

URGENT ACTION

KURDISH MAN FACES EXECUTION ON 11 NOVEMBER

Ehsan (Esma'il) Fattahian, a male member of Iran's Kurdish minority, is scheduled to be executed in the province of Kordestan, northwestern Iran, on 11 November. Two other Iranian Kurdish men are also feared to be at imminent risk of execution, possibly in reprisal for a spate of assassinations and attempted assassinations of officials which took place in September.

Ehsan (Esma'il) Fattahian's lawyer has been summoned to attend his execution on 11 November at the prison in the city of Sanandaj, the provincial capital of Kordestan. Ehsan Fattahian was detained some time between April and August 2008. Reports suggest that he may have been tortured in detention. Branch 1 of the Revolutionary Court in Sanandaj sentenced him to 10 years' imprisonment to be served in exile, after a trial in which he was denied access to a lawyer. Both Ehsan Fattahian and the prosecutor appealed against this verdict, and in January 2009 Branch 4 of the Kordestan Appeal Court overturned the initial verdict. Instead he was sentenced to death for "enmity against God" in connection with his membership of an illegal armed opposition group - believed to be the the Kurdistan Independent Life Party (PJAK). This new sentence is believed to have been upheld by the Supreme Court.

Two other men, **Habibollah Latifi**, arrested in October 2007, and **Sherko Moarefi**, detained in October 2008, remain on death row in Sanandaj prison. Fears were raised that all three were at imminent risk of execution after a judge in Sanandaj received orders in October to carry out the executions of these Kurdish prisoners.

The Iranian authorities have a history of executing political prisoners when the authorities believe that crimes have been committed by people from the same group.

PLEASE WRITE IMMEDIATELY in Persian, Arabic, English, French or your own language:

- ✓ Calling on the authorities to halt the execution of Ehsan (Esma'il) Fattahian on 11 November;
- ✓ Urging them to commute his death sentence along with those of Habibollah Latifi and Sherko Moarefi;
- ✓ Expressing concern that Ehsan Fatahian was reportedly tortured and was sentenced to death after an appeal after an unfair trial;
- ✓ Urging the authorities to impose an immediate and comprehensive moratorium on executions, as a first step towards ending the use of this punishment.

PLEASE SEND APPEALS BEFORE 11 NOVEMBER 2009 TO:

Head of the Judiciary

Ayatollah Sadeq Larijani, Office of the Head of the Judiciary, Pasteur St., Vali Asr Ave. south of Serah-e Jomhuri, Tehran 1316814737, Islamic Republic of Iran

Email: Via website:

<http://www.dadiran.ir/tabid/75/Default.aspx>

1st starred box: your given name; 2nd starred box: your family name; 3rd: your email address

Salutation: Your Excellency

Leader of the Islamic Republic

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

Email: 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

And copies to:

Governor of Kordestan Province

Esmail Najjar

Email: In Persian and Kurdish, send via feedback form on the website:

http://www.ostan-kd.ir/Default.aspx?tabId=150&cv=4@0_1 In English,

French or other languages, use the feedback form on the website:

<http://en.ostan-kd.ir/Default.aspx?TabID=59>

TabID=59

Salutation: Dear Governor

Also send copies to diplomatic representatives of Iran accredited to your country. Please check with your section office if sending appeals after the above date. This is the first update of UA 271/09 (MDE 13/102/2009). Further information:

<http://www.amnesty.org/en/library/info/MDE13/102/2009/en>

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ADDITIONAL INFORMATION

Kurds, who are one of Iran's many minority groups, live mainly in the west and north-west of the country, in the province of Kordestan and neighbouring provinces bordering Kurdish areas of Turkey and Iraq. They experience religious, economic and cultural discrimination. For many years, Kurdish organizations such as the Kurdistan Democratic Party of Iran (KDPI) and the Marxist group *Komala*, conducted armed opposition against the Islamic Republic of Iran. Another armed group, the Kurdistan Independent Life Party (PJAK), formed in 2004, continues to carry out armed attacks against Iranian security forces.

No group has claimed responsibility for the spate of assassinations and attempted assassinations in Kordestan, which targeted mainly religious figures and judges between 9 and 19 September 2009. Those killed included the head of Sanandaj city council, a Sunni cleric who had supported President Ahmadinejad's re-election campaign, and the Kordestan representative to the Assembly of Experts (the body which appoints the Supreme Leader). Two judges were also injured in the attacks. The authorities have variously blamed PJAK, and "hard-line Sunni fundamentalists" linked to foreign intelligence services. According to various Iranian media sources on 28 September 2009, several of those believed to have been responsible for the attacks were arrested at the scene of another attack in which two others were killed.

Amnesty International condemns without reservation attacks on civilians, which includes judges, clerics, and locally or nationally-elected officials, as attacking civilians violates fundamental principles of international humanitarian law. These principles prohibit absolutely attacks on civilians as well as indiscriminate and disproportionate attacks. Such attacks cannot be justified under any circumstances.

The scope of capital crimes in Iran is broad, and includes "enmity against God", often imposed for armed opposition to the state, but can include other national security offences such as espionage.

At least ten other Kurdish men and one woman are believed to be on death row in connection with their membership of and activities for proscribed Kurdish organizations. They include Farzad Kamangar, Farhad Vakili, Ali Haydarian, Farhad Chalesh (Turkish national), Rostam Arkia, Ramazan Ahmad (Syrian national), Fasih (Fateh) Yasmini, Hossein Khezri, Anvar Rostami, Shaker Baghi and Zeynab Jalalian. For further information on some of the Kurds on death row for political offences, including those named in this UA, please see <http://www.amnesty.org/en/library/info/MDE13/012/2009/en>.

In May 2009, three members of Iran's Baluch minority were executed in public in Zahedan less than 48 hours after an attack on worshippers in a mosque in which up to 25 people were killed. Responsibility for the attack was claimed by the People's Resistance Movement of Iran (formerly known as Jondollah). The three men had already been sentenced to death, but their executions were linked to the mosque attack. Officials claimed that following renewed interrogations after the bombing, they had "confessed" to involvement into bringing the explosives into the country.

In 1988, thousands of political prisoners, mostly members of the People's Mojahedin Organization of Iran (PMOI) or leftist organizations, were executed in what has become commonly known as the "prison massacres". The executions took place following the ceasefire agreement between Iran and Iraq and an armed incursion a few days later by PMOI members based in Iraq which was repulsed by the Iranian army. Most of those executed were already detained or imprisoned at the time of the incursion and could not have been involved in spying or terrorist activities as the government claimed. No one has ever been brought to account for these mass killings.

Further information UA: 271/09 Index: MDE 13/119/2009 Issue Date: 09 November 2009

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