

URGENT ACTION

TORTURED AHWAZI ARABS AT RISK OF EXECUTION

Three death row prisoners from Iran's Ahwazi Arab minority, Ali Khasraji, Hossein Silawi and Jasem Heidary, have sewn their lips together and been on hunger strike since 23 January 2021 in Sheiban prison in Ahvaz, Khuzestan province, in protest at their prison conditions, denial of family visits, and the ongoing threat of execution. A fourth Ahwazi Arab prisoner, Naser Khafajian, has been forcibly disappeared since April 2020, putting him at risk of torture and secret execution.

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

Head of judiciary, Ebrahim Raisi

c/o Embassy of Iran to the European Union

Avenue Franklin Roosevelt No. 15, 1050 Bruxelles, Belgium

Dear Mr Raisi,

Three prisoners from Iran's Ahwazi Arab minority, Ali Khasraji, Hossein Silawi and Jasem Heidary, have sewn their lips together and been on hunger strike since 23 January in Sheiban prison in Ahvaz, Khuzestan province, in protest at their prison conditions, denial of family visits, and the ongoing threat of execution. They are crammed into a cell intended for solitary confinement. A fourth Ahwazi Arab prisoner on death row, Naser Khafajian, has been forcibly disappeared since April 2020, putting him at risk of torture and secret execution. The men were violently transferred, along with dozens of others, including prisoners of conscience Mohammad Ali Amouri, Jaber Alboshokeh and Mokhtar Alboshokeh, from Sheiban prison to an unknown location on 31 March 2020 after protests over COVID-19 spreading in the prison. While most were returned to Sheiban prison by 13 April 2020, where they were subsequently denied medical care for injuries sustained during the repression of the protests, Ali Khasraji and Hossein Silawi remained forcibly disappeared until November 2020, and the authorities continue to forcibly disappear Naser Khafajian.

On 14 January 2020, the judiciary spokesperson announced that three men had been sentenced to death in relation to an armed attack on a police station in Ahvaz on 14 May 2017 that led to the death of two officials. While the spokesperson did not identify them by name, the case details he revealed indicated that he was referring to Hossein Silawi, Ali Khasraji and Naser Khafajian. That same month, prison officials told the three men that they had been sentenced to death for the May 2017 attack. On 8 October 2020, the Iranian government wrote to the Office of the UN High Commissioner for Human Rights that "the case [against these three men] is still pending" and that "since the legal proceedings have not hitherto been completed, it is inadmissible to raise the issue of ... capital punishment." This contradicts the threats repeatedly made against the men that their death sentences have been upheld by the Supreme Court and may be carried out at any moment. They have never been given copies of their verdicts. Jasem Heidary is on death row following an unfair trial which convicted him of collaboration with armed opposition groups. His verdict was upheld in November 2020. An alarming rise in executions of ethnic minority prisoners since mid-December 2020, including an Ahwazi Arab on 28 January 2021, has raised fears that they may also be executed soon.

I ask you to immediately reveal the fate and whereabouts of Naser Khafajian and stop any plans to execute him and Ali Khasraji, Hossein Silawi and Jasem Heidary. Their convictions and death sentences must be quashed, and they must be granted fair retrials, without recourse to the death penalty and excluding torture-tainted "confessions". I further urge you to release Mohammad Ali Amouri, Jaber Alboshokeh and Mokhtar Alboshokeh immediately and unconditionally, and ensure that prisoners in Sheiban prison are held in adequate conditions and receive adequate medical care and regular access to their families and lawyers.

