Seeking Rights to Cultural Identity

The Deathly Struggle of Ahwazi Arab Activists

Justice For Iran
عدالت برای ایران

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The Deathly Struggle of Ahwazi Arab Activists

Justice For Iran, February 2013

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- Cover photo: Al-Hiwar members at an Arabic event

About Us

"Justice for Iran (JFI)" was established in July 2010 with the aim of addressing and eradicating the practice of impunity prevalent among Iranian state officials and their use of systematic sexual abuse of women as a method of torture in order to extract confession.

JFI uses methods such as documentation of human rights violations, collection of information, and research about authority figures who play a role in serious and widespread violations of human rights in Iran; as well as use of judicial, political and international mechanisms in place, to execute justice, remove impunity and bring about accountability to the actors and agents of human rights violations in the Islamic Republic of Iran.

1. Introduction

In the early years following Mohammad Khatami's 1997 presidential win, a group of Arab youth in the province of Khuzestan began promoting and teaching the Arabic language and culture in their small town of Ramshir (Khalafieh). The Arab language and culture had been denied and repressed in Iran for over three quarters of a century.

The number of Arab youth activists gradually increased to more than 40 university students, and they came from different schools and majors. In addition to their own activism at their university, Arab youth activists also organized celebrations and poetry events in their towns during their own holidays to raise awareness of the discrimination that Arabs face in Iran. In 2004/2005 [Iranian year: 1383] Arab youth made their activities official by registering a group by the name of, Intellectual–Cultural Institute, "Al-Hiwar" (literal English translation is "Dialogue"). The group's primary purpose was to teach and promote the Arabic language as a mother tongue for the people of that region and also to teach Arabic culture and identity-- activities that had been banned or restricted in Iran over the last one hundred years. In May 2005, following widespread public protests for discrimination against Arabs and with the heightened security in Khuzestan, Iranian authorities declared the activities of Al-Hiwar illegal, and the group's founders and members and its associates were faced with threats. Almost 20 Al-Hiwar members and activists were arrested in January and February of 2011 and detained in the secret detention centre operated by the Ahwaz Ministry of Intelligence. They were subjected to extreme mental and physical torture until they made television confessions to charges associated with carrying out armed activities. After some of the confessions were aired on the IRI's English-language television network, Press TV, five of the detained activists-- Mohammad Ali Amourinejad, Hashem Shabani, Hadi Rashedi, Jaber Alboushoukeh and Mokhtar Alboushoukeh-- were sentenced to death. Another four of the activists were issued prison sentences.

Justice for Iran has found that Arab activists arrested in January and February of 2011 in Ramshir (Khalafieh) were among the founders and activists of Al-Hiwar. This report documents the manner in which a group of activists in a small town, who demanded their rights for education and promotion of language and ethnic identity, have been convicted of acting against national security and taking up combat. The report also shows that members of Al-Hiwar endured months of harsh physical and mental torture in the secret detention and were deprived of their basic civil rights and the chance for a fair trial. This report seeks an answer to the question, *how does a group of young people who promoted dialogue within civil society end up with shattered hopes and with members on death row in prison?*

At the time of publication of this report, five members of Al-Hiwar are in imminent danger of execution. It is essential to document the violations of their rights in order to raise awareness throughout the international community and among the Iranian people.

The mistreatment of members of this group, who through peaceful means have attempted to express their cultural and language identity, is a clear sign of how minorities and in particular Arabs are suppressed in Iran. Generally, compared to other rights violations that occur in Iran, human rights organizations pay less attention to issues pertaining to ethnic minorities.

To compile this report, in addition to the official documentation published about this case-- including programs broadcast by Press TV, a section of the Supreme Court's ruling, and news

and articles published in the IRI state-run media-- detailed interviews were conducted with six witnesses. Justice for Iran confirmed the validity of witness statements by examining and reviewing accessory documents and evidence; including recorded videos of the activities of the accused and their manuscripts and pictures, and supplementary documents (E.g. UNHCR).

Justice for Iran wishes to convey a special thank-you to the survivors of Al-Hiwar and their family members and friends and acquaintances of those sentenced to death-- particularly Kamil Alboushoukeh, Saeed Albo Ghobaish, Saleh Al-Hamid, Rahman Hatawi and Saeed Hamidan-- who have put their trust in us and shared accounts of their most horrifying ordeals. Justice for Iran also recognizes the great support from Arab human rights organizations and independent Arab activists; including European Ahwazi Human Rights Organization(EAHRO), Karim Dahimi, Mahdi Hashemi, Mohammad Hamid, Haifa Asadi and Yousef Azizi Banitorof. Without their help and support this report could not have been prepared.

2. A look at the political, cultural and economical conditions in the Southwest of Iran

Similar to other ethnic minorities in Iran, Arabs who mainly live in the southwest of Iran-- in a province which has been named Khuzestan since 1925/1926 [Persian year: 1304]-- have been subject to numerous pressures and suppressions from the time "Iran" was formed by the first Pahlavi [Reza Shah Pahlavi]. The province of Khuzestan, despite its huge oil reserve, is among the poorest provinces in Iran. A member of Parliament representative for this province recently said in Majlis (Iranian Parliament), "The province which incorporates and provides 80 percent of the country's oil, 60 percent of the country's gas, 34 percent of the country's steel, 30 percent of the country's running water, 46 percent of the country's sugar production and 80 percent of the country's hydro-electric energy has the second highest unemployment rate among all provinces. Its average unemployment rate is eight percent higher than the average for the country."[1]

Although the mother tongue of the majority of people of this region is Arabic, teaching Persian is mandatory from the beginning of schooling. Arab children, who up to the point of entering primary school did not speak any language other than their mother tongue, feel additional pressures compared to those whose mother tongue is Persian. Consequently, Arab students have shown a high rate of academic failures, a low pass rate in university entrance exams, and a high rate of students dropping out of various undergraduate courses.[2]

The central government had passed circulars to ban the speaking of Arabic for academic subjects whose students and teachers were mostly Arabs.[3] Although it has been impossible to obtain the circular or the ruling with regards to prohibition of the use of the Arabic language in communities and public places, many reports suggest that such restrictions and prohibitions are imposed widely and informally. For example, Saeed Hamidan, who served as the mayor of Ramshir (Khalafieh) for a short term, narrates how following the Eid al-Fitr [festival of breaking fast], which is the most significant holy day for Arabs, he ordered for signs to be put up throughout the city with greetings in Arabic. He also issued a three-day holiday to municipality workers, unlike the official holidays in Iran which are only for the duration of one day. Consequently, due to pressures by the Ministry of intelligence, Hamidan was forced to resign.[4]

The deprivation of privileges for Arabs in Iran is not only limited to their language and cultural practices in public places, but it also includes the deprivation of Arabs for centuries from managing political and economic affairs in their region. Only half a percent of government officials in Khuzestan are Arabs, [5] and from the IRI's inception to the present day, only one Arab minister has managed a seat in the cabinet.

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[1] Parliament proceedings, Islamic Parliament, cycle 8, session 96, page 11, may be accessed at this website address:http://www.ical.ir/index.php?option=com_mashrooh&view=ajax&id=147834&Itemid=38&task=pagePrint&tmpl=component

[2] Ethnicity and development in Iran, Yousef Azizi Bani Tarf, 2003/2004 [Iranian year: 1382], may be accessed at this website address: http://alahwaz88.arabblogs.com/archive/2007/9/308834.html

[3] Karim Dahimi who used to be a teacher and a deputy head for middle school in various regions of Khouzestan testifies that circulars would come from the central government which required that in bilingual schools, teachers and administrators must only speak in Farsi.

[4] Testimony of Saeed Hamidan, Justice for Iran

[5] Shahid Chamran University of Ahvaz 2006/2007 [Iranian year: 1385], Research Department, Stage One and Two, Studies into rehabilitation and unofficial settlement of neighbourhoods in the City of Ahvaz, employer, housing and town planning in Khouzestan Province

Arab activists believe that central governments, whether in the time of Pahlavi or the IRI, have imposed different policies with the intention to change the demographics and reduce the number of Arabs in this region. According to Arab experts, one such policy was to occupy agricultural lands and turn them into industrial areas (E.g. Haft Tappeh Sugar Cane Company). Due to lack of reconstruction of homes and urban infrastructure after the eight-year-long Iran-Iraq war, thousands of Arab villagers moved to the outskirts of larger cities. They were deprived of the most basic urban facilities, such as water and electricity.

According to official statistics, 95 per cent of those living on the outskirts of Ahwaz (capital of Khuzestan) are Arabs, and 75 percent of them have rural roots.[6] Although a considerable percentage of the income of Iran's oil is obtained from its resources, those living on the outskirts lack the necessary income to ensure they have appropriate shelter. In the last ten years, public protests have all started in the outskirts of Ahwaz, which is the focal point of concentration of the population of Arabs who are subject to deprivation and discrimination.

