



Ünvan: Azərbaycan, Bakı, Şərifzadə 1, Ayna; Tel/Faks +47-99399225;
Address: Ayna, Sherifzade 1, Baki, Azerbaijan; Tel/Fax +47-99399225;

www.dunazhak.net
email: info@dunazhak.net

	No.: 500/ 2008 Date: 6 August 2008
<p>The Office of High Commissioner for Human Rights, Geneva Please circulate this to Working Group on arbitrary detention; it is also of relevance to:</p> <ul style="list-style-type: none">• Special Rapporteur on the independence of judges• Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression• Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and intolerance• The Independent Expert on Minority Issues, and <p>CC Mr Dyke and Mrs. Harrison, Amnesty International, London Also: Human Rights Watch and Human Rights Server</p>	 <small>(COURTESY PHOTO)</small>

Dear sir/madam,

COMMUNICATION 1 CAMPAIGNING FOR THE REINSTATEMENT OF HUMAN RIGHTS OF MR. VEDUD ESEDI

Please find enclosed Communication 1 for safeguarding human rights of Mr. Vedud Esedi, a Southern Azerbaijani student reading geology, who has been deprived of his liberty by Iranian authorities. The following information is provided:

- Table 1** The Communication form for the Working Group on arbitrary detention, using confirmed and published information; and
Table 2 Presents a transcript of the interview by MR. Esedi's wife and sister given to Radio Liberty.

The arbitrary treatment of Mr. Esedi by Iranian authorities is summarised as follows:

- He was arrested on 22 July 2008 and approximately after 2 weeks he was transferred to the notorious Evin prison, in Tehran, as confirmed by a reliable source.
- To date, he has not been indicted; no charges have been brought against him; he has no access to a lawyer; and if it was not due to a reliable source, his whereabouts would have been unknown.
- We fear for his safety, as he was tortured by Iranian authorities in the past when he was arbitrarily detained earlier in Tebriz and Erdebil for three months without indictment for his participations in the May 2006 Mass Protests.
- When he was a University student in Erdebil, he was the General Secretary of the Islamic Student Society and the director of the students' publication, *Seher* but was banned after a few issues.

We would like to stress that in compiling this Communication, we have not consulted with Mr. Esedi, his family or his lawyer. This statement is necessary to manage the risk of reprisal by the Iranian authorities.

Mr. Esedi is only one of Southern Azerbaijani students/academics who suffered an ongoing wave of repression. The reinstatement of his human rights is only possible through your campaign. Thank you in advance for your care.

Yours faithfully,

Mr. Eli Tashkent

The Committee for the Defence of the Rights of World Azerbaijanis



Table 1 The COMMUNICATION FOR CASE OF MR. VEDUD ESEDI



**Office of the High
Commissioner for Human Rights**



Working Group on Arbitrary Detention

"No one shall be subjected to arbitrary arrest, detention or exile."

(Article 9, the Universal Declaration of Human Rights)

VII. Model questionnaire to be completed by persons alleging arbitrary arrest or detention

I. Identity of the person arrested or detained

1. Family name:
Esedi (the transcription of the name from Farsi is normally Asadi and the name in Arabic script is اسدی)
2. First name:
Vedud
3. Sex:
Male
4. Birth date or age (at the time of detention):
28 years old
5. Nationality/Nationalities:
Southern Azerbaijani national; a citizen of the Islamic Republic of Iran
6. (a) Identity document (if any):
not available
(b) Issued by:
Being from the Southern Azerbaijani city of Germe in Mughan, Erdebil, the General Registry Office in Germe or Erdebil would be responsible for issuing his birth certificate
(c) On (date):
The data not available
(d) No.:
The data not available
7. Profession and/or activity (if believed to be relevant to the arrest/detention):
Student, reading geology in Open University in Rasht
8. Address of usual residence:
He is from the Southern Azerbaijani city of Germe but a student in Rasht and therefore his city of current residence would be Rasht. No more specific information on his address is available.



