

URGENT ACTION

TORTURED MAN FACING PROTEST-RELATED EXECUTION

Kurdish man Reza Rasaei, from the Yaresan religious minority, is at imminent risk of execution in relation to the “Woman Life Freedom” uprising after the Supreme Court rejected a request for judicial review on 16 January. His death sentence was issued following a grossly unfair trial that relied on his torture-tainted forced “confessions” obtained under beatings, electric shocks, suffocation, suspension and sexual violence.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

Head of the judiciary, Gholamhossein Mohseni Ejei

c/o Embassy of Iran to the European Union, Avenue Franklin Roosevelt No. 15, 1050 Bruxelles, Belgium

Dear Mr Gholamhossein Mohseni Ejei,

Reza (Gholamreza) Rasaei, aged 34, from Iran's oppressed Kurdish and Yaresan ethnic and religious minorities, respectively, is at imminent risk of execution in Dizel Abad prison, Kermanshah province, in relation to the nationwide protests of September-December 2022. On 7 October 2023, Branch Two of Criminal Court One in Kermanshah province convicted Reza Rasaei and sentenced him to death in connection with the death of the commander of the Intelligence Organization of the Revolutionary Guards in Sahneh, Kermanshah province, during a protest on 18 November 2022. Branch 17 of the Supreme Court upheld the verdict on 16 December 2023. On 16 January 2024, Branch One of the Supreme Court rejected his lawyer's request for judicial review. Both Branch 17 and Branch One of the Supreme Court disregarded exculpatory evidence including key witness testimonies and his lawyer's submissions on the flawed investigations and the omission of forensic and other evidence. The submissions also highlighted that a key witness recanted his initial statements implicating Reza Rasaei in the commander's death, subsequently stating that they were made under torture and other ill-treatment. Reza Rasaei has repeatedly denied any involvement and stated, including during trial, that his forced “confessions” were extracted through torture and other ill-treatment. Authorities have flagrantly violated Reza Rasaei's fair trial rights, including to access a lawyer from the time of arrest, to meaningfully challenge the legality of his detention, to not self-incriminate, and to be tried by an independent, competent and impartial tribunal and to a meaningful review by a higher tribunal. Courts have also unlawfully relied on forced “confessions” extracted from Reza Rasaei and others under torture and other ill-treatment to convict him.

Reza Rasaei was arrested in November 2022. According to an informed source, he was subjected to enforced disappearance, a crime under international law, for the first four months of his detention. During this time, agents from the Intelligence Organization of the Revolutionary Guards interrogated him and subjected him to torture and other ill-treatment, including electric shocks, suffocation by placing a plastic bag over his head, prolonged suspension, severe beatings and sexual violence to compel his forced “confessions”. Since his arrest, authorities have been denying him access to adequate healthcare, including for his torture-related injuries, including broken fingers and toes, which may be permanently damaged as a result. No investigations are known to have been carried out into his torture allegations.

I urge you to immediately halt any plans to carry out Reza (Gholamreza) Rasaei's execution and quash his conviction and death sentence and release him unless he is charged with an internationally recognizable criminal offence and is given a fair retrial without recourse to the death penalty excluding torture-tainted “confessions”. Pending his release, grant him regular access to his family, chosen lawyer, and adequate medical care; protect him from further torture and other ill-treatment; and investigate his torture allegations, bringing anyone found responsible to justice in fair trials. Finally, I urge you to grant independent observers access to capital trials connected to protests and immediately establish an official moratorium on executions with a view to abolishing the death penalty.