The biggest public protests of the last ten years in this region of Iran began on 9 April 2005 when people from different cities poured onto the streets and protested against the distribution of a circular attributed to Mohammad Ali Abtahi, former Vice President in the Parliamentary Legal affairs of the President (Mohammad Khatami). People had objected to a part of the circular that addressed the head of Planning and Budgeting Organization, and stated that the government had to take steps to ensure that in the next ten years the ratio of the Arab population of Khuzestan to that of Persian-speaking migrants was reduced by one third.

Image of the circular attributed to Mohammad Ali Abtahi, Khatami's Vice President

[6] Those living on the outskirts of Ahvaz, Mehdi Hashemi, Akhbar Rooz, 10 January 2013, may be accessed at this internet site: http://www.akhbar-rooz.com/article.jsp?essayId=50272

On 11 April 2005, Abtahi stated in his personal weblog that the letter was not genuine: "1. I have never had such authority to be able to pass a circular on demographic composition. 2. Even if I did have or if all those who do have such power to decide on changing the demographic composition of any place, won't be able to do it. 3. Arab-speaking Iranians are far too intelligent to be aroused by such known methods."[7]

Despite the records of refutal, as Abtahi himself later wrote in a letter to the Minister of Intelligence, it did not attract much attention. [8] Many analysts believe it is irrelevant whether the letter was fake or not, as the policies to change the demographics of population was being executed by central governments for some years. The IRI's government reforms, despite its promises, had failed to resolve the anger of Arabs toward the discrimination and deprivation they faced, and all that was needed was a spark to trigger a fire. [9]

Street demonstrations which started in Ahwaz soon spread to other towns and areas of the province where Arabs lived, including Ramshir(Khalafieh). Various statistics of the arrests, as well as number of people killed and injured in the course of violent suppression of protests are avialable. Ahwaz Human Rights Organization has stated that on the first days of protest, six people were killed 300 were injured.[10] On day seven of protests, Jasem Shadidzadeh, the representative of Ahwaz in the Iranian Parliament, wrote a letter to the President and announced that only two children had died in the shootings.[11]

Following these events, the policing and security of the province was heightened. Alwefaq al-Islami Committee is the only semi-official Arab party which through its short activity during the final years of the 1990's [Iranian year: 1370's] managed to send a representative to the Parliament and several councilors for the membership of town Council. In 2005/2006 [Iranian year: 1384]--following a notice issued by the Revolutionary Prosecutor claiming that the Committee was a cause for anarchy and waging differences among Arabs and Persians, and its members and activists were being prosecuted. Other non-governmental organizations of Arabs which were formed during the relatively open presidency of Khatami were also announced to be illegal and their activists were put under pressure.

Successive explosions in Ahwaz in 2005/2006 [Iranian year: 1384], which many believe to be a reaction to the violent suppression of public protests, intensified the security of the area. Several people were charged with the offence of involvement in public protests, which the IRI calls *disturbances* or *taking part in terrorist activities*. They were subsequently arrested, tried and either sentenced to death or issued long prison terms. Some of their confessions have been aired on IRI television channels, including Press TV. In the confessions, prisoners said they work for Britain and the USA and they had taken orders from Arab terrorist organizations in western countries. At the first possible opportunity of contact with people outside the prison, some of the prisoners who had confessed said that their confessions were false and had been obtained under duress and torture. The Society in Defense of the rights of Prisoners, in a letter to the head of Judiciary, wrote that some of the accused spent over ten months in solitary confinement and were deprived of the right to an attorney and a fair trial. [12]

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[7] 3 to 6 are killed following the publication of false letter and demonstrations of many thousands of people in Ahvaz, Gooya News, 16 April 2005, may be accessed in this Internet site: http://mag.gooya.com/politics/archives/027091.php

[8] Letter of Abtahi to the Minister of Intelligence with regards to the events in Ahvaz: I seriously request that you identify the source of this big lie and the fabricated letter, ISNA, 17 April 2005 , may be accessed in this Internet site: http://news.gooya.com/politics/archives/027135.php

[9] Dual characteristics of the unrest in Khuzestan, Jamshid Barzegar, BBC Persian, may be accessed at the internet address: http://www.bbc.co.uk/persian/iran/story/2005/04/050420_mf_jb_khuzestan.shtml

[10] 3 to 6 are killed following the publication of false letter and demonstrations of many thousands of people in Ahvaz, Gooya News, 16 April 2005, may be accessed in this Internet address: http://mag.gooya.com/politics/archives/027091.php

[11] Letter of Jasem Shadidzadeh, member of parliament for sixth cycle of Parliament from Ahvaz to Khatami with regards to the events in Ahvaz, site ettelaat.net, may be accessed at the internet address: http://ettelaat.net/05-04/news.asp?id=4751

[12] Imprisonment for the spouses of two people accused of the bombings in Ahvaz, BBC Persian, 23 September 2006, may be accessed at this Internet address: http://www.bbc.co.uk/persian/iran/story/2006/09/060923_mv-ahvaz-sentence.shtml

Women activists were among the people arrested in the public protests of 2005. One of the women, at the time of preparing this report, is still in prison. Fahimeh Esmaili Badawi, an elementary school teacher, who together with her husband Ali Matourzadeh, on 28 November 2005, while eight months pregnant, was arrested. Fahimeh gave birth to her baby in the presence of her interrogators while held in solitary confinement in the Ahwaz Ministry of Intelligence detention centre.[13] Ali Matourzadeh, due to severe torture and intense pressure, had accepted the charge of terrorism for the sake of his wife and new born detainee daughter. He was executed on 19 December 2006 [Iranian year: 28 Azar 1385]. Fahimeh Ismaili Badawi, following her forced confession, which was later broadcasted on Press TV,[14] was sentenced to 15 years in prison. She is serving her seventh year of her 15-year imprisonment in exile in Yasouj prison.

Fahimeh Ismaili Badawi

The execution of Arab activists has continued from 2005 to date. The last case was in June 2012 when four Arab activists (two of whom were brothers), Abbas Heidarian, Taha Heidarian, Abdul-Rahman Heidarian and Ali Naemimi (Sharifi), were executed in Karoun Prison.[15] Through a video recording they released to the public (which they took secretly prior to their execution with a smuggled mobile phone), they announced that their confessions were false and extracted from them under severe duress and torture.[16] Their death sentences had been issued based on their confessions, which were aired on a program on Press TV. [17]

[13] Testimony of Hoda Havashami , Justice for Iran, Testimony of Saeed Hamidan, Justice for Iran
[14] The Road to Perdition, Press TV, 22 Nov 2009, in this internet address:
http://previous.presstv.ir/doc/AllDocs.aspx?name=The%20Road%20to%20Pe
[15] Four Arab prisoners from Khouzestan were executed in Iran, BBC Persian 19 June 2012, may be accessed at the Internet address:
http://www.bbc.co.uk/persian/iran/2012/06/120619_l21_execution_arab_iran_prison.shtml
[16] http://www.alarabiya.net/articles/2012/07/04/224484.html
[17] http://www.alarabiya.net/articles/2012/07/04/224484.html

3. Beginning and End of Al-Hiwar (Dialogue)

Ramshir is a small town about 95 Kilometres from Ahwaz and was called Khalafabad until 1976/1977 [Iranian year: 1355]. In line with the policy to change the Arabic names of towns, Khalafabad was changed to Ramshir in 1977/1978 [Iranian year: 1356]. The older name of this town is Khalafieh. Arabs make up the majority population of this town totaling approximately 60 thousand people.
When Mohammad Khatami took office, a group of Arab youth from Ramshir (Khalafieh) came together for cultural activities. Most of them had just graduated from different universities and majors and had returned to their town either to start work or their military service. Most of them had undertaken activities during their studies, student activities with regards to language and Arabic culture or ethnic matters.

Saeed Albo Ghobaish, one of the surviving founders of Al-Hiwar says:

> The most basic and the most important issue was the issue of identity, like the demand for teaching Arabic, the demand for newspapers in the Arabic language, and the demand for setting up organizations to train people in their culture, language and folk traditions. These were our most basic [demands].
>
> Prior to Khatami's term, anyone who even mentioned a word about teaching the Arabic culture and language would be accused of having connections to the outside, being anti-revolutionary, or a Ba'athist spy. When we started to work, we felt we had to help people and raise their level of awareness and social standing. We did not have a lot of facilities. The only thing we could do was hold ceremonies and intellectual and educational classes. For instance, the most we could organize, as we were all students and our pocket money was not even enough for ourselves, was to hold celebrations in Arabic during Eid. This way we began to familiarize people with their original identity.

