military group backed by "counter-revolutionary elements" in Iran had been dissolved and its members executed. He gave no further information.

According to reports the Komala "official" the Information and Security Minister referred to is Abdollah Bagheri. Amnesty International fears that he is in danger of torture or ill-treatment and possibly execution.

BACKGROUND INFORMATION

At least two other members of Komala, Rahman and Towfiq Aliasii, were executed earlier in the year, in June and August 1992, respectively. No information is available about their trials and the precise date of their executions are unknown. They had both been arrested in September 1991, in a village in the Mariwan area, and had been held in Sanandaj Prison until their executions. In both cases the prison authorities merely handed over their clothes to their relatives and informed them that they had been executed.

The televised "confessions" of Towfiq Aliasii were reported to have been broadcast on local television in Sanandaj in August. Amnesty International fears that the "confessions" were obtained as a result of torture or ill-treatment.

Amnesty International's long standing concerns regarding trial procedures and torture in the Islamic Republic of Iran continue. The organization is particularly concerned about trials before Islamic Revolutionary Courts where trials fall far short of internationally recognized standards for fair trial.

These concerns include trial hearings which are usually held *in camera*, inside prisons, with summary proceedings, often lasting only for a few minutes, and defendants having no access to legal counsel and no right of appeal. No substantive steps have been taken to introduce safeguards for detainees and fears continue that they are at risk of torture and ill-treatment.

RECOMMENDED ACTION: Please send telegrams/telexes/airmail letters either in English or in your own language:

- expressing concern that Abdollah Bagheri may be at risk of execution and urging the commutation of any death sentence that may have been passed on him;
- seeking assurances that he is being humanely treated and urging that he be given immediate access to a lawyer of his own choosing, his family and an independent medical doctor;

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- seeking information about his precise place of detention, whether he has been charged or tried and convicted, and, if so, what sentence has been imposed on him;
- urging that if he has not been charged with a recognizably criminal offence and promptly brought to trial, he should be released.

APPEALS TO

1) His Excellency

Hojatoleslam Ali Fallahian
Minister of Information and Security
Ministry of Information and Security
Tehran
Islamic Republic of Iran

Salutation: Your Excellency

Telegrams: Information and Security Minister, Tehran, Iran

Telexes: 214231 MITI IR; 213113 PRIM IR

(marked for the attention of the Minister of Information and Security)

2) His Excellency Hojatoleslam

Ali Akbar Hashemi Rafsanjani
The Presidency
Palestine Avenue
Azerbaijan Intersection
Tehran
Islamic Republic of Iran

Salutation: Your Excellency

Telegrams: President Rafsanjani, Tehran, Iran

Telexes: 214231 MITI IR; 213113 PRIM IR

(marked for the attention of President Rafsanjani)

3) His Excellency

Ayatollah Mohammad Yazdi
Head of the Judiciary
Ministry of Justice
Park-e Shahr, Tehran
Islamic Republic of Iran

Salutation: Your Excellency

Telegrams: Justice Minister, Tehran, Iran

Telexes: 214231 MITI IR; 213113 PRIM IR

(marked for the attention of the Head of the Judiciary)

COPIES OF YOUR APPEALS TO:

His Excellency

Dr Ali Akbar Velayati
Minister of Foreign Affairs
Ministry of Foreign Affairs
Sheikh Abdolmajid Keshk-e Mesri Avenue
Tehran, Islamic Republic of Iran

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 12 January 1993.