

PUBLIC

AI Index: MDE 13/002/2009

13 January 2009

Further Information on UA 279/08 (MDE 13/147/2008, 10 October 2008) Forcible return/Prisoners of conscience/Fear of torture or other ill-treatment

| | | |
|------|----------------------------|----------------|
| IRAN | Ma'soumeh Ka'bi, aged 31 | |
| | Shima' Nabgan (f), aged 14 |] |
| | Asia Nabgan (f), aged 13 |] |
| | Asma' Nabgan (f), aged 11 |] Her children |
| | Iyad Nabgan (m), aged 8 |] |
| | Imad Nabgan (m), aged 4 |] |

Ma'soumeh Ka'bi was sentenced to four-and-a-half years' imprisonment on 1 January: she was given 15 days to lodge an appeal, and released on bail of 1.5 billion Iranian Riyals (about US\$151,000). Her five children are now known to have been released in late October.

Her sentencing took place behind closed doors at a Revolutionary Court in Ahwaz, Khuzestan province. Her sentence consisted of six months for fleeing Iran using falsified travel documents; and four years possibly linked to her husband's political activities.

Ma'soumeh Ka'bi and her children, who are members of Iran's Arab minority, had been forcibly returned from Syria on 27 September, despite the fact that they had applied for asylum. She had been due to travel to Denmark with her children to join her husband, the children's father, Habib Nabgan. Ma'soumeh Ka'bi and the children were arrested on arrival in Tehran.

Habib Nabgan is a prominent member of the political party *Lejnat al-Wefaq* (Reconciliation Committee), which promotes the rights of Iran's Arab minority. He was resettled as a refugee in Denmark in 2006.

BACKGROUND INFORMATION

Much of Iran's Arab minority lives in the province of Khuzestan, which borders Iraq. They have complained of discrimination, in areas including access to resources, as well as forced evictions. There were mass demonstrations in April 2005, after rumours 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, hundreds of people were arrested. 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 for their alleged involvement in the bombings. It is not clear if another man was executed or died in custody.

Article 15 of the Iranian Constitution states: "The official language and script of Iran... is Persian... However, the use of regional and tribal languages in the press and mass media, as well as for teaching of their literature in schools, is allowed in addition to Persian." *Lejnat Al-Wefaq* was established in 1999 to promote Iranian Arab minority rights, including linguistic and cultural rights, but the party was declared illegal on 4 November 2006, and a statement from the Ahvaz Prosecutor's office said that "membership and connection with that party will be severely confronted."

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

- welcoming the release on bail of Ma'soumeh Ka'bi and the release of her five children;
- calling on the authorities to drop the charges against Ma'soumeh Ka'bi, and pointing out that if her sentence is upheld she would be a prisoner of conscience, detained solely for the peaceful exercise of her right to freedom of expression and association, and that the authorities are targeting her in order to force her husband, Habib Nabgan, to give himself up.

APPEALS TO:

Minister of Intelligence

His Excellency Gholam Hossein Mohseni Ejeie
Ministry of Information
Second Negarestan Street
Pasdaran Avenue
Tehran, Islamic Republic of Iran

Salutation: Your Excellency

Head of the Judiciary

His Excellency 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: shahroudi@dadgostary-tehran.ir (In the subject line write: FAO Ayatollah Shahroudi)

Salutation: Your Excellency

COPIES 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@leader.ir

via website: <http://www.leader.ir/langs/en/index.php?p=letter> (English)

<http://www.leader.ir/langs/fa/index.php?p=letter> (Persian)

Salutation: Your Excellency

Director, Human Rights Headquarters of Iran

His Excellency Mohammad Javad Larijani
Howzeh Riassat-e Ghoveh Ghazaiyeh (Office of the Head of the Judiciary)
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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 24 February 2009.