

PUBLIC

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UA 94/08 Fear of torture/ possible prisoner of conscience/ death penalty

IRAN Farhad Haji Mirza'i (m), aged 28, human rights defender

Iranian Kurdish human rights defender Farhad Haji Mirza'i is being held in Tehran's Evin Prison, and is believed to have been mentally and physically tortured. Reports suggest that he may have been sentenced to death. Amnesty International believes that he may be a prisoner of conscience, held solely on account of his peaceful activism in defence of human rights.

Farhad Haji Mirza'i, a driver and labourer from Sanandaj, Kordestan province, is a member of the Association for the Protection of Children's Rights and a founding member of the Association of Defence of Political Prisoners and Human Rights in Iran. He was detained by national security officials on 30 December 2007 while on his way to an appointment with his dentist, although the authorities did not confirm that they had arrested him until around two weeks following his arrest, during which time he is believed to have been tortured. He was held until around February 2008 in a detention facility under the control of Iran's Ministry of Intelligence in Sanandaj, where it is feared he may have been tortured. He was then transferred to Section 209 of the prison, run by the Ministry of Intelligence and outside the control of Iran's prison service. He has been held incommunicado since he was arrested. Prolonged incommunicado detention, without access to family or legal representation, has been shown to facilitate torture and ill-treatment.

According to a statement issued by the Association for the Defence of Political Prisoners in Iran in March 2008, Farhad Haji Mirza'i has been facing "intense physical and mental tortures in an attempt to force him to confess to fabricated allegations". His home was raided by security officials and some of his possessions were removed. Iranian officials are also reported to have informed Farhad Haji Mirza'i's family that their son has been charged with "acting against national security" and "collaboration with opposition forces". The Association for the Defence of Political Prisoners in Iran claims that his family have also been told that he has been sentenced to death. Amnesty International has no information on any trial proceedings faced by Farhad Haji Mirza'i.

Mahiye al-Din Haji Mirza'i, Farhad's father, was reportedly detained briefly by Ministry of Intelligence officials on three occasions, possibly when he tried to visit to his son. On 4 March 2008, Farhad's mother and sister were interrogated. Ministry of Intelligence officials are also said to have warned his family against publicizing his arrest.

Farhad Haji Mirza'i was a member of the organizing committee of the annual Women's Day and Children's Day celebrations and rallies in Sanandaj from 2001 to 2007. In 2005, he was one of 11 activists who led a campaign to halt the threat of possible execution by stoning of Jila Ezadi, a 13-year-old girl.

BACKGROUND INFORMATION

In recent years, Kurdish and other human rights defenders have faced successive waves of arrests and imprisonment. Amnesty International continues to call on the Iranian authorities to uphold the rights to freedom of association and expression and to end its repression of human rights defenders.

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

- requesting details of the reasons for Farhad Haji Mirza'i's arrest and any specific charges, trial sessions, evidence and any verdict that may have been passed against Farhad Haji Mirza'i;
- expressing concern that he has reportedly been sentenced to death and calling, if true, for the sentence to be commuted;
- urging the authorities to undertake full and immediate investigations into reports that he was tortured, to take the necessary steps to bring those responsible to justice and to ensure that he is not exposed to further torture or ill-treatment;
- calling for him to be allowed immediate and regular access to his family, his lawyer and any medical treatment he may require;
- stating that if Farhad Haji Mirza'i has been detained solely in connection with his peaceful activities on behalf of Iran's Kurdish community, or with his peaceful exercise of his right to freedom of expression or association, then he is a prisoner of conscience, who should be released immediately and unconditionally; otherwise he should be released unless he is to be charged with a recognizably criminal offence and brought promptly to a fair trial;
- urging the authorities to enact in domestic legislation the measures provided for in the UN Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms.

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

Minister of Intelligence

Gholam Hossein Mohseni Ejeie

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

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

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 your other languages, use the feedback form on the website:

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

Salutation: Dear Governor

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

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 23 May 2008.