The group of 30 to 40 educated youth, who began their work by obtaining permission from organizations such as the Governor's office to hold gatherings and poetry nights in Arabic, became rapidly known among people in Ramshir (Khalafieh).

In 2004/2005 [Iranian year: 1383] when their studies ended, many of them were attracted to education and began working as lecturers or teachers. Some of them, like Hadi Rashedi, had been employed in education prior to this. The group of young teachers wrote their statutes at the same time as the start of the second term of Khatami's presidency and they registered Al-Hiwar in the National Youth Organization. Al-Hiwar, which means dialogue, was inspired by the slogan of dialogue among civilizations; which was promoted by the President. Mohammad Ali Amourinejad, Rahman Asakereh, Hadi Rashedi, Hashem Shabani and Saeed Alboghobaish were among the founders of Al-Hiwar. Like many other youth NGO during Khatami's term, they obtained credentials with which they could begin their work, until such time when a permanent license could be issued by the Ministry of Interior. The programs organized by Al-Hiwar for different occasions were completely public.

In a video obtained from one of the Al-Hiwar celebrations, it is very clear that the ceremony is in the open space of a school courtyard. Town government officials were seen seated in the front

row. Women were taking part in separate rows from the men. Hashem Shabani recited one of his Arabic poems and Mohammad Ali Amourinejad read a poem. [18]

Rahman Hatawi, one of the surviving members of Al-Hiwar says:

> Our activities were peaceful, lawful and public. As you can see in the videos, the leader of Friday Prayer and city councilors used to participate in these activities. The difference was that it was in Arabic and this was unprecedented. They did not know what to do with us either because our activities were lawful and we would not step foot outside legal boundaries. They considered anything Arabic to be an action against their security. It is not my fault that I want to talk about myself, describe my identity and show my culture to my people and hold celebrations in Arabic. The regime is fearful of such celebrations. That's their problem.[19]

In its gatherings, in addition to promoting Arabic language and culture, Al-Hiwar aimed to increase public awareness with regards to issues such as rights for women.

Saeed Hamidan, who was witness to the activities of Al-Hiwar during his term as the mayor of Ramshir (Khalafieh), explains:

> In the Arab culture, when the government will not defend the rights of women, the Arabs of Al-Ahwaz would ensure that their daughters married their relatives, so that they would not face problems like being pressures or subjected to battery. This is common in the Arab culture and it has become ordinary, for example, for a girl to marry a paternal cousin. Al-Hiwar objected to this practice and said women should be free to marry whomever they choose. They call this enriching culture. In other words, determining which customs are good and which ones are bad.[20]

In March 2003, second term of elections for town and rural councils were held across Iran. Due to the relatively open cultural atmosphere in Khuzestan, and as a result of increased political and cultural activities of Arabs, in most cities with Arab inhabitants Arab candidates were able to gain majority or in some cases all of the seats for the council. In Ramshir, (Khalafieh), Arabs gained all five seats on the council and were able to elect an Arab mayor for the first time. Alboghobaish believes that the triumph of Arab political activists in the second election of the council was cause for concern for the central government and even reformist politicians:

> Early on in 2005, disagreements began among reformists and organizations and movements in Ahwaz and Ramshir (Khalafieh). They began meddling in the work of the council, they would not be given opportunities, the Ministry of Interior did not cooperate with them properly; it was not like before. There was a time that even the Intelligence was looking for us.[21]

The first ever interrogation with the original members of Al-Hiwar was conducted during the term of Khatami in 2004/2005 [Iranian year: 1383]. Mohammad-Ali Amouri, Rahman Asakereh and Saeed Alboghobaish were among those summoned to the office of the Ministry of Intelligence in Ramhormoz:

> They asked us, 'What were you doing, what is your connection, what do you say in your meetings, and what your opinion on Ba'ath is?' It was an inquisition. They said, 'You are promoting ethnic thinking.' I said, 'How do you define ethnic thinking? If your definition is that I should not learn Arabic, must not teach, must not preserve my

[18] Mohammad-Ali Amouri and Hashem Sha'abani in the Eid-Al-Fatr 2002, may be accessed from youtube: http://www.youtube.com/watch?v=g4sVItFpg-8
[19] Testimony of Rahman Hatawi, Justice for Iran
[20] Testimony of Saeed Hamidan, Justice for Iran
[21] Testimony of Saeed Albou-Ghobaish, Justice for Iran

> customs, culture and tradition, this is my God-given right. What does ethnic mean? If you mean to say racist thinking, I am personally against racist thinking.'[22]

Despite all this, Al-Hiwar continued with their activities in the public until the uprising (known as Intifadah) spread across Khuzestan. Their activities were immediately suppressed. It was after these protests when the founders of Al-Hiwar, trying to follow up the long-awaiting permit contacted the National Youth Organization in Ahwaz and were told by Iranian authorities that the activities of Al-Hiwar were considered to be illegal.

Alboghobaish says: "Ahmadinejad came to power in August 2005. Afterwards we wanted to hold a gathering. We were told, according to a direct order from the political and security deputy for the province, any activity held in Arabic-- regardless of it being called poetry evening, educational class-- were prohibited. They even suspended the football games of Foulad Khuzestan in Ahwaz. In 2006, Ahmadinejad intended to visit Ahwaz, but Intelligence advised him against it. They had changed the atmosphere into a policing and security-conscious one." [23]

During this time, members of Al-Hiwar continued their work, but this time underground:

> We had formed a library and brought all our books and put them in one place. Everyone could use them. We also had some study classes and we would select from the books in the library and arrange study sessions. The librarian was Mr Rahman Asakereh. The library was at his house. Anyone could borrow a book and return it after a few days. Following the uprising, these book reading sessions and Qurán teachings continued, but secretly, as the gentlemen even disagreed with this. They would say, 'You have secret meetings. These meetings that you organise, it is not clear what you do in them.' [24]

Between 2006 and 2009, members of Al-Hiwar were summoned to the Ministry of Intelligence office in Ramhormoz and interrogated several times. Wave of bombings in 2005 and 2006 in Ahwaz, the security in the province and the pressure of Intelligence forces intensified pressures on Arab activists. Rahman Asakereh and Mohammad Ali Amouri were questioned more than five times. Alboghobaish who was questioned once in 2008, says: "the style of these interrogations were different compared to those at the time of Khatami. They were threatening and incriminating me. They asked about members of the group and their connection and role to the town council and how we gained power and who supported us, even though they knew very well that we don't get support from the outside. But, they wanted to suggest such an idea and asked [about our role in the] uprising and [the distribution] of notices, and ..."[25]

During this period, following the raid of the houses of some Al-Hiwar activists, a number of members left Iran. Mohammad Ali Amouri, who had been questioned several times during this period and hishome was searched by security agents, moved to Iraq in 2008 with two others, Shahid Shabaninejad and Fares Silavi. These three were arrested by Iraqi agents and charged with illegal entry. They were subjected to torture in a detention centre in the town of Emareh. Due to the poor conditions of the detention centre and as a result of the torture, Fares Silavi died in Iraq and his body was handed to his family in Iran. A court in Basrah City charged Mohammad Ali Amouri and Shahid Shabaninejad with illegal entry into Iraq and sentenced them each to five years in prison. Saleh Al-Hamid, another Arab political refugee who was an inmate of Amouri and was tried in the same court hearing and was convicted, says the following about the proceedings in the court in Basrah:

> On the day of our trial, one of the employees from the Iranian Consulate in Basrah, Mr. Kouhi was with the judge prior to the hearing. Later, the judge said, 'We do accept that according to the rules of United Nations you have refugee status, but according to the

[22] Testimony of Saeed Albo Ghobaish, Justice for Iran
[23] ibid
[24] ibid
[25] ibid

rules of Iraq, you have entered the border illegally and I can sentence you from between six months and fifteen years; and as you are young, I sentence you to five years.' We told the lawyer, 'What is happening?' He said, 'The judge was one of those old judges who wanted to release you, but the Consulate employee and Attorney General, who is a guerrilla from the Badr Organization were putting pressure on the judge to sentence them. They said, if you release them we will complain to Baghdad.' [26]

In 2011 the UNHCR in Iraq, following the interview, whilst these activists were still in prison, were recognized as refugees: Mohammad-Ali Mamouri known by his Arabic name Mohammad Abdul-Zahhar Nawar Al-Tamimi [27] and Shahid Shabaninejad. They also had informed Iraqi authorities in a letter that these individuals had been granted refugee status due to their peaceful activities and if they are deported to Iran, their lives would be at risk of danger. Granting refugee status by the UNHCR to Mohammd Ali Amouri clearly shows that this International authority has confirmed that he has not committed any public offence which should be punishable. [28]

UNHCR
United Nations High Commissioner for Refugees
Haut Commissariat des Nations Unies pour les réfugiés

مديرية سجن البصره المركزي/عناية السيد مدير السجن المحترم

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11 January 2011

Notre/Our code: PROT/040

Re: اطلاق سراح اللاجئين الاحوازيين في البصره بموجب العفو الخاص

تحيه طيبه

يشيد مكتب مفوضية الأمم المتحده العليا لشؤون اللاجئين في البصره بأن الاشخاص المدرجه أسمائهم أدناه هم لاجئون الى العراق معترف بهم من قبل مكتب المفوضيه. وهؤلاء اللاجئين يقعون ضمن أختصاص المفوضيه ويجب حمايتهم خصوصا من أعدائهم قسرا الى بلدهم الاصلي أيران حيث أنهم يواجهون هناك تهديدا لحياتهم وحريتهم الى حين أيجاد حل دائمي لمشكلتهم.

