

PUBLIC

AI Index: MDE 13/034/2008

6 February 2008

Further Information on UA 233/05 (MDE 13/051/2005, 9 September 2005) and follow-up (MDE 13/065/2005, 2 November 2005; MDE 13/033/2006, 31 March 2006; MDE 13/072/2006, 23 June 2006)

Fear of Torture and ill-treatment/ Incommunicado detention/ Death sentence and new concern: Imminent execution

IRAN

**Mohsen Bawi (m), aged 34]
Imad Bawi (m), law student, aged 32,] brothers
Hani Bawi (m), student, aged 23]
Moslem Bawi (m), student, aged 20]
Asad Bawi (m), their cousin, aged 35]
Mansour Tayouri (m)] members of the extended Bawi family
Hassan Boughedar (or Bou Azar or Bozar) (m)]
Lefteh Sarkhi (m), student**

Executed: Zamel Bawi (m), aged 30

Zamel Bawi, a member of the Iranian Arab minority, was executed on 29 January at 4am in Karoun Prison, Khuzestan province. On 28 January, the eve of his execution, Zamel Bawi was allowed a family visit. Neither Zamel nor his family nor his lawyer were informed of the imminence of the execution, although Iranian law states that the authorities should inform a detainee's lawyer at least 48 hours before a death sentence is due to be carried out.

Zamel Bawi, a businessman and shop owner, was arrested by security forces on 11 August 2005 along with four of his brothers and a cousin. At the end of October 2005, Zamel Bawi had been sentenced to death. On 10 June 2006 Branch 3 of the Revolutionary Court in Ahvaz city, Khuzestan province, confirmed the death sentences against Zamel Bawi and nine other men including Jaafar Sawari, Risan Sawari and Abdulredha Nawaseri who were executed in 2007 (see UA 57/06 MDE 13/023/2006, 10 March 2006 and follow-ups). The 10 men were accused of being "mohareb" (at enmity with God) which can carry the death penalty. Other charges included "destabilizing the country", "attempting to overthrow the government", "possession of home-made bombs", "sabotage of oil installations" and carrying out bombings in Ahvaz, which took place between June and October 2005. Zamel Bawi was further convicted of hiding seven home-made bombs.

The remaining men are serving prison sentences varying between 10 and 25 years in exile within the country. Amnesty International believes that Mohsen Bawi is detained in Konarak Prison, outside the town of Chabahar, in Sistan-Baluchistan province and Imad Bawi is detained in Tabas Prison, in Khorasan province. The two brothers were said to have been taken into solitary confinement following the news of the execution of their brother.

BACKGROUND INFORMATION

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. There were mass demonstrations in April 2005, after it was alleged that the government planned to disperse the country's Arab population or to force them to relinquish their Arab identity. Following bomb explosions in Ahvaz City in June and October 2005, which killed at least 14 people, and explosions at oil installations in September and October 2005, the cycle of violence intensified, with hundreds of people reportedly arrested. There have been reports of torture. Further bombings on 24 January 2006, in which at least six people were killed, were followed by further mass arrests. At least 17 men have now been executed as a result of their alleged involvement in the bombings. It is not clear if another man was executed or died in custody.

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

- stating that Amnesty International recognizes the rights and responsibilities of governments to bring to justice those suspected of criminal offences, but strongly opposes the death penalty as the ultimate cruel,

inhuman and degrading punishment and violation of the right to life;

- deploring the execution of Zamel Bawi;

- seeking clarification as to why Zamel Bawi's lawyer was not informed at least 48 hours before his execution, as he should have been according to Iranian law;

- seeking full details of the trials of Zamel Bawi, his brothers Mohsen, Imad, Hani and Moslem; their cousin Asad Bawi, relatives Mansour Tayouri and Hassan Boughedar; and Lefteh Sarkhi, including details of the charges and evidence against them and any appeals they may have made;

- expressing concern at reports that these prisoners were not granted access to a lawyer during some or all sessions of their trial, and as such, their trial did not meet international standards for fair trial, as laid down by Article 14 of the International Covenant on Civil and Political Rights to which Iran is a State Party.

- seeking assurances that those who remain in prison are not being tortured or ill-treated in detention.

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

Minister of Intelligence

Gholam Hossein Mohseni Ejeie

Ministry of Intelligence, Second Negarestan Street, Pasdaran Avenue, Tehran, Islamic Republic of Iran

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

Speaker of Parliament

His Excellency Gholamali Haddad Adel

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Email: hadadadel@majlis.ir (Please ask that your message be brought to the attention of the Article 90 Commission)

and to diplomatic representatives of Iran accredited to your country.

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PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 19 March 2008.