

# Human Rights Watch

## Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

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Whereabouts of Five Condemned Men Unknown

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(London) Iran's judiciary should quash death sentences against five members of Iran's Ahwazi Arab minority and immediately cancel their execution, Amnesty International and Human Rights Watch said today. The sentences were handed down by a revolutionary court and upheld by the country's Supreme Court on January 9, 2013.

The five men Mohammad Ali Amouri, Sayed Jaber Alboshoka and his brother Sayed Mokhtar Alboshoka, Hashem Shabani Amouri, and Hadi Rashidi (or Rashedi) are all activists in Iran's Arab-majority Khuzestan province, in southwest Iran. A branch of the Revolutionary Court sentenced them to death on terrorism-related charges following an unfair trial in July 2012. On January 18, authorities informed families gathered outside Karoun Prison in the south-western city of Ahvaz that the five men had been transferred out of the prison. Their whereabouts are unknown.

The reported transfer of these men to an unknown place is an extremely worrying development, said Ann Harrison, deputy Middle East and North Africa director at Amnesty International. In Iran, death row prisoners are generally moved to solitary confinement before their death sentences are carried out, and we fear that the authorities may be planning to execute them imminently.

Security forces arrested all five men at their homes in early 2011 in advance of the sixth anniversary of widespread protests by Ahwazi Arabs in April 2005. Authorities arrested Mohammad Ali Amouri 20 days after Iraqi authorities had forcibly returned him to Iran, from which he had fled in December 2007. They did not allow him family visits for the first nine months. The human rights groups have received information that Amouri was subjected to physical and psychological torture during this time.

Rashidi was hospitalized after his arrest, possibly as a result of torture or other ill-treatment. Sources have told the groups that he is in poor health.

Family members outside the country have said that Sayed Jaber Alboshoka's jaw and teeth were broken during his detention and that Sayed Mokhtar Alboshoka has experienced depression and memory loss as a result of torture or other ill-treatment.

In May 2012, Al Arabiya [reported](#) that Intelligence Ministry agents forced Shabani to confess to crimes he had not committed by pouring boiling water on him.

A branch of the Revolutionary Court convicted the men in July 2012 on vaguely worded charges related to national security that did not amount to internationally recognizable criminal offenses. These included gathering and colluding against state security, spreading propaganda against the system, enmity against God, or *moharebeh*; and corruption on earth, or *ifsad fil-arz*. The death penalty is a possible punishment for the latter two. Under articles 186 and 190-91 of Iran's Penal Code, anyone found responsible for taking up arms against the state, or belonging to an organization taking up arms against the government, may be considered guilty of enmity against God and risks being sentenced to death. The specific acts of which the men were accused are not known.

The five men are founding members of Al-Hiwar (Dialogue in Arabic), a scientific and cultural institute registered during the administration of Iran's former President Mohammad Khatami, who served from 1997 to 2005. Al-Hiwar organizes seminars, educational and art classes, and poetry recitals that have taken place in the town of Ramshir (known in Arabic as Khalafiye). Authorities banned al-Hiwar in May 2005, and many of its members have since been arrested.

Iranian Ahwazi Arab rights groups maintain that authorities extracted confessions from the five men while subjecting them to torture or mistreatment and denying them access to a lawyer and their families for the first nine months of their detention at a local Intelligence Ministry facility. The men later denied the charges against them in court, sources reported.

Article 38 of the Iranian Constitution prohibits all forms of torture for the purpose of obtaining confessions. The Penal Code also provides for the punishment of officials who torture citizens to obtain confessions. Despite these legal and constitutional guarantees regarding confessions under duress, confessions are sometimes broadcast on television even before a trial has concluded and are generally accepted as evidence in Iranian courts. Such broadcasts violate Iran's fair trial obligations under article 14 of the International Covenant on Civil and Political Rights, to which it is a state party.

Iranian authorities have executed dozens of people since the disputed 2009 presidential election, many of them from ethnic minorities, for *moharebeh* because of their alleged ties to armed or terrorist groups. Since May 2011, authorities have executed at least 11 Iranian Ahwazi Arab men and a 16-year-old boy for alleged links to groups involved in attacking security forces.

Rights activists maintain that at least another six Iranian Ahwazi Arabs have been tortured to death in the custody of security and intelligence forces in connection with anti-government demonstrations that swept across Khuzestan province on the 2011 and 2012 anniversaries of the 2005 unrest. According to Kurdish rights activists, more than 20 members of Iran's Kurdish minority are on death row after conviction for political offenses. They include Zaniar and Loghman Moradi, who are at imminent risk of execution.

In 2012 Iran remained one of the world's foremost executioners, with more than 500 prisoners hanged either in prisons or in public. Amnesty International and Human Rights Watch oppose capital punishment in all circumstances because of its irreversible, cruel, and inhumane nature.

Iranian authorities should end the suffering of the five men's families by immediately informing them of their whereabouts and allowing them family visits and access to their lawyers, said [Eric Goldstein](#), deputy Middle East director at Human Rights Watch. On no account should they be executed.

## Background

Jaber Alboshoka, 28, is a computer scientist who had been performing his national service as a private in the army; Mokhtar Alboshoka, 28, worked at a stone mining company; Rashidi, 26, holds a masters degree in applied chemistry and was a chemistry teacher; Shabani, 39, was an Arabic literature teacher and a student working toward a masters degree in political science at Ahwaz University; and Amouri, 34, was a fisheries engineer and school teacher.

The Iranian government alleges that the five men are part of an armed Arab terrorist group responsible for shooting at several government employees. In December 2011 a government-run TV station broadcast televised confessions of several of the men, including Rashidi and Shabani, in which they claimed responsibility for armed attacks against government officials.

Human rights groups have previously expressed concern regarding the condition of Rashidi, Shabani, and other Iranian Ahwazi Arab activists detained by security and intelligence forces, and worry about their fate in light of reports of the [execution](#) of Heidarian and three other Ahwazi Arab men in June for their alleged role in the killing of a police officer. On June 9, officials in Ahwaz's Karoun prison transferred Taha, Abbas, and Abdul-Rahman Heidarian, all brothers, as well as another man, to an unknown location. About a week later authorities informed the men's families that they had been executed.

The December 2011 program that aired the confessions of Rashidi and Shabani also showed Taha Heidarian confessing to involvement in the killing of a law enforcement official in April 2011 amid widespread protests in Khuzestan.

Several days after reports surfaced regarding the executions, Iranian Ahwazi Arab rights groups [circulated a video](#) purporting to show the men, following their arrest by security forces, reading a plea to save their lives addressed to Dr. Ahmed Shaheed, the United Nations special rapporteur on the human rights situation in Iran. It has not been possible to verify the authenticity of the video.

UN human rights mechanisms have condemned the executions of the four men.

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