أن مكتب المفوضيه سيكون شاكرا لأي مساعدة تقدم لهؤلاء اللاجئين علما أن المفوضيه تعمل بالتنسيق الكامل مع مكتب اللجنه الدائمه لشؤون اللاجئين في وزارة الداخليه والتي يترأسها اللواء عدنان الاسدي في بغداد وسيتم أصدار كتاب خاص من اللجنه الدائمه بخصوص المشار اليهم أدناه وحسب بنود قانون اللاجئين السياسيين رقم 51 لعام 1971.

أسماء اللاجئين:

1. محمد عبد الزهره نوار التميمي رقم التسجيل463-0913302 تاريخ الميلاد 26 شباط 1978.
2. صالح جاسم محمد الحميد رقم التسجيل 09-0913304 تاريخ الميلاد 1982.
3. شهيد عبد الحسين عباس اللامي رقم التسجيل 463-0913303 تاريخ الميلاد 1965.

ولكم جزيل الشكر والأحترام

تحياتي
مدير مكتب مفوضية اللاجئين في البصره

UNHCR HIGH COMMISSIONER FOR REFUGEES

مديرية سجن البصره المركزي/عناية السيد مدير السجن المحترم

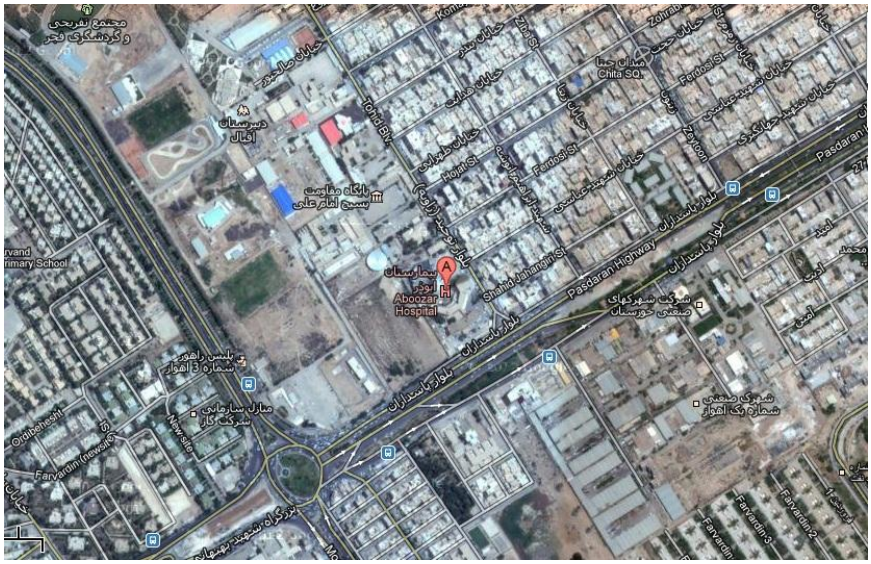
Image of the document from UNHCR

In January 2011, Iraqi authorities deported Mohammad Ali Amouri to IRI authorities at Shalamcheh border, where he was arrested immediately so that he could confess to the armed activities which occurred when he was kept in the prison in Basrah, and he could be tortured as a result. [29]

Shortly after, almost 20 members of Al-Hiwar were arrested in Ramshir and Ahwaz. Hashem Shabani, Hadi Rashedi, Saeed Alboghobaish, Rahman Asakareh, Jaber Alboushoukeh, Mokhtar Alboushoukeh, Saeed Asadi, Amir Amourinejad, Habibollah Rashedi, Seyyed Bagher

[26] Testimony of Saleh Al-Hamid, Justice for Iran
[27] Abdul-Zahhar, is Mohammad-Ali's father's name and Tamimi is his tribe's name.
[28] Image of one of the documents from UNHCR in Iraq and the translation of one of the documents enclosed within this report.
[29] Amnesty International in a statement issued after Amouri Nejad was handed over, in which they have raised concern about Iraqi authorities deporting Arab activists to the Iranian Government and urged to stop this process: http://www.amnesty.org/en/news-and-updates/iraq-urged-stop-deportation-iranian-ahwazi-refugees-2011-01-14

Alboushoukeh, Shahid Shabaninejad (Amouri) and Ali Badri were among the detainees. They were moved to a secret detention centre in Ahwaz that was controlled by the Ministry of Intelligence. This detention centre is situated on a Basij base adjacent to Abouzar Hospital in Ahwaz. Members of Al-Hiwar were subjected to severe torture at this detention centre so that they could confess to being members of an armed group and intended to overthrow the IRI.



According to the testimony of some of the survivors of the Al-Hiwar case, the secret detention centre of the Ministry of Intelligence, adjacent to Aboozar Hospital, Ahwaz and situated inside the Baseej base of Imam Ali. The map above shows the exact location of the detention centre.

Saeed Alboghobaish, one of the detainees testifies to the following:

> I spent the whole time in solitary confinement. It was dark. There were no windows. On the door there was a little hatch which could be opened when they brought food or water. They did not give me any food for the first two days. I could not sleep for the first three nights, since solitary confinement was an area of one metre by one and half metres. One could not even lie down. I had to curl into a ball and was only able to sit.
> The first few days they insisted that [I was] a member of an illegal group. They wanted me to confess to this, that I am a member of a militant group at war with the government and the aim of this group is to overthrow the regime, and that we had comprehensive connection with the outside. Fortunately, they did not manage to obtain a confession. I said we did not have such a group whose aim was to overthrow the regime or had connection with the outside, and we were involved with cultural activities and not undertake in any illegal activity. Whatever we did was within the framework of the constitution.
>
> The first five days was just torture. The first and second day was mental torture, and once I think they hit me with cables. I always had blindfolds on and was unable to see anything. I think it was a cable as the wires were hanging at the end of it. The first day I was whipped once, but on the fourth day, I was whipped three times. One of them lost his temper and said to me, 'You are really getting on my nerves, you dirty, unchaste Arab.' I am too embarrassed to repeat these words. They used curse words that are inappropriate to repeat…He said that [they] were free to do what they pleased. They said that [they] could even bring [my]honour in front of {my] eyes and do such and such. [They said they could] kill [my] family. Sometimes they would lose their temper and get mad and say, 'Don't think that the judge can do anything for you. We rule here. If we say to the judge to do such and such, he will do it. When we want to kill someone, you go into the street, the car hits you and you die, it is like this. Don't think about human

> rights and that some of you have contact with the outside that so and so has been arrested. These have no effect on us.'
>
> From the third day, they would suspend me from the ceiling and leave me in that state for two or three hours. I could only feel my body in the first hour; after that I could not feel anything. I was almost unconscious. I could not even feel pain. I was suspended in this way four times.
>
> Afterwards, [my interrogator] would say, 'You have endured great suffering and pain, just say what we say and don't worry. We can do anything you want then, after you said the necessary things you can sleep sound and have a nice meal and will be freed from all this pain and suffering. We can even help you with work or any other problem. Just cooperate with us, meaning encouragement and bribery.'
>
> I reached the conclusion that they managed to obtain confessions from other guys by this means. But someone told me that if [I] give them such a confession [I am] finished. I resisted as much as I could. But someone like Hadi Rashedi, with a weak physique is not going to be able to withstand all this. My physical condition was good and I am able to sustain much more pain and torture. A couple of times when I was being taken across the corridor, I could hear Mr Rashedi being tortured. His shouting was such that it was obvious he was in severe pain. Hadi Rashedi suffers from a rheumatic heart and is constantly on medication. He has a thin and frail body, and I don't think he weighs more than fifty kilograms. He has always had physical complaints. Whenever I saw him, his face was always yellow. When they began to torture him ... I almost gave up under torture. They had hung me from my hands, which were cuffed and tied to my back, and suspended me 90 degrees. I could not feel anything anymore. I could only feel from my neck upwards. Sometimes I would struggle and tell myself to just tolerate it. Sometimes I would ask what the point of tolerating all this was. I said to myself, 'It is not worth it to put up with so much. Tell them what they want you to confess to.' But, finally, the part of me saying, don't confess won. Following torture and me enduring the pain and they not get anywhere with me, they stopped the torture on the sixth day. On the seventh day, around 5:00 AM, a soldier from the police force blindfolded me and put me in a vehicle and took me to Karoun Prison in Ahwaz. They had called my family asking them to bring surety and take me. [30]

