

URGENT ACTION

KURDISH MEN FORCIBLY DISAPPEARED FOR MONTHS

Iranian authorities have forcibly disappeared Iranian Kurdish dissidents **Pejman Fatehi, Vafa Azarbar, Mohammad (Hazhir) Faramarzi and Mohsen Mazloun** for seven months, by concealing their fate and whereabouts from their families and lawyer since their arrests in July 2022. They are at grave risk of torture and other ill-treatment and unfair trials on charges that carry the death penalty.

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

*Head of 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,

*Ministry of Intelligence agents and prosecution authorities have forcibly disappeared **Pejman Fatehi, Vafa Azarbar, Mohammad (Hazhir) Faramarzi and Mohsen Mazloun** from Iran's oppressed Kurdish minority since July 2022. They were arrested on 20 July 2022 by Ministry of Intelligence agents near Urumieh, West Azerbaijan province. On 23 July 2022, Iranian state media announced the arrest of four unnamed individuals accused of being "spies" for Israel and planning "terrorist" acts inside Iran. Their families believe that these announcements pertained to the four men, based on the timing and nature of the allegations, which are in apparent connection to their affiliation with Komala, a banned Kurdish opposition group. On 12 October and 5 December 2022, Iranian state TV aired a propaganda video showing the four men "confessing" to planning to bomb an industrial estate near the city of Esfahan, under the instructions of the Israeli intelligence. By airing these "confessions", the authorities violated the four men's right to a fair trial, including to presumption of innocence, to not self-incriminate and to remain silent.*

Since their enforced disappearance, a crime under international law, their families and the independent lawyer they retained have attempted to ascertain the four men's whereabouts by enquiring in detention centres and courts in Urumieh, Mahabad, Sanandaj, Esfahan and Tehran. Authorities have refused to provide them with any information, and on multiple occasions Ministry of Intelligence agents warned them to no longer enquire about the four men "since it is pointless and they face execution." Given their enforced disappearance and the authorities' refusal to reveal any information, neither their families nor lawyer have any information about their legal status including whether they have been charged and/or referred to trial, but the accusations made against them in state media represent offences punishable by the death penalty. Amnesty International is concerned about their safety and wellbeing given the widespread and systematic use of torture and other ill-treatment against detainees, in particular during the investigation stage to extract "confessions". Concerns are heightened by the routine imposition of death sentences by Iranian courts after unfair trials in which forced "confessions" are used as evidence, even when they are retracted in court.

*I urge you to immediately disclose the fate and whereabouts of **Pejman Fatehi, Vafa Azarbar, Mohammad (Hazhir) Faramarzi and Mohsen Mazloun** and, in light of their arbitrary detention, release them. If charged with a recognizable criminal offence, they must be tried in proceedings compliant with international fair trial standards that exclude forced "confessions" and without recourse to the death penalty. In the meantime, I urge you to protect them from torture and other ill-treatment, and grant them immediate and regular access to their families, lawyers of their choosing and to adequate healthcare if needed.*

Yours sincerely,

ADDITIONAL INFORMATION

The Iranian authorities have persistently denied the families of Pejman Fatehi, Vafa Azarbar, Mohammad (Hazhir) Faramarzi and Mohsen Mazloum any information about their fate and whereabouts; on multiple occasions officials denied any knowledge of the four men, even after the videos of their forced “confessions” were broadcast. Following video-recorded appeals by the mothers of Pejman Fatehi, Mohammad (Hazhir) Faramarzi and Mohsen Mazloum, which began circulating online in January 2023, pleading for the authorities to grant them access to their sons, Ministry of Intelligence agents summoned family members for interrogations and threatened them with imprisonment for making any further enquiries about the fate and whereabouts of the four men. Their lawyer has also attempted to gather information on their case on multiple occasions by sending letters to Tehran’s Evin Prison and the Interior Ministry, and enquiring in courts, but the authorities have ignored his requests.

The first time the men’s families had any information about them since their arrests in July 2022 was on 12 October 2022, after they had been forcibly disappeared for 80 days, when their forced “confessions” were broadcast in a propaganda video on state television. In the video, reviewed by Amnesty International, the authorities claimed that Pejman Fatehi, Vafa Azarbar Mohammad (Hazhir) Faramarzi and Mohsen Mazloum were arrested near Esfahan and had planned to bomb a “strategically important industrial estate” under the instruction of Israel’s intelligence agency, Mossad. In an open letter to the UN Special Rapporteur on the human rights situation in Iran, Javaid Rehman, dated 26 November 2022, the men’s families describe the faces of the four men in their forced “confession” as “weak, tired and tortured.” In their letter, the families also deny the authorities’ claims that the men had been involved in any “terrorist” and violent acts. On 5 December 2022, the same propaganda video was broadcast again on state television, retraumatizing the four men’s families and raising further alarm about their safety and wellbeing.

In response to a statement by Ministry of Intelligence published on Iranian state media on 23 July 2022 about the apprehension of four unnamed individuals in connection to “terrorist activities”, Komala issued a statement, on 27 July 2022, “vehemently denying the false and baseless accusations” against its members and stated that the four men were arrested in West Azerbaijan province while they were engaged in organizational and political activities.

Under international human rights law and standards, the right to freedom of expression includes the right to peacefully advocate for any political opinion so long as the ideas espoused do not advocate hatred constituting incitement to discrimination, hostility or violence. The right to freedom of expression is protected under the International Covenant on Civil and Political Rights, which Iran has ratified. Anyone arrested or detained on a criminal charge, including those related to “terrorism”, must be treated in full compliance with Iran’s human rights obligations including the right to a fair trial. These include the rights to choose one’s own lawyer; to access effective legal assistance from the time of arrest and throughout the pre-trial and trial proceedings; to be brought promptly before a judge; to challenge the lawfulness of detention before an independent, impartial tribunal; to be presumed innocent; to remain silent and not to be compelled incriminate oneself or to confess guilt; to obtain full access to relevant evidence; to not be detained on vague charges; to examine and cross-examine witnesses; to receive a fair, public hearing before a competent, independent and impartial tribunal; and to be provided with a public, reasoned judgement. Amnesty International has documented a pattern of systematic violations of the rights to a fair trial in Iran from the time of arrest and throughout the investigation, trial and appeal proceedings. Courts routinely ignore allegations of torture and other ill-treatment, without ordering an investigation, and rely on torture-tainted “confessions” to issue convictions and sentences, including in death penalty cases.

Amnesty International opposes the death penalty in all cases without exception regardless of the nature of the crime, the characteristics of the offender, or the method used by the state to kill the prisoner. The death penalty is a violation of the right to life and the ultimate cruel, inhuman and degrading punishment. Amnesty International has consistently called on all countries that retain the death penalty including Iran to establish an official moratorium on executions, with a view to completely abolishing the death penalty.

Ethnic minorities in Iran face entrenched discrimination which curtails their access to education, employment and political office. The Iranian authorities are increasingly using the death penalty as a tool of political repression against ethnic minorities, particularly against Kurds and Baluchis, who are disproportionately impacted by death sentences and also being executed in secret, with the authorities then refusing to return their bodies for burial to their families.

PREFERRED LANGUAGE TO ADDRESS TARGET: Persian, English

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 17 April 2023

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

NAME AND PREFERRED PRONOUN: Mohammad (Hazhir) Faramarzi, Mohsen Mazloum, Pejman Fatehi and Vafa Azarbar (all he/him)