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# Iran: Retry Ethnic Arabs Condemned to Death

## *Iranian Arabs Accused of Plotting Against State*

(New York, June 26, 2006) – Iran's judiciary should rescind the death sentences of at least 10 Iranians of Arab origin convicted of plotting against the state, and retry them before courts that meet international fair trial standards, Human Rights Watch said today. At least 10 Iranians of Arab origin have been condemned to death following secret trials in the southwestern province of Khuzistan, which has seen ethnic unrest among its Iranian-Arab population in the past year.

**“We always oppose the death penalty, because it is cruel and flawed. But sentencing people to death after such an inadequate trial is especially outrageous.”**

**Sarah Leah Whitson, executive director of the Middle East and North Africa division**

All the men were charged with armed activity against the state and were tried before Revolutionary Courts.

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Human Rights Watch spoke with one of the two defense lawyers for the men sentenced most recently, who confirmed that all trials were held behind closed doors and without any independent and impartial observers present.

“These men are accused of serious crimes, but they clearly haven’t had a fair trial,” said Sarah Leah Whitson, executive director of the Middle East and North Africa division at Human Rights Watch. “We always oppose the death penalty, because it is cruel and flawed. But sentencing people to death after such an inadequate trial is especially outrageous.”

The lawyers did not have an opportunity to meet with their clients to discuss their case with them, but had to prepare a defense based on the prosecution file presented to them. The trials have all been closed to the public, and defense lawyers remain the sole source of non-official information as to what occurred.

On March 2, the authorities hanged Ali Afrawi and Mehdi Nawasari in Ahwaz, the capital of Khuzistan province. The authorities accused them of carrying out two bombings in Ahwaz that killed six people on October 15, 2005.

On June 6, Judiciary spokesman Jamal Karimirad said that a Revolutionary Court had sentenced six men to death, after it found them guilty of bombing oil pipelines in July 2005. He did not provide any information about the condemned men, or about when or where their trial was held.

Defense lawyers told Human Rights Watch that on June 8, the Third Branch of the Revolutionary Court in Ahwaz sentenced another four men to death following a one-day trial on June 7. The court found the men, Zamel Bawi, Jaafar Sawari, Raisan Sawari, and Abdulreza Nawaseri, guilty of armed activity against the state.

Human Rights Watch said that the Iranian government is obliged as a party to the International Covenant on Civil and Political Rights to provide persons accused of crimes with "fair and public hearing by a competent, independent, and impartial tribunal."

"A summary trial behind closed doors does not meet the international standards binding Iran," said Whitson. "For Iran to put these defendants to death would be the ultimate violation of their rights."

Zamel Bawi's lawyer, Saleh Nikbakht, told Human Rights Watch that during his client's trial on June 7, the Revolutionary Court prosecutor charged the four men under Iran's penal code as mohareb, meaning "enemies of God." The accusation of being mohareb is leveled against anyone charged with taking up arms against the state and committing violent acts, and is punishable by death.

According to Nikbakht, the state presented evidence that the defendants had purchased homemade bombs which they deactivated and hid, a charge that carries a 10-year prison sentence. But the lawyer said that since the prosecutor presented no evidence that the men had actually carried out any violent acts, they had not committed a capital offense under Iranian law.

Human Rights Watch called on the Iranian government to stop using the death penalty, due to its inherent cruelty and irrevocability.

## **Background**

During the past year, Iran's southwestern province of Khuzistan has witnessed ethnic unrest among its Iranian-Arab population. The province is home to nearly two million Iranians of Arab descent. Protests erupted in Khuzistan's capital, Ahwaz, on April 15, 2005, following publication of a letter allegedly written by Mohammad Ali Abtahi, an advisor to President Mohammad Khatami, which referred to government plans to implement policies that would reduce the proportion of ethnic Arabs in Khuzistan's population. After security forces tried to disperse the demonstrators and opened fire on them, clashes between protestors and security forces turned violent. The violence spread to other cities and towns in Khuzistan. The next day, Abtahi and other government officials denied the existence of the letter and called it fake.

Ahwaz and other cities experienced several bombings after the April 2005 protests. In June 2005, four bombs in Ahwaz and two others in Tehran killed 10 people and injured at least 90. Two other bombings in Ahwaz, one in October 2005 and another in January 2005, killed 12 people. The government has reportedly arrested hundreds of Iranian Arabs since April 15, 2005.



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