Yours sincerely,

ADDITIONAL INFORMATION

In their October 2020 response to a communication from the Office of the UN High Commissioner for Human Rights (OHCHR) concerning the situation of Hossein Silawi, Ali Khasraji and Naser Khafajian, the Iranian government claimed that “the allegation of torture and abuse ... is totally devoid of any standing” because torture is prohibited under Iranian law and the authorities “carry out the necessary inspections and oversight programs and deal with any violation or irregularity in a lawful manner.” Beyond this blanket denial, the government did not indicate whether an investigation had been carried out into the allegations of torture and other ill-treatment. Hossein Silawi and Ali Khasraji have said that the torture they sustained at the hands of ministry of intelligence agents while held in prolonged solitary confinement resulted in their ribs being broken. Ali Khasraji has said that he sustained injuries in one of his hands and subsequently required a surgical implant to support the healing of his broken bones. Amnesty International understands that for several months, the authorities refused to transfer him to a hospital outside prison for medical treatment, despite his hand being severely swollen and painful, and his transfer took place only after he attempted suicide in protest. In their response to the OHCHR, the Iranian government also denied that the men had been subjected to enforced disappearance. The government stated that “they are held in a very specific location directly overseen by the State Prisons ... Organization, which refutes the allegation of enforced disappearance.” The government did not provide any additional information about the whereabouts of this “very specific location”. According to local Ahwazi Arab activists, Hossein Silawi and Ali Khasraji were most likely detained in a ministry of intelligence detention centre in Ahvaz between April 2020 and November 2020 when they were returned to Sheiban prison.

The Islamic Republic of Iran Broadcasting corporation (IRIB) broadcast the forced “confessions” of Hossein Silawi, Ali Khasraji and Naser Khafajian shortly after their arrest in May 2017, in breach of the presumption of innocence. In the propaganda programme, the men’s faces are blurred, and they are introduced as “Hossein S.”, “Ali Kh.” and “Naser S.” Local human rights activists have told Amnesty International that Naser Khafajian was introduced with the wrong initial. Hossein Silawi is shown giving his forced “confessions” while lying on a hospital bed, which exacerbates concerns around the coercive circumstances in which his “confessions” were extracted and filmed.

Mohammad Ali Amouri, Jaber Alboshokeh and Mokhtar Alboshokeh are sentenced to life imprisonment solely because of their peaceful work with a now-disbanded cultural rights group called Al-Hiwar (meaning “Dialogue” in Arabic). For months now, Jaber Alboshokeh has suffered from a dental infection and Mokhtar Alboshokeh from a jawbone infection, but the authorities have denied them access to a dentist. Jaber Alboshokeh is being held in the same ward as prisoners convicted of violent crimes, posing a risk to his safety and well-being. Mokhtar Alboshokeh and Jaber Alboshokeh have said that in recent months, prison officials have subjected them to beatings with batons multiple times when they have spoken out against their cruel and inhumane prison conditions.

In view of the irreversible nature of the death penalty, the proceedings in capital cases must scrupulously observe all relevant international standards protecting the right to a fair trial. Defendants must benefit from the services of competent defence counsel from the time of arrest and throughout the pre-trial, trial and appeal proceedings. They must be presumed innocent until their guilt has been proved based upon clear and convincing evidence leaving no room for an alternative explanation of the facts. Statements elicited as a result of torture or other ill-treatment must be excluded as evidence. The proceedings must guarantee the right to review of both the factual and the legal aspects of the case by a higher tribunal. The effective exercise of this right requires that individuals are provided with a public, reasoned judgement. The right to seek pardon must also be ensured. Under international law, the imposition of the death penalty following an unfair trial constitutes an arbitrary deprivation of the right to life.

Amnesty International opposes the death penalty in all cases without exception. The death penalty is a violation of the right to life and the ultimate cruel, inhuman and degrading punishment.

Iran’s Ahwazi Arab minority face entrenched discrimination curtailing equal access to education, employment, adequate housing and political office. Continued under-investment in Khuzestan province by the central government has exacerbated poverty and marginalization. Despite repeated calls for linguistic diversity, Persian remains the sole language of instruction in primary and secondary education in the province.

PREFERRED LANGUAGE TO ADDRESS TARGET: Persian, English

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 9 April 2021

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

NAME AND PREFERRED PRONOUN: Naser Khafajian, Ali Khasraji, Hossein Silawi, Jasem Heidary Mohammad Ali Amouri, Jaber Alboshokeh, Mokhtar Alboshokeh (all he/him)

LINK TO PREVIOUS UA: <https://www.amnesty.org/en/documents/mde13/2237/2020/en/>