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II. Arrest

1. Date of arrest:
22 July 2008 in the morning.
2. Place of arrest:
The victim was arrested at his home in Rasht
3. Forces who carried out the arrest or are believed to have carried it out:
He was arrested at his homes by security agents of Ministry of Information in Rasht between 6.30 and 7.00 a.m. The agents knocked the door and four agents entered home and two stayed outside.
4. Did they show a warrant or other decision by a public authority?
Apparently the agents mentioned that they had a warrant but did not show it.
5. Authority who issued the warrant or decision:
Undoubtedly, the authority was the Ministry of Intelligence at least we assume so. The onus is on the authority to provide clear information.
6. Relevant legislation applied (if known):
Normally the authority does not provide this data to cover their act of arbitrary arrests and this case is no exception.

III. Detention

1. Date of detention:
23 July 2008
2. Duration of detention (if not known, probable duration):
The detention period was probably 2 weeks.
3. Forces holding the detainee under custody:
During the detention, the victim would be held by the office of the Ministry of Information in Rasht. This is also the opinion of his wife, Zehra when she gave an interview to Radio Liberty
(http://www.rferl.org/content/Traditional_Azeri_Wedding_Leads_To_Arrest_In_Iran/1186350.html).
4. Places of detention (indicate any transfer and present place of detention):
It is assumed that the victim was kept in a detention facility of the Ministry of Information, and our reliable sources indicate that he was transferred to Wing 209 of Evin prison in Tehran.
5. Authorities that ordered the detention:
Our assumed response would be that the authority ordered the detention was the Ministry of Information.
6. Reasons for the detention imputed by the authorities:
There is no official indictment and this has been confirmed by his wife, Zehra, who sufficed to stating in her Radio Liberty interview that there is no official indictment. However, victim's sister, Sumeyya, was prepared to



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speculate when she gave an interview to the Radio Liberty and attributed the reason in the following terms: "I think it was because we put the image of the Azerbaijan's flag on the wedding cake," she says. "We sang only Azerbaijani songs, there were no Farsi songs. We all were speaking Turkic [Azerbaijani], [and there was] Turkic dancing. There is no need for Farsi in a Turkic wedding. We used our flag -- we don't need others' flags. I think Vedud was arrested for this, because the first thing they asked for when they initiated the search was the wedding film."

7. Relevant legislation applied (if known):

As there are no imputed charges, relevant legislation underpinning the arrest, the custody and the detention are not known. The onus is on the authority to issue such information and deserve the title of being called the authority.

IV. Describe the circumstances of the arrest and/or the detention and indicate precise reasons why you consider the arrest or detention to be arbitrary

This case has the full hallmark of arbitrary detentions, including:

- The agents arresting the victim did not inform the victim and his family, the ground for the arrest and everything happened suddenly;
- Victim's sister says the officers who arrested her brother seized his books in Azerbaijani, material on the history of Azerbaijan, CDs, and his computer;
- The victim was taken to the Revolutionary Court in Rasht on the following day but leading to no indictment or charges;
- The members of victim's family have been referring to the different offices of the Ministry of Information but in vain obtaining no information on his whereabouts;
- The victim has been transferred to Evin prison without letting his family know on his whereabouts;
- He has been denied of the access to a lawyer, let alone the lawyer of his choice.
- We have also presented many similar cases showing that Iranian authorities treat Southern Azerbaijani activists in an arbitrary manner;
- Also, Amnesty International has issued many statements supporting that Iranian authorities act in arbitrary manner.

V. Indicate internal steps, including domestic remedies, taken especially with the legal and administrative authorities, particularly for the purpose of establishing the detention and, as appropriate, their results or the reasons why such steps or remedies were ineffective or why they were not taken:



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In the interview given by the victim's wife and sister, they have taken every action possible, including giving interviews to the radio Liberty, endangering their own safety, but all these are in vain. Additionally, there are statements from different organisation campaigning, including the Association of Southern Azerbaijani Academics and Students Union in Tebriz and Erdebil, for the release of the victim. But they have not yet secured his liberty.

