

URGENT ACTION

TWO BALUCHI PRISONERS AT RISK OF EXECUTION

Death row prisoners from Iran's Baluchi ethnic minority, Hamed Rigi and Mehran Naru'i, are at risk of execution. They have been subjected to serious human rights violations including enforced disappearance and torture and other ill-treatment to extract "confessions" used to convict and sentence them to death in unfair trials. Since mid-December 2020, the Iranian authorities have executed 18 Baluchi men, raising fears that Hamed Rigi and Mehran Naru'i may be executed imminently.

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,

I am writing to express concern about two death row prisoners from the Baluchi ethnic minority who are at risk of execution following grossly unfair trials. Hamed Rigi, who is on death row in Zahedan prison, Sistan and Baluchestan province, was sentenced to death in relation to an armed clash with anti-narcotics security forces in 2017 in Sistan and Baluchestan province in which several members of the security forces were killed. His two brothers Behnam Rigi and Shoaib Rigi, who were sentenced to death in the same case, were executed on 19 December 2020, raising fears that he may also be executed soon. Mehran Naru'i, on death row in Dastgerd prison in Esfahan province, is also at risk of execution. Amnesty International understands that he was sentenced to death about four years ago for drug-related offences. Another Baluchi prisoner, Anvar Naru'i, who was sentenced to death in the same case, was executed in Dastgerd prison on 28 January 2021, raising fears that the execution of Mehran Naru'i may be imminent.

According to information available to Amnesty International, following their arrests, both men were subjected to enforced disappearance and torture and other ill-treatment to extract "confessions". Their statements were unlawfully admitted as evidence by the judges presiding over their criminal proceedings, even though the men retracted them in court and said they had been made under torture. Their forced "confessions" were used to issue convictions against them. According to an informed source, both men were denied access to lawyers at the investigation stage of their cases, and Mehran Naru'i was also denied access to a lawyer at trial. Their sentences have been upheld by the Supreme Court.

Since 1 December 2020, at least 52 executions have taken place in Iran, with over a third of them Baluchi prisoners. According to information obtained by Amnesty International, at least 18 Baluchi men have been executed since 19 December 2020. The alarming escalation in executions of Baluchi prisoners raises serious concerns that the authorities are using the death penalty in a calculated campaign to sow fear among Baluchis and other ethnic minorities, as well as the wider population in Iran.

I ask you to immediately stop any plans to execute Hamed Rigi and Mehran Naru'i. 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 ensure that they receive regular access to their families and lawyers of their own choosing, that they are protected from further torture and other ill-treatment, and that their allegations of torture are independently, impartially and effectively investigated and those found responsible brought to justice in fair trials. In addition, I call on you to immediately establish an official moratorium on executions.

Yours sincerely,

ADDITIONAL INFORMATION

The disproportionate use of the death penalty against Iran's ethnic minorities epitomizes the entrenched discrimination and repression they have faced for decades. Baluchis and other ethnic minorities face discrimination that curtails their access to education, health care, employment, adequate housing and political office. Sistan and Baluchestan province suffers from continued under-investment by the central government, exacerbating poverty and marginalization. Many Baluchi villagers are also denied their right to sufficient, physically accessible and safe water due to poor infrastructure, forcing them to rely on unsafe sources of water such as rivers, wells, ponds and water pits inhabited by crocodiles for drinking and domestic use, putting their lives at risk.

The Iranian authorities have a long history of sentencing to death and executing individuals on drug-related offences. Although executions for drug-related offences have dramatically decreased in recent years following the 2017 reform of Iran's anti-narcotics law, individuals can still be sentenced to death for some non-violent drug offences based on the quantity and type of drugs seized. Numerous senior Iranian officials previously conceded publicly that decades of punitive drug policies and rampant use of the death penalty had failed to address the country's drug addiction and trafficking problems. They also admitted that drug-related offences are often linked to other social problems such as poverty and unemployment.

In his January 2021 report to the UN Human Rights Council, the UN Special Rapporteur on the human rights situation in the Islamic Republic of Iran stated that he remained "deeply concerned at the high number of death sentences and executions in the Islamic Republic of Iran, including for acts that do not amount to the 'most serious crimes' and following unfair trials. The Human Rights Committee has consistently interpreted the most serious crimes as those involving intentional killing." Amnesty International has documented numerous cases in which the Iranian authorities have executed prisoners, including from ethnic minorities, following grossly unfair trials and for offences that should not be punishable by death under international law.

Amnesty International has also documented a pattern of systematic fair trial rights violations in Iran, from the time of arrest and throughout pre-trial, trial and appeal proceedings. Detainees are often arrested without warrants and held in prolonged solitary confinement in undisclosed locations without access to their families in conditions amounting to enforced disappearance. Prosecution authorities and interrogators belonging to security and intelligence bodies systematically deny detainees their right to access a lawyer from the time of arrest. Torture and other ill-treatment and forced "confessions" obtained under torture and without a lawyer present are consistently used as evidence by courts to issue convictions. The organization has also documented a pattern of secret executions taking place in Iran, including of ethnic minorities, with the authorities executing individuals without prior notice to their families or lawyers as required by Iranian law.

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.

PREFERRED LANGUAGE TO ADDRESS TARGET: Persian, English

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 15 April 2021

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

NAME AND PREFERRED PRONOUN: Hamed Rigi; Mehran Naru'i [both he/him]