Kamil Alboushoukeh, who is one of the survivors of Al-Hiwar and two of his paternal cousins were among the detainees. He narrates the first meeting of the family with the detainees quoted by them as follows:

> For the first time after four months they were allowed a meeting which had lasted a few minutes. They had tied Jaber's hands with chains and next to each of them one person was standing. Jaber's jaw and teeth were broken and he had lost weight, despite all this he managed to say in Arabic: 'They are torturing us...' Later on I realized they have put Hashem Shabani's feet in boiling water. Agents of the Ministry of Intelligence had tortured these individuals using electric cables, gas hoses, car straps, green tubes [31] and electric shock. They had tied their hands from the back and suspended them from the ceiling... Mokhtar has developed amnesia and a hand tremor. [32]

Almost nine months after the arrest of members of Al-Hiwar, a program entitled "the Terrorist Group of Al-Ahwaz" [33] was broadcast from Press TV, in which Hadi Rashedi confessed that they had fired shots at the homes of some government officials.[34] Hashem Shabani had also

[30] Testimony of Saeed Albo Ghobaish, Justice for Iran
[31] Green tube, plastic and very durable and strong tube used for plumbing in building and contrary to its name, its colour is usually white.
[32] Testimony of Kameel Alboushoukeh, Justice for Iran
[33] Al-Ahwazi terrorist group in Iran, Press TV, 13 Dec 2012: http://www.presstv.ir/Program/215617.html
[34] ibid

spoken about Arab political terror groups and the change in their policies, without speaking about himself personally. Although the program host had introduced him as a member of a resistance terror group; such a group does not technically exist.[35]

The Press TV program is against the domestic law of Iran and contrary to the international human rights regulations, as it was recorded when the Al-Hiwar detainees had not yet been tried in any court and had not been convicted and their lawyers were not permitted to meet with them.

Among the detained members of Al-Hiwar, in total 13 people were issued indictments and tried in June 2012 in branch 2 of the Revolutionary court in Ahwaz, with Judge Seyed Mohammad Bagher Mousavi. In all three court hearings, the accused stated that the confessions available in their case were obtained under severe duress and torture.[36] Despite all this, the Judge, without investigating the allegation of torture, issued sentences for the nine detainees of Al-Hiwar.

Mohammad Ali Amourinejad, Hashem Shabani, Hadi Rashedi, Mokhtar Alboushoukeh and Jaber Alboushoukeh were charged with "Moharebeh" (waging war against God) and sentenced to execution,

Rahman Asakereh, sentenced to life imprisonment; Ali Badri, Ismail Abyat and Shahid Shabaninejad were sentenced to six years, five years, and one year respectively.

In an account given when the families of those sentenced to execution met with the Judge, after the death sentences were issued, Judge Mousavi heard the statements of the families concerning how open-minded their children had been and they were writers and worked with books and articles not with weapons, and he acknowledged what he heard, but claimed that [he] knew all this. He said that he had not issued the death sentences, but instead the verdicts had been prepared by the Ministry of Intelligence.

On 7 November 2012, lawyers for the defendants were looking to appeal and their case was labelled "to be dealt with outside of sequence" and referred to branch 32 of the Supreme Court. Though it normally takes months to process an appeal in the Supreme Court, less than two months later [branch 32], , with head Judge, Reza Farajollahi, through a 17-page verdict, confirmed the exact ruling of the lower court. In a section of this order it states:

"During the court hearings, the defendants, in addition to denying the alleged charges, have given their confessions as a result of torture and physical and mental pressures put on them. They have given their admissions reluctantly and under threat from the interrogator, in the presence of the police officers, however, regardless of this claim, firstly the defendants and their lawyers have not presented evidence to prove this claim..."

At the end, the Supreme Court, mainly on the basis of the confessions of the defendants, charged them in connection with a group named in the sentence as "public resistance", which as it was mentioned, does not actually exist and it is called "Al-Ahwaz" in another place, have been convicted of being militants. Based on the Islamic Penal Code, anyone who uses a weapon to create fear and terror among people is called a militant and is sentenced to death. In this same order, the 20-year prison sentence of Rahman Asakereh and the prison sentences relating to the others were also approved.

Not only has branch 32 of the Supreme Court not requested from the lower court to carry out independent investigation into the allegation of torture and obtaining reluctant confessions under torture, but it has also put the burden of proof of torture on the shoulders of defendants who had been blindfolded throughout their ordeal and tortured, deprived of meeting with their

[35] ibid
[36] Arab Prisoners Expose Press TV's Role in Extracting Confessions Under Torture, Justice For Iran, 21 May 2012 :http://justiceforiran.org/news/arab-court/?lang=en

lawyers and were kept in solitary confinement. They don't even know exactly in which place they were detained. In effect the Intelligence forces that have had a fundamental role in the torture and obtaining forced confessions from the accused in this case, have remained immune from prosecution.

The process of judicial review with regards to the case of the Al-Hiwar activists, in order to demand their ethnic identity, came to an end following the issuing execution sentences to five of them, a 20-year prison sentence for one of them, and a six-year and one-year prison sentence for two more members. Protests of families of those convicted and international efforts to revoke these orders are currently in progress.

4. Cases of human rights violations in the Al-Hiwar files

When reviewing documents and testimonies relating to the Al-Hiwar case, which has been described in detail in the previous section, we can see how human rights violations have occurred in this case. The main ones are as follows:

4.1. Violation of Rights of Culture and Language

To illegalize the activities of Al-Hiwar Organization, whose sole aim has been to promote the Arabic language and culture and to charge its members with crimes against national security and combat, is a clear violation of Article 27 of the International Covenant on Civil and Political Rights (ICCPR), which ensures the collective rights of ethnic minorities to practice their culture or speak in their own language. Article 15 of the International Covenant on Economic, Social and Cultural Rights (ICESCR) recognizes the right of everyone to participate in their cultural life as one of the basic rights of individuals. Implementation of this right requires freedom to express cultural identity and mother tongue as one of the primary building blocks of culture and also to exert efforts to enrich native culture which many of Arab cultural activists, including the members of Al-Hiwar Organization have been denied this right.

4.2. Violation of the right to free gatherings and meetings

Despite the fact that Article 26 of Iran's Constitution and also Article 21 of the ICCPR, have recognized the right to free gatherings and peaceful meetings for all; Al-Hiwar Organization has never been able to obtain license for activity, and in 2005, their activities were declared illegal. Security forces from 2005 onwards prohibited all activity in the Arabic language, in Khalafieh (Ramshir). Members of Al-Hiwar as described previously were subjected to repeated interrogation and intense pressure to confess that they receive money and instructions from outside of Iran. Finally, many of the members of this organization were arrested collectively and were convicted of militant activities. Research carried out by Justice for Iran shows that the IRI has openly violated its international commitment to holding gatherings and meetings, by identifying the activities of Al-Hiwar as illegal and putting pressure on the members of Al-Hiwar.

4.3. Violation of the right to choose one's place of residence and provisions of the Refugee Convention

The government of Iraq has violated its commitment on the basis of Article 33 of the 1951 Convention Relating to the Status of Refugees, by deporting at least one member of Al-Hiwar (Mohammad-Ali Amouri Nejad) who had fled to this country because he was being pursued and his life was in danger and had been recognised as a refugee by the UNHCR. In particular, as this forced deportation led to Amourinejad's immediate arrest upon entering Iran and his death sentence. The Geneva Convention clearly states that no member country has the right to deport a refugee to a country where his life would be in danger. Particularly, when UNHCR in a letter addressed to the Iraqi government had warned that if he were to be deported to Iran, his life would be in danger.[37] This also clearly violates Article 12 of the ICCPR which states: "Everyone is free to leave any country including his/her own country."

[37] For information on the full contents of UNHCR correspondence with Iraqi Ministry of Interior with regards to this matter, please refer to the enclosures in the report.

