



## Iran: Three men at risk of execution after participating in November 2019 protests

5 March 2019

*Geneva* - The World Organisation Against Torture (OMCT) condemns the sentencing of three Iranian citizens to death for their participation in the protests that took place in November 2019.

According to the information received, Amir Hossein Moradi, Mohammad Rajabi and Saeed Tamazidi were arrested in November 2019 for allegedly destroying public properties and setting fire to banks and petrol stations during the protests.

In mid-February 2020, Branch 15 of the Revolutionary Court in Tehran sentenced them to death over charges including "participation in the destruction and destruction intended to confront the Islamic Republic of Iran" and "enmity against God" (*moharebeh*). They were also sentenced to between 11 and 16 years in prison and flogging on separate charges.

The trial of the three men was tainted with gross irregularities, including denied access to a lawyer during the interrogations and investigation phases, in violation of their right to a fair trial. All three were allegedly subjected to physical and psychological torture to obtain forced confessions. This included prolonged periods in solitary confinement, beatings - including on the feet -, electric shocks, and suspension. Amirhossein Moradi's "confession", which was broadcasted on State television, was used as incriminatory evidence during the trial.

Mohammed Rajabi and Saeed Tamajidi had applied for asylum in Turkey but were deported back, in spite of being at risk of irreparable harm upon return and of Turkey's non-refoulement obligations under international law.

The three men are currently held at Fashofouyeh prison, in Tehran province.

We consider capital punishment as a form of torture and we reject the death penalty in all circumstances. We remind the government of the Islamic Republic of Iran that international law requires that capital punishment may only be imposed for the most serious crimes, which do not include the offences imputed to the defendants.

We further recall that all States are bound by an exclusionary rule and that the imposition of a death sentence upon the conclusion of a trial in which fair trial guarantees - including the use of forced confessions and lack of effective representation - have not been respected, constitutes a violation of the right to life.

We therefore urge the government to:

- Quash the death sentences of Amirhossein Moradi, Mohammad Rajabi and Saeed Tamjidi;
- Order a retrial and ensure that all fair trial guarantees are respected;
- Ensure that all allegations of torture are promptly and independently investigated and that perpetrators are brought to justice;
- Take effective measures to prohibit and prevent the use of torture under all circumstances;
- Ensure that evidence obtained in violation of the prohibition of torture and other forms of ill-treatment is inadmissible in a court of law;
- Establish a moratorium on the death penalty.