Yours sincerely,

ADDITIONAL INFORMATION

Reza Rasaei was arrested on 24 November 2022 in Shahriar, Tehran province, six days after attending an annual commemoration on 18 November 2022 in Sahneh marking the death of a spiritual leader of the Yaresan faith. The memorial ceremony turned into a protest, which included calls for truth and justice for the unlawful killing of Kian Piralak two days prior by security forces in Izeh, Khuzestan province, in the context of the “Woman Life Freedom” protests. During the protest in Sahneh on 18 November 2022, an agent from the Intelligence Organization of the Revolutionary Guards died after sustaining multiple knife wounds. Authorities accused Reza Rasaei, among others present at the commemoration, of stabbing the security official, which he repeatedly denied. According to an informed source, following his arrest, Reza Rasaei was transferred to a detention facility run by the Intelligence Organization of the Revolutionary Guards in Sahneh, where agents subjected him to severe beatings, electric shocks and suffocation by putting a plastic bag over his head. According to information obtained by Amnesty International, other methods of torture inflicted upon him included suspension from the ceiling while his hands and legs were tied behind his back for prolonged periods of time. An informed source told the organization that agents also subjected Reza Rasaei to sexual violence including through stripping him naked in front of other detainees and putting ice on his genitals while he was suspended.

Revolutionary Guards agents put several lawyers selected by Reza Rasaei’s family under intense pressure to stop representing him. He was only able to secure and meet with a lawyer of his choosing after the investigation stage ended and he was transferred to Dizel Abad prison on or about March 2023. Reza Rasaei’s trial in front of Branch Two of Criminal Court One in Kermanshah took place over three sessions, with the final hearing held on 21 September 2023. When Reza Rasaei told the judge during trial that his forced “confessions” were made as a result of torture and other ill-treatment during interrogations in the first four months of his detention, the presiding judge merely asked Reza Rasaei to show his torture-related bruises even though the trial was taking place more than six months after interrogations ended and when the bruises would no longer be visible. The judge did not order investigations into his torture claims or refer Reza Rasaei for forensic examination. During both the appeal and request for judicial review, the Courts disregarded key evidence, including Reza Rasaei’s lawyer’s submissions detailing the flawed and incomplete nature of investigations, highlighting, among other issues, concerns over the opinion of the Legal Medical Examiner on the number of weapons used in the agent’s killing. Moreover, the submissions highlighted that the sole prosecution witness who claimed during interrogations that he saw Reza Rasaei stab the agent from the front subsequently recanted his initial statements and said they were made under torture and other ill-treatment.

From September-December 2022, an unprecedented popular uprising against the Islamic Republic system took place across Iran, sparked by the death in custody on 16 September 2022 of Jina/Mahsa Amini days after her arbitrary arrest by Iran’s “morality” police. Iranian authorities extensively and unlawfully fired live ammunition, metal pellets and tear gas and subjected protesters to severe beatings. Hundreds of protesters and bystanders were unlawfully killed by security forces, including dozens of children, and thousands of others were injured. To date, the authorities have arbitrarily executed nine people in connection with the protests of 2022 after grossly unfair sham trials marred by torture allegations, and amid a spike in the number of executions of protesters and dissidents in recent months. On 23 January 2024, the authorities arbitrarily executed protester [Mohammad Ghobadlou](#), following a process and ruling shrouded in secrecy; Mohammad Ghobadlou’s lawyer was provided notice that his client was unexpectedly and unlawfully slated for execution less than 12 hours before his execution was carried out. The authorities have executed at least 14 people in connection with nationwide protests since 2018 and are increasingly using the death penalty to torment and terrorize people in Iran and impose silence and subservience through brute force.

Ethnic and religious minorities in Iran suffer entrenched discrimination in law and in practice. Iranian authorities curtail the access of ethnic minorities to education, employment and political office. Religious minorities, including Yaresan, also are subjected to discrimination in law and practice, including in access to education, employment, child adoption, political office and places of worship. Amnesty International opposes the death penalty in all cases without exception. The death penalty is a violation of the right to life as proclaimed in the Universal Declaration of Human Rights and it is the ultimate cruel, inhuman and degrading punishment. Amnesty International has consistently called on all states that retain the death penalty, including Iran, to establish an official moratorium on executions, with a view to completely abolishing the death penalty.

PREFERRED LANGUAGE TO ADDRESS TARGET: Persian, English

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 04 April 2024

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: Reza (Gholamreza) Rasaei (his/him)

LINK TO PREVIOUS UA: <https://www.amnesty.org/en/documents/mde13/7561/2024/en/>