4.4. Violation of prohibition of torture

The testimonies of eyewitnesses and the portion of court documents which Justice for Iran has had access to, show that all of the detained members of Al-Hiwar have suffered severe physical and mental torture. The torture includes months of using whips, hanging them from their feet or arms from a ceiling, threatening to kill family members, threatening to rape the women in their families, sexual insults and insulting their Arab identity, foul-mouthing, and prolonged duration in solitary confinement. Even though according to Iran's constitution, the use of torture to obtain confession or for any other purpose is forbidden, and according to the Islamic Penal Code, it is an offence. Iran remains a member of the ICCPR, and in Article 7, member states have committed to non-application of torture.

4.5. Violation of the presumption of Innocence and other rights relating to a fair trial

During the months when Al-Hiwar defendants were under interrogation in the Ministry of Intelligence detention centre, their right to meet with a lawyer and obtain legal advice was revoked. Additionally, the interference of security agents in all stages of the judicial process is clearly evident, from preparing the documents for the file on the basis of obtaining forced confessions to imposing their influence in order to issue sentences in the lower court and also confirmation of the sentence by the Supreme Court outside of usual order.

According to laws in Iran, the media is prohibited from publishing the names and details of people whose conviction is not yet conclusive. Media organizations who fail to observe this law may be prosecuted and punished for statements of "libel" (to incriminate someone). Despite all this, the names and photos of two Al-Hiwar members were broadcast by Press TV months before they were tried in court and subsequently convicted and called members of a terrorist group. In effect, Press TV, by violating the Iranian law and Article 14 of the ICCPR, has clearly violated the presumption of innocence; the most basic principles of a fair trial.

According to International laws regarding media organizations, broadcasting confessions obtained under duress is a violation of respecting individual privacy and confidentiality.

Press TV has been condemned on at least one occasion by the media review commission in England for broadcasting the confessions under duress of Maziar Bahari, an Iranian-Canadian journalist. Justice for Iran, in its report, "Cut! Take Press TV off air", has documented full details of the violations of Iranian and international laws imposed on media organizations with regards to privacy policy, and also addressing the rights of political prisoners; including the two Al-Hiwar case prisoners whose confessions have been aired on numerous occasions on this network.[38]

4.6. Those violating the rights of members of Al-Hiwar enjoy immunity

As previously mentioned, neither Judge Seyed Mohammad Bagher Mousavi during the preliminary stages nor judge Reza Farajollahi in the Supreme Court instructed the claims of the defendants with regards to obtaining forced confessions under torture to be independently investigated. On the contrary, they based their sentences on the very confessions that the defendants repeatedly said were obtained under torture. By not taking into consideration the potential of severe violation of human rights, not only have they provided immunity to those who inflicted the torture from being prosecuted and questioned, but they are also among the violators of human rights who do not carry out their duty in passing judgment, cover up torture, grant immunity to perpetrators and instigators of this act, issue death sentences and other harsh prison terms on the basis of confessions obtained under torture, and contravene the standards of a fair trial. These judges must be held accountable for issuing death sentences contrary to the IRI's international obligations, in particular Article 6 of the ICCPR; in which the death sentence is only permissible for extremely serious offences. Implementation of the principle of equality

[38] Cut! Take Press TV off Air, Justice For Iran, 23 Apr 2912: http://justiceforiran.org/wp-content/uploads/2012/06/CutTakePressTVoffTheAir-English.pdf

for all before the law, has been recognised in the Constitution of Iran and also in Article 14 of the ICCPR; and it requires that all perpetrators and instigators of torture, those who passed a death sentence and violated the rights of other Al-Hiwar activists should be prosecuted and brought to justice.

5. Recommendations and Conclusions

According to the contents of this report, Justice for Iran expresses grave concern with regards to death sentences against five Arab activists of Al-Hiwar and asks from the UN Special Rapporteurs, in particular the Special Rapporteur on torture, the Special Rapporteur on executions, the Special Reporter on impartiality of judges and lawyers and the Special Rapporteur on the human rights situation in Iran, the UNHCR, and other members of the International Community, to undertake the necessary actions to ensure that:

1. The Islamic Republic of Iran takes urgent steps toward waiving the death sentences and imprisonment of the members of Al-Hiwar and to ensure adherence to their international obligations with regards to cultural and language rights of ethnic minorities, upholding standards of fair trial, ban on torture and ban on obtaining forced confessions on television.

2. In addition to Ministry of Intelligence agents who remain unidentified, Judge Seyed Mohammad Bagher Mousavi and Judge Reza Farajollahi must be questioned and held accountable for serious violation of the rights of the members of Al-Hiwar; in particular for inflicting torture or covering up the acts of torture and also for issuing death sentences.

3. The Iraqi government and its authorities have been involved and responsible for the imprisonment and deportation of a refugee, Mohammad-Ali Amourinejad. Contrary to all International law requirements and humanitarian principles, upon his return to Iran, the IRI issued a death sentence against him. The Iraqi government must be reprimanded by international authorities to ensure this will never happen again for other refugees who fled to Iraq from Iran.

6. Enclosures

Enclosure 1: Profile of some Al-Hiwar activists at risk

Mohammad-Ali Amourinejad

Mohammad-Ali Amourinejad, an Ahwazi Arab, 36, born in Ramshir (Khalafieh), a Fisheries Engineering graduate (Natural resources – Fisheries and aquaculture) from Isfahan University of Technology. He was involved in various student activities during his studies. He was the founder of student newsletter called "Al-Torath" (Heritage) which was published at the Isfahan University of Technology in both Persian and Arabic. He was also one of the organisers of ethnic gatherings which were held in 1999/2000 [Iranian year: 1378].

One of his concerns is the rights of women, which were portrayed in an article titled, "Patriarchal Discourse or Discourse on Feminism."[39] He had a weblog called "Al-Salam", which was removed by IRI security authorities following his arrest.. He was working as a soldier teacher and as a teacher training placement.

Mohammad Ali Amourinejad is one of the founders of the Al-Hiwar intellectual and cultural Organization (Dialogue) and was involved in organizing programs and poetry nights in Arabic and also educational and artistic classes for youth in Ramshir (Khalafieh). This organization was announced to be illegal, following suppression of street protests by Arabs and heightened security alert in the province in 2005/2006 [Iranian year: 1384] and Mohammad Ali Amourinejad and other activists were under pressure. Following Amourinejad's dismissal from teaching and post at the Khalafabad education department and following increased pressure and repeated interrogations by Ministry of Intelligence agents in Ramhormoz, he was forced to leave the country and flee to Iraq. He was detained for illegal entry into Iraq and served nearly five years in Basrah prison, and despite the fact that UNHCR in Iraq had granted him refugee status, he was deported to Iran by the Iraqi government, arrested upon entering the country in January 2011 and transferred to a secret detention centre. Having endured months of torture and solitary confinement in the Intelligence detention centre, he was sentenced to death in June 2012 by branch 2 of the Ahwaz Revolutionary Court and charged with militant activities. In December 2012, branch 32 of the Supreme Court confirmed and approved the exact order.

[39] Patriarchal Discourse or Discourse on Feminism, Tribune Zamaneh, Al-Terath Student Newsletter – 1379/9/23, maybe accessed at the internet address: https://tribunezamaneh.com/archives/12788

Hashem Shabaninejad

Hashem Shabani-nejad (Amouri), an Ahwazi Arab, 32, born in Ramshir (Khalafieh), married with a three-year old daughter. He holds an undergraduate degree in Teaching Language and Arabic Literature. He is a Masters student of Political Science at the University of Ahwaz. During his student years at the University of Ahwaz, he was the editor in chief of a literary publication titled "Student's pens", in which Arabic poetry was printed and distributed in the School of Theology. Hashem Shabaninejad is a poet and skilful rhetoric. He is able to write poetry in classic Arabic and Persian. He is a respected literary and an intellectual figure in the province and has been engaged in teaching language and Arabic literature in high schools across the city.

Hashem Shabaninejad is one of the founders of the Al-Hiwar intellectual and cultural Organization and was involved in organizing programs and poetry nights in Arabic and also educational and artistic classes for youth in Ramshir (Khalafieh)This organization was announced to be illegal, following suppression of street protests by Arabs and heightened security alert in the province in 2005/2006 [Iranian year: 1384] and Mohammad Ali Amourinejad and other activists were under pressure.

He was arrested on 13 February 2011 along with other Al-Hiwar members and activists. Following months of torture and solitary confinement in the Intelligence detention centre, he was sentenced to death in June 2012 by Branch 2 of Ahwaz Revolutionary Court and charged with militant activities. In December 2012, branch 32 of the Supreme Court confirmed the death sentence. Hashem Shabani-nejad is responsible for taking care of his large and poor family. He has also been financially supporting his father and sister.