**VI. Full name and address of the person(s) submitting
the information (telephone and fax number, if
possible) ^(d)**

Mr. Eli Tashkent

On behalf of:

The Committee for the Defence of the Rights of World Azerbaijanis

Address:

Ayna, Sherifzade 1, Baki, Azerbaijan; Tel/Fax +47-99399225; Email: [email:
info@dunazhak.net](mailto:info@dunazhak.net)

Date: 3 August 2008

Signature:

This questionnaire should be addressed to the Working Group on Arbitrary Detention, OHCHR-UNOG, 1211 Geneva 10, Switzerland, fax No. (41-22) 917.90.06.

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Geneva, Switzerland Send e-mail with comments
and suggestions to:
webadmin.hchr@unog.ch

OHCHR-UNOG
8-14 Avenue de la Paix
1211 Geneva 10, Switzerland
Telephone Number (41-22) 917-9000



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Table 2 The Text on the Interview of Mr Esemi's wife and sister in the Radio Liberty
[http://www.rferl.org/content/Traditional Azeri Wedding Leads To Arrest In Iran/1186350.html](http://www.rferl.org/content/Traditional_Azeri_Wedding_Leads_To_Arrest_In_Iran/1186350.html)

Note the transcription of the names in this article is not in exactly the style as we normally use.

Traditional Azeri Wedding Leads To Groom's Arrest In Iran

July 25, 2008

By Khadija Ismaylova

BAKU -- Vedud Asadi is well-known for his work promoting the cultural and language rights of Iran's Azeri minority, so it's little surprise that he celebrated his wedding with a nod to his ethnic heritage.

Guests sang folk songs and danced traditional dances -- but the flag may have been the icing on the cake for Iranian authorities who came to arrest him two weeks after the event, according to his sister, Sumayya Asadi.

"I think it was because we put the image of the Azerbaijan's flag on the wedding cake," she says. "We sang only Azerbaijani songs, there were no Persian songs. We all were speaking Turkic [Azeri], [and there was] Turkic dancing. There is no need for Persian in a Turkic wedding. We used our flag -- we don't need others' flags. I think Vedud was arrested for this, because the first thing they asked for when they initiated the search was the wedding film."

Vedud Asadi's bride, Zahra Purasad, says the secret police who arrived at the newlyweds' flat in Rasht on the evening of July 22 did not give any reasons for her husband's arrest. "I asked, but they did not say anything," Purasad tells RFE/RL's Azerbaijani Service.

The Iranian authorities were already familiar with Asadi's activism. In 2006, the former chairman of the Islamic Students Union at northwestern Iran's Ardebil University was arrested for participating in a protest against cartoons that depicted Azeris as cockroaches.

His family says he spent about 3 1/2 months in prison without being charged following that arrest, and they now fear he will be imprisoned again. His wife knows only that he was taken to a local court on July 24, but has no information about the outcome in court or his current whereabouts.

The ethnic-Azeri minority makes up 25-33 percent of Iran's population. While the Iranian Constitution provides language and cultural rights for the country's minorities, the regime has banned the teaching of the Azeri language in schools, and harassed and jailed activists like Asadi.

Sumayya Asadi says the officers who arrested her brother seized his Azeri-language books, material on the history of Azeris, CDs, and his computer.

Iranian authorities often cite the promotion of "pan-Turkism" as the reason for detaining ethnic Azeris. But Sumayya Asadi says her brother is no separatist, he simply believes that his people's cultural and linguistic rights are worth fighting for.

She says that if she is Azeri, she has the right to speak Azeri. "I should not have to speak Persian.... If there are 35 million Turks [Azeris] in the country, shouldn't these 35 million have the right to speak, write, and communicate in their own language?"

As for Asadi's wife, when asked what she feels about the arrest of her husband just two weeks after the wedding, she says she has no regrets for their actions at their wedding.

"He was arrested for his nation, he did not do anything bad," she says. "Not for stealing, not for drinking alcohol or immoral behavior -- for his nation only. I am proud of him."