

PUBLIC

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30 May 2008

UA 151/08 Fear of torture and other ill-treatment/Possible prisoners of conscience

IRAN **Mojtaba Hussein (m), aged 21**]
 Mahmoud Matin (m)] **Christian converts**
 Arash (m)]
 Two others, one of them a woman]

Five converts to Christianity have been arrested, and are now held incommunicado. They are in danger of torture. They appear to have been detained solely on account of their religious beliefs, in which case they are prisoners of conscience.

Mojtaba Hussein was arrested on 11 May at 7am, along with his father, one brother and one sister at his home in Shiraz, in the south-western province of Fars. All but Mojtaba Hussein were released later that day. All the family's books, CDs, computers and printers had been confiscated during the raid. The authorities have not told his family where Mojtaba Hussein is held, or why he was arrested. Their requests to visit him have been refused. Police apparently told them: "He is not cooperating with us, so he has to stay in our custody."

In April, a man and a pregnant woman, also believed to be Christian converts, were arrested in the city of Amol, in the northern province of Mazandaran. Two men, Mahmoud Matin and Arash, were arrested in a park in Shiraz on 13 May. It is not known why they were arrested, or where they are held.

BACKGROUND INFORMATION

Although Christianity is a recognized religion in Iran, evangelical Christians, some of whom have converted from Islam, often face harassment by the authorities. Converts from Islam risk arrest, attack or the death penalty. Conversion from Islam (apostasy) is forbidden under Islamic law, which requires apostates to be put to death if they refuse to go back to Islam. There is no specific provision in the Iranian Penal Code for apostasy, but judges are required to use their knowledge of Islamic law to rule on cases where no specific legislation exists in the Penal Code.

Article 23 of the Iranian Constitution states: "The investigation of individuals' beliefs is forbidden, and no one may be molested or taken to task simply for holding a certain belief." Under Article 18 (1) of the International Covenant on Civil and Political Rights (ICCPR), to which Iran is a state party, "Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching."

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

- expressing concern that Mojtaba Hussein, Mahmoud Matin, Arash and two others appear to have been detained solely on account of their religious beliefs, in which case they would be prisoners of conscience;
- calling on the authorities to release them immediately and unconditionally, or charge them promptly with recognizably criminal offences and give them a fair trial;
- asking for the reasons behind their arrests, the charges retained and where they are held;

- urging the authorities to ensure that they are not being tortured or otherwise ill-treated, and all five have access to legal assistance of their own choosing, their families and any medical treatment they may require;
- reminding the authorities that freedom of religious belief is guaranteed by the Iranian Constitution, and by Article 18 of the International Covenant on Civil and Political Rights.

APPEALS TO:

Leader of the Islamic Republic

His Excellency Ayatollah Sayed 'Ali Khamenei
The Office of the Supreme Leader
Islamic Republic Street - Shahid Keshvar Doust Street
Tehran, Islamic Republic of Iran

Email: info@leader.ir
Salutation: **Your Excellency**

Head of the Judiciary

Ayatollah Mahmoud Hashemi Shahroudi
Howzeh Riyasat-e Qoveh Qazaiyeh / Office of the Head of the Judiciary
Pasteur St., Vali Asr Ave., south of Serah-e Jomhuri, Tehran 1316814737, Islamic Republic of Iran

Email: info@dadgostary-tehran.ir (In the subject line write: **FAO Ayatollah Shahroudi**)
Salutation: **Your Excellency**

COPIES TO:

President

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

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

Director, Human Rights Headquarters of Iran

His Excellency Mohammad Javad Larijani
Howzeh Riassat-e Ghoveh Ghazaiyeh (Office of the Head of the Judiciary)
Pasteur St, Vali Asr Ave., south of Serah-e Jomhuri, Tehran 1316814737, Iran

Fax: **+98 21 3390 4986 (please keep trying)**
Email: fsharafi@bia-judiciary.ir (In the subject line: **FAO Mohammad Javad Larijani**)
int_aff@judiciary.ir (In the subject line: **FAO Mohammad Javad Larijani**)

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 11 July 2008.