Hadi Rashedi

Hadi Rashedi, an Ahwazi Arab, 38, was born in Ramshir. (Khalafieh). He holds a Masters Degree in Applied Chemistry and was working as a lecturer at the Dr. Hessabi High School in the town of "Sar Bandar".
He is one of the founders of the Al-Hiwar intellectual and cultural organization and was involved in organizing programs and poetry nights in Arabic and also educational and artistic classes for youth in Ramshir (Khalafieh). This organization was announced to be illegal, following suppression of street protests by Arabs and heightened security alert in the province in 2005/2006 [Iranian year: 1384] and Mohammad Ali Amourinejad and other activists were under pressure.

Hadi Rashedi along with his brother, Habibollah Rashedi, the former leader of the Khalafabad town council, was arrested on 28 February 2011. After enduring months of torture and solitary confinement in the Intelligence detention centre, Hadi Rashedi was sentenced to death in June

2012 by branch 2 of the Ahwaz Revolutionary Court and charged with militant activities. In December 2012, branch 32 of the Supreme Court confirmed the death sentence.

Rashedi had a heart condition and for this reason was exempt from military service. He is under difficult physical and mental condition. Due to the mental and emotional pressures he is suffering, he has developed problems with his digestive system, in particular stomach problems. According to reports from reliable sources, Hadi Rashedi has suffered severe injuries to his hip from the impact of the physical torture from IRI Intelligence agents, and has a fractured hip as a result. He had required urgent medical care, but IRI security forces refused to transfer and admit him to hospital.

Seyyed Jaber Alboushoukeh

Seyed Jaber (Yaber) Alboushoukeh, an Ahwazi Arab, 28, was born in Ramshir (Khalafieh). He is married and has a two-year-old daughter named Soraya, who at the time of his arrest was three months old. He was working in his father's rock breaking company.
He is one of the founders of the Al-Hiwar intellectual and cultural organization and was involved in organizing programs and poetry nights in Arabic and also educational and artistic classes for youth in Ramshir (Khalafieh).This organization was announced to be illegal, following suppression of street protests by Arabs and heightened security alert in the province in 2005/2006 [Iranian year: 1384] and Mohammad Ali Amourinejad and other activists were under pressure.

He together with his brother and other members and supporters of Al-Hiwar were arrested on 10 February 2011.
After enduring months of torture and solitary confinement in the Intelligence detention centre, Hadi Rashedi was sentenced to death in June 2012 by branch 2 of the Ahwaz Revolutionary Court and charged with militant activities. In December 2012, branch 32 of the Supreme Court confirmed the death sentence.

Seyed Mokhtar Alboushoukeh

Seyyed Mokhtar Alboushoukeh, an Ahwazi Arab, 26, was born in Ramshir (Khalafieh). He has a Diploma in Computers. He was completing his military service when he was arrested.

He is one of the founders of the Al-Hiwar intellectual and cultural organization and was involved in organizing programs and poetry nights in Arabic and also educational and artistic classes for youth in Ramshir (Khalafieh). This organization was announced to be illegal, following suppression of street protests by Arabs and heightened security alert in the province in

2005/2006 [Iranian year: 1384] and Mohammad Ali Amourinejad and other activists were under pressure.

He together with his brother and other members and supporters of Al-Hiwar were arrested on 10 February 2011.
After enduring months of torture and solitary confinement in the Intelligence detention centre, Hadi Rashedi was sentenced to death in June 2012 by branch 2 of the Ahwaz Revolutionary Court and charged with militant activities. In December 2012, branch 32 of the Supreme Court confirmed the death sentence.

Rahman Asakereh

He is an Ahwazi Arab, 34, was born in Ramshir (Khalafieh). He is married and has five children. He has an undergraduate Degree from Khorramabad University in Chemistry and is currently studying for a Masters Degree in Social Sciences at the University of Ahwaz. He was working on his Master's Dissertation when he was arrested. His project was about bilingual students in the region and the challenges they face with the educational system of Iran. He was an exemplary Chemistry teacher in various girls and boys high schools in Khalafabad. He was the first person to have the idea of setting up free induction and advisory classes and courses for university entrance exam and for choosing university courses, and despite limited facilities, with the help of some friends he managed to hold these classes; which has served the young people and students of that region greatly from a cultural and educations perspective. He was also involved in cultural and civil activities in the region and was a student activist in the university where he was studying.

He is one of the founders of the Al-Hiwar intellectual and cultural organization and was involved in organizing programs and poetry nights in Arabic and also educational and artistic classes for youth in Ramshir (Khalafieh). This organization was announced to be illegal, following suppression of street protests by Arabs and heightened security alert in the province in 2005/2006 [Iranian year: 1384] and Mohammad Ali Amourinejad and other activists were under pressure.

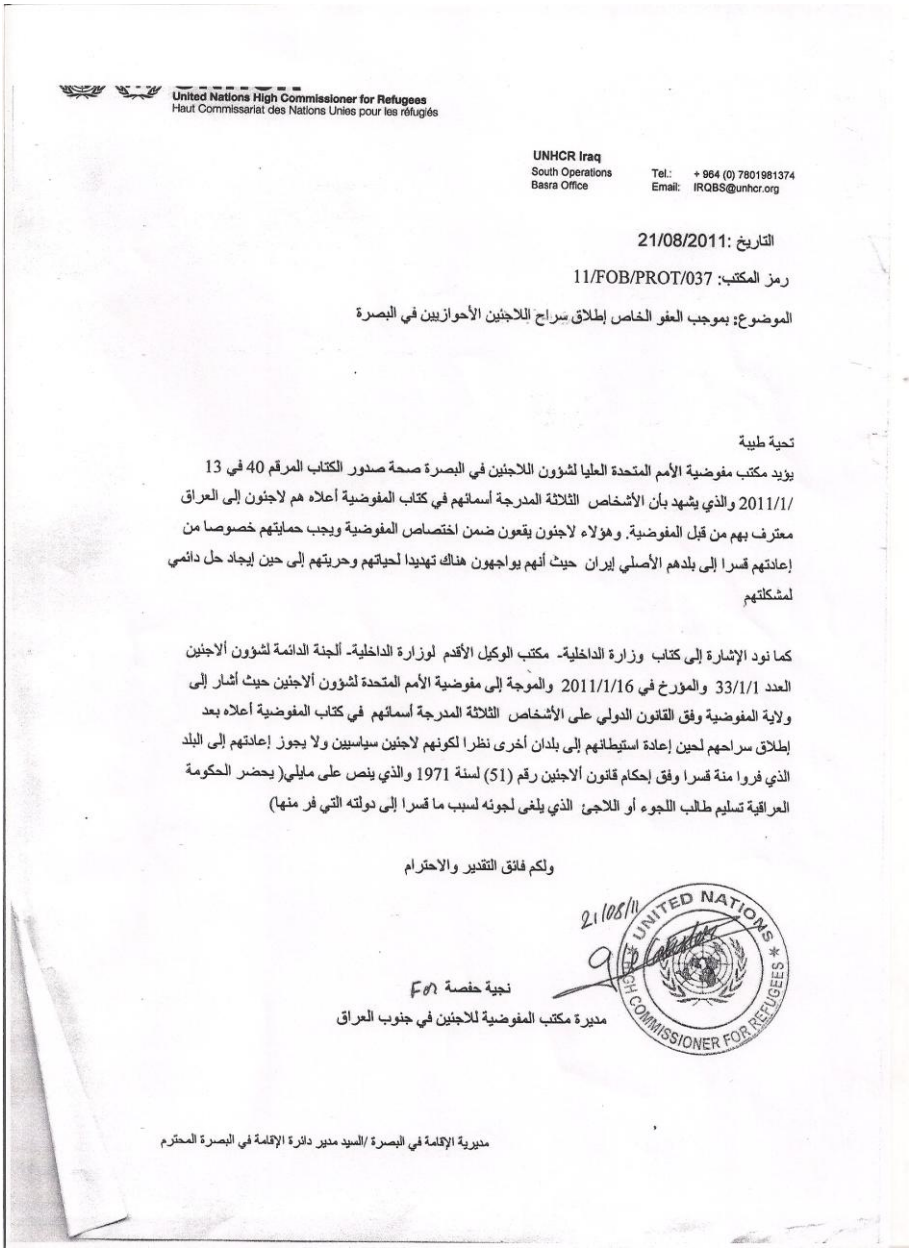
He together with other members and supporters of Al-Hiwar were arrested on 10 February 2011. After months of torture and solitary confinement in the Intelligence detention centre, her was charged with militant activities and in June 2012, he was sentenced by branch 2 of the Ahwaz Revolutionary Court to 20 years in prison exile to one of the prisons in Khorrasan, thousands of kilometres away from where his family lives. In December 2012, branch 32 of the Supreme Court confirmed the sentence.
On 13 September 2011, Hamed Asakereh, the 14-year-old son of Rahman Asakereh was involved in a suspicious road collision with a police vehicle in Ramshir (Khalafieh) and was killed instantly.

