

PUBLIC

AI Index: MDE 24/029/2007

04 May 2007

Further Information on UA 67/07 (MDE 24/018/2007, 16 March 2007) Forcible return/Fear of torture or ill-treatment/Death sentence

SYRIA / IRAN **Ali Bouazar (m), aged 24**
 Kamal Nawaseri (m), aged 25
 Afnan Yousuf Azizi Bani Toruf (m), aged 23
 Salahuddin Hilali Majd Sawari (m), aged 24
 Ahmad Assadi (m), aged 28
 Jaber Obeyat (m), aged 20

Five of the six Iranian Arab men named above were reportedly released without charge on 14 April. The whereabouts of the sixth man, Ali Bouazar, remain unknown.

The six men were arrested in the Syrian capital, Damascus on 5 March and reportedly held incommunicado at an unknown location, where they were at risk of torture and of being forcibly returned to Iran. The Syrian authorities reportedly would not let United Nations High Commissioner for Refugees (UNHCR) staff have access to the men, and have not yet confirmed whether any were forcibly returned to Iran.

The five released men, all UN-recognized refugees, are now reportedly awaiting resettlement.

Ali Bouazar reportedly arrived in Syria around the end of December 2006. He was arrested on 5 March and reportedly forcibly returned to Iran, where he may face the death penalty, about 12 hours later.

BACKGROUND INFORMATION

Much of Iran's Arab community lives in the province of Khuzestan, which borders Iraq. Following mass demonstrations in April 2005, and bombings which took place in the provincial capital, Ahvaz city, in June and October 2005 and January 2006, hundreds have been arrested and there have been reports of torture and at least 10 men have been executed following unfair trials. At least 15 Iranian Arabs are reportedly under sentence of death, apparently having been designated as *mohareb* (at enmity with God) (see UA 57/06, MDE 13/023/2006, 10 March 2006 and follow up; and UA 301/06, MDE 13/126/2006, 13 November 2006 and follow up). The charges they face include involvement in the bombings, distributing material against the state, and endangering state security. Amnesty International recognizes the right and responsibility 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.

Four Iranian men of Arab ethnicity are believed to have been forcibly returned to Iran in 2006 (see UA 132/06, MDE 24/037/2006, 15 May 2006 and follow ups). At least one of these men is facing a death sentence.

Syria is a State Party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), which prohibits the return of anyone to a country where they would be at risk of torture or ill-treatment.

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

To the Iranian authorities:

- asking whether Ali Bouazar was forcibly returned to Iran;
- if he has been returned and is in custody, calling on the authorities to release him immediately unless he is to be promptly charged with a recognizably criminal offence;
- asking for details of any charges against him, and of the details of any court proceedings;
- expressing concern for his safety if he is in custody, and asking the Iranian authorities where he is held, and asking them to give him immediate access to lawyers of his choosing, his family, interpreters, and any medical treatment he may require;
- seeking assurances that, if held, he is not being tortured or ill-treated.

To the Syrian authorities:

- welcoming the release of the five Iranian Arab men (naming them);
- expressing grave concern at reports that on 5 March the Syrian authorities forcibly returned Ali Bouazar, a recognized refugee, to Iran, where he would be at risk of torture, ill-treatment or the death penalty and asking where Ali Bouazar is now;
- expressing concern that forcibly returning Ali Bouazar would be a violation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and would contravene the principle of *non-refoulement*, which prohibits the return in any manner whatsoever of any person to a situation where they would be at risk of torture, ill-treatment or other serious human rights abuses.

APPEALS TO:

Iranian authorities:

Leader of the Islamic Republic

Ayatollah Sayed 'Ali Khamenei,
Leader of the Islamic Republic

The Office of the Supreme Leader, Shahid Keshvar Doost Street, Tehran. Islamic Republic of Iran

Fax: +98 251 7774 2228 (mark "For the Office of His Excellency, Ayatollah Khamenei")

Email: via website: <http://www.leader.ir/langs/EN/index.php?p=sendletter>

Salutation: Your Excellency

Head of the Judiciary

Ayatollah Mahmoud Hashemi Shahroudi

Ministry of Justice, Ministry of Justice Building, Panzdah-Khordad Square, Tehran, Islamic Republic of Iran

Fax: +98 21 3390 4986 (please keep trying)

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

Salutation: Your Excellency

Syrian authorities:

President

His Excellency Bashar al-Assad, Presidential Palace, Abu Rummaneh, al-Rashid Street

Damascus, Syrian Arab Republic

Fax: +963 11 332 3410

Salutation: Your Excellency

Minister of the Interior

His Excellency Major General Bassam Abdel Magid, Ministry of Interior, 'Abd al-Rahman Shahbandar Street

Damascus, Syrian Arab Republic

Fax: +963 11 2223428

Salutation: Your Excellency

COPIES TO: diplomatic representatives of Iran and Syria accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 14 June 2007.