

PUBLIC

AI Index: MDE 13/090/2007

24 July 2007

Further Information on UA 39/07 (MDE 13/017/2007, 16 February 2007) and follow-up (MDE 13/039/2007, 30 March 2007) - Fear of torture or ill-treatment/Arbitrary arrest and new concern: Death penalty

IRAN **Adnan Hassanpour (m), Kurdish journalist and cultural rights activist**
Mansour Tayfour (m), Kurdish journalist and translator

New name: Abdolwahed Butimar, known as Hiwa (m), Kurdish activist, Adnan Hassanpour's cousin

Adnan Hassanpour and his cousin Abdolwahed (known as Hiwa) Butimar have been sentenced to death. Adnan Hassanpour, a Kurdish journalist and advocate of cultural rights for Iranian Kurds, was detained on 25 January and environmentalist Hiwa Butimar on or around 23 December 2006, both in Marivan, Kordestan province. They were reportedly held incommunicado in a Ministry of Intelligence facility in Marivan, and transferred to Marivan prison on 26 March.

Following his arrest Hiwa Butimar's home was searched by members of the Intelligence Service, who are said to have confiscated items including Kurdish flags, videos in Kurdish and family pictures of a trip to Iraqi Kurdistan. The confiscated items were also reportedly used as evidence against the cousins, who reportedly appeared before a Revolutionary Court in Sanandaj on 12 June, in the presence of their lawyer.

Adnan Hassanpour and Hiwa Butimar were reportedly returned from Marivan prison to an unconfirmed place of detention, possibly the detention facility run by the Ministry of Intelligence in Sanandaj, the capital of Kordestan province, early in the morning of 15 July. On 17 July the men were told that they had been sentenced to death on charges of espionage and *Moharebeh* (being at enmity with God). If confirmed on appeal, the sentences would then have to be further confirmed by the Supreme Court.

In an interview carried by the online publication *Rooz*, the two men's lawyer, Saleh Nikbakht, said that Adnan Hassanpour's charges related to "a phone conversation he had with a staff member of Radio Voice of America". He also said that Hiwa Butimar had been charged with carrying lethal weapons, although he denied his client had ever done so, and stressed he had not been in contact with any armed group (see: <http://www.roozonline.com/english/archives/2007/07/006302.php>).

In April, the Mehr News Agency, which is said to have close links with Iran's judiciary, apparently alleged that Adnan Hassanpour had been in contact with Kurdish opposition groups and had helped two people from Khuzestan province, who were wanted by the authorities, to flee from Iran.

Adnan Hassanpour is a former member of the editorial board of the Kurdish-Persian weekly journal *Aso* (Horizon), which the authorities closed down in August 2005 following widespread unrest in Kurdish areas. Adnan Hassanpour had reportedly been tried for offences supposedly arising from articles published in the journal. Hiwa Butimar heads an environmental organisation called The Green Mountain Society.

Amnesty International has no information about Mansour Tayfour.

BACKGROUND INFORMATION

Proceedings before Revolutionary Courts in Iran do not meet international standards for fair trial. The Penal Code contains a number of vaguely-worded provisions relating to association and "national security" which prohibit a range of activities, including those connected with journalism or public discourse which are permitted under international human rights law.

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

- expressing concern that Adnan Hassanpour and Abdolwahed Botimar have been sentenced to death;
- urging the authorities to commute these death sentences immediately;
- acknowledging that governments have a responsibility to bring to justice those suspected of criminal offences, but stating your unconditional opposition to the death penalty, as the ultimate cruel, inhuman and degrading punishment and violation of the right to life;
- asking for full details of the charges and evidence against Adnan Hassanpour and Abdolwahed Botimar and expressing concern that their trial may not have met international standards for fair trial, which are especially important in capital cases;
- asking for details of why Mansour Tayfourri was arrested, including any charges and evidence brought against him and of any trial proceedings, and calling for him to be released unless he is to be charged with a recognisably criminal offence and given a prompt and fair trial;
- calling on the authorities to ensure that none of the three men is tortured or ill-treated;
- calling for Adnan Hassanpour, Abdolwahed Botimar and Mansour Tayfourri to be allowed immediate and regular access to their families, lawyers of their own choosing and any medical treatment they may require.

APPEALS TO:

Leader of the Islamic Republic

His Excellency Ayatollah Sayed 'Ali Khamenei, The Office of the Supreme Leader
Shoahada Street, Qom, Islamic Republic of Iran

Email: info@leader.ir

istiftaa@wilayah.org

Fax: +98 251 774 2228 (mark **FAO Office of His Excellency Ayatollah al Udhma Khamenei**)

Salutation: Your Excellency

Head of the Judiciary

His Excellency Ayatollah Mahmoud Hashemi Shahroudi
Ministry of Justice, Park-e Shahr, 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

Fax: + 981 6 674 790 (Mark "Please forward to H.E. Mahmoud Ahmadinejad")

Email: dr-ahmadinejad@president.ir

via website: www.president.ir/email

Salutation: Your Excellency

Governor of Kurdistan

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

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 30 August 2007.