Ali Badri

He is an Ahwazi Arab, 30, from Ramshir (Khalafieh) and lives in Ahwaz. He is married and has one child. He holds a Degree in Accountancy from the University of Ahwaz University and was working at the office of endowments and charity affairs in Ahwaz.

He is one of the founders of the Al-Hiwar intellectual and cultural organization and was involved in organizing programs and poetry nights in Arabic and also educational and artistic classes for youth in Ramshir (Khalafieh). This organization was announced to be illegal, following suppression of street protests by Arabs and heightened security alert in the province in 2005/2006 [Iranian year: 1384] and Mohammad Ali Amourinejad and other activists were under pressure. He was arrested following a phone call at his work by Ministry of Intelligence agents on 11 April 2011.. After enduring months of torture and solitary confinement in the Intelligence detention centre, he was charged with militant activities and sentenced to six years in prison. In December 2012, branch 32 of the Supreme Court confirmed the sentence. Ali Badri has been released on bail, but has been expelled from his place of work.

Enclosure 2: Correspondence of UNHCR with Interior Ministry of Iraq



United Nations High Commissioner for Refugees
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التاريخ :21/08/2011

رمز المكتب: 11/FOB/PROT/037

الموضوع: بموجب العفو الخاص إطلاق سراح اللاجئين الأحوازيين في البصرة

تحية طيبة

يؤيد مكتب مفوضية الأمم المتحدة العليا لشؤون اللاجئين في البصرة صحة صدور الكتاب المرقم 40 في 13 /2011/1 والذي يشهد بأن الأشخاص الثلاثة المدرجة أسمائهم في كتاب المفوضية أعلاه هم لاجئون إلى العراق معترف بهم من قبل المفوضية. وهؤلاء لاجئون يقعون ضمن اختصاص المفوضية ويجب حمايتهم خصوصا من إعادتهم قسرا إلى بلدهم الأصلي إيران حيث أنهم يواجهون هناك تهديدا لحياتهم وحريتهم إلى حين إيجاد حل دائمي لمشكلتهم

كما نود الإشارة إلى كتاب وزارة الداخلية- مكتب الوكيل الأقدم لوزارة الداخلية- ألجنة الدائمة لشؤون ألاجئين العدد 33/1/1 والمؤرخ في 2011/1/16 والموجة إلى مفوضية الأمم المتحدة لشؤون ألاجئين حيث أشار إلى ولاية المفوضية وفق القانون الدولي على الأشخاص الثلاثة المدرجة أسمائهم في كتاب المفوضية أعلاه بعد إطلاق سراحهم لحين إعادة استيطانهم إلى بلدان أخرى نظرا لكونهم لاجئين سياسيين ولا يجوز إعادتهم إلى البلد الذي فروا منة قسرا وفق إحكام قانون ألاجئين رقم (51) لسنة 1971 والذي ينص على مايلي(يحضر الحكومة العراقية تسليم طالب اللجوء أو اللاجئ الذي يلغى لجوئه لسبب ما قسرا إلى دولته التي فر منها)

ولكم فائق التقدير والاحترام

21/08/11

UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

نجية حفصة FOR

مديرة مكتب المفوضية للاجئين في جنوب العراق

مديرية الإقامة في البصرة /السيد مدير دائرة الإقامة في البصرة المحترم

UNHCR
United Nations High Commissioner for Refugees
Haut Commissariat des Nations Unies pour les réfugiés

مديرية سجن البصره المركزي/عناية السيد مدير السجن المحترم

UNHCR

Case postale 2500
CH-1211 Genève 2

Tel.:
Fax:
Email: MyEmailAddress@unhcr.ch

11 January 2011

Notre/Our code: PROT/040

Re: أطلاق سراح اللاجئين الأحوازيين في البصره بموجب العفو الخاص

تحيه طيبه.
يشهد مكتب مفوضية الأمم المتحده العليا لشؤون اللاجئين في البصره بأن الاشخاص المدرجه أسمائهم أدناه هم لاجئون الى العراق معترف بهم من قبل مكتب المفوضيه. وهؤلاء اللاجئين يقعون ضمن أختصاص المفوضيه ويجب حمايتهم خصوصا من أعادتهم قسرا الى بلدهم الاصلي أيران حيث أنهم يواجهون هناك تهديدا لحياتهم وحريتهم الى حين أيجاد حل دائمي لمشكلتهم.

أن مكتب المفوضيه سيكون شاكرا لأي مساعدة تقدم لهؤلاء اللاجئين علما أن المفوضيه تعمل بالتنسيق الكامل مع مكتب اللجنه الدائمه لشؤون اللاجئين في وزارة الداخليه والتي يترأسها اللواء عدنان الاسدي في بغداد وسيتم أصدار كتاب خاص من اللجنه الدائمه بخصوص المشار اليهم أدناه وحسب بنود قانون اللاجئين السياسيين رقم 51 لعام 1971.

أسماء اللاجئين:

1. محمد عبد الزهره نوار التميمي رقم التسجيل0913302-463 تاريخ الميلاد 26 شباط 1978.
2. صالح جاسم محمد الحميد رقم التسجيل 09-0913304 تاريخ الميلاد 1982.
3. شهيد عبد الحسين عباس اللامي رقم التسجيل 463-0913303 تاريخ الميلاد 1965.

ولكم جزيل الشكر والأحترام

نجيه حفصه
مدير مكتب مفوضية اللاجئين في البصره

UNHCR * HIGH COMMISSIONER FOR REFUGEES *

مديرية سجن البصره المركزي/عناية السيد مدير السجن المحترم

بسم الله الرحمن الرحيم

Republic of Iraq
Ministry of Interior
Agency of Ministry administration Affair
No :
Date :

جمهورية العراق
وزارة الداخلية
ب الوكيل الاقدم لوزارة الداخلية
لجنة الدائمة لشؤون اللاجئين
د: ٣٣ /١/١

ع: ١٦ / ١/٢٠١١

إلى / مفوضية الأمم المتحدة لشؤون اللاجئين في العراق
الموضوع / إطلاق سراح لاجئين

تحية طيبة .

ونود إن نشير إلى كتاب مفوضية اللاجئين في البصرة المرقم ٤٠ في ٢٠١١/١/١٣ فان مفوضيتكم ستكون لها الولاية وفق القانون الدولي على الأشخاص الثلاثة المدرجة أسمائهم في كتاب المفوضية اعلاة بعد إطلاق سراحهم لحين إعادة استيطانهم إلى بلدان أخرى من قبلكم نظراً لكونهم لاجئين سياسيين ولا يجوز إعادتهم إلى البلد الذي فروا منه قسراً وفق (المادة التاسعة) الفقرة (٥)من قانون اللاجئين رقم (٥١) لسنة ١٩٧١والتي تنص على مايلي (يحضر على الحكومة العراقية تسليم طالب اللجوء أو اللاجئ الذي يلغى لجوئه لسبب ما قسراً الى دولته التي فر منها) .

يرجى التفضل بالاطلاع . . . مع التقدير

اللواء الحقوقي
صاحب عبد دروش الخفاجي
مدير مكتب اللجنة الدائمة لشؤون اللاجئين
١٦ / ١/٢٠١١

صورة منه الى/:
كتب مفوضية اللاجئين في البصرة/كتابكم أعلاه ولنفس الغرض أعلاه . مع التقدير .

Respected head of Central Basrah Prison
Subject: Freedom of refugees from Ahwaz in Basrah
Under the special amnesty

Greetings,
UNHCR office in Basrah certifies that the following individuals named below have been recognised as political refugees and are under the protection of UNHCR and until such time when a substantial and permanent solution is found and their settlement in the third safe country can be ensured, the High Commission office is responsible for the protection of the refugees named below and their cases and to prevent any attempt to deport them to their original country, since their deportation to their original country would put their lives in danger.
UNHCR would appreciate any assistance and support you could provide to these refugees. The Commission has been liaising fully with the permanent committee for the refugee affairs of the Ministry of Interior in Iraq, headed by Major General Adnan Al-Asadi and a formal letter would be written with regards to the refugees listed below, according to Article 51 of the Political refugee regulation which was passed in 1971 in Iraq.

List of refugees:

1. Mohammad Abdolzahreh Nawar Al-Tamimi with refugee number 463-0913302, date of birth 26/02/1978

2. Saleh Jasem Mohammad Al-Hamid with refugee number 0913304-09, date of birth 1982

3. Shahid Abdolhossein Abbas Al-Lami with refugee number 0913303-463, date of birth 1965

With gratitude and appreciation,
Najieh HafsehOffice manager for UNHCR office in Basrah