

URGENT ACTION

KURDISH MAN SENTENCED TO DEATH AFTER UNFAIR TRIAL
Iranian Kurdish prisoner Ramin Hossein Panahi has been on hunger strike since 27 January in protest of being sentenced to death after a grossly unfair trial that followed four months of enforced disappearance. He has been transferred to solitary confinement in reprisal. His conviction and sentence violate international law and must be quashed.

Ramin Hossein Panahi, a 22-year-old man from Iran's Kurdish minority, started a hunger strike on 27 January after he learned that he had been sentenced to death in connection with his membership of the armed Kurdish opposition group Komala. On 31 January, a Ministry of Intelligence official visited him in prison and said that his death sentence would be commuted to imprisonment if he agreed to make televised "confessions" denouncing Kurdish opposition groups as "terrorists". When he refused, the intelligence official apparently became enraged and said that he would pay with his life for his "stubbornness". Ramin Hossein Panahi was then transferred to solitary confinement where he now remains. There are fears about his health as he suffers from persistent headaches and a kidney infection, possibly resulting from torture. Following his arrest on 23 June 2017, he was forcibly disappeared for four months. According to him, during this period and a further two months of solitary confinement, Ministry of Intelligence and Revolutionary Guards officials repeatedly tortured him including through beating him with cables, kicking and punching him in the stomach and hitting his head against the wall. They also deliberately denied him adequate medical care for the injuries he sustained from being shot at the time of his arrest.

Ramin Hossein Panahi's trial, which took place on 16 January, was grossly unfair and lasted less than an hour. His family told Amnesty International that he appeared before the Revolutionary Court in Sanandaj with obvious torture marks on his body but the court failed to order an investigation. According to his lawyer, the court convicted him and sentenced him to death for "taking up arms against the state" (*baqi*) based on his membership of Komala, but without providing any specific evidence linking him to acts involving intentional killing, which is the required threshold under international law for imposing the death penalty. Between his arrest and trial, he was only allowed one brief meeting with his lawyer, which took place in the presence of intelligence officials. This violates the right to consult with one's lawyer in confidence. The judicial authorities also refused to disclose to either him or his lawyer the details of the evidence brought against him before the hearing. His lawyer is planning to appeal his sentence.

Please write immediately in English, Persian or your own language calling on the Iranian authorities to:

- Ensure that Ramin Hossein Panahi's death sentence and conviction are quashed and release him unless there is sufficient evidence not obtained through torture or other ill-treatment to charge him with a recognizable criminal offence and grant him a fair trial, without recourse to the death penalty;
- Stop using the denial of medical care as a form of punishment and ensure that he is immediately granted access to adequate medical care outside prison;
- Order a prompt, independent and impartial investigation into his prolonged solitary confinement and allegations of torture and other ill-treatment, bringing to justice anyone found responsible, including those with superior responsibility, in fair trials and without recourse to the death penalty.

PLEASE SEND APPEALS BEFORE 19 MARCH 2018 TO:

High Council for Human Rights
 Mohammad Javad Larijani
 Esfaniar Boulevard, Niayesh Intersection
 Vali Asr Avenue, Tehran, Iran

Head of Sanandaj's Central Prison
 Aziz Heidary
 Ershad Street
 Sanandaj, Kurdistan Province, Iran

Deputy for Human Rights and International Affairs, Ministry of Justice
 Mahmoud Abbasi
 Number 1638, Below Vali Asr Square
 Vali Asr Avenue, Tehran, Iran
 Email: dr.abbasi@sbmu.ac.ir

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the first update of UA 171/17. Further information:

www.amnesty.org/en/documents/mde13/6734/2017/en/

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ADDITIONAL INFORMATION

Ramin Hossein Panahi was held in solitary confinement in detention centres run by the Revolutionary Guards and Ministry of Intelligence from his arrest on 23 June 2017 until 9 January 2018 when he was transferred to Sanandaj's Central Prison. The circumstances around his arrest are unclear to Amnesty International. Komala initially issued a statement noting that he and three other Komala members had engaged in an armed clash with the Revolutionary Guards in the neighbourhood of Shalman in Sanandaj. Komala is an armed Kurdish opposition group which has been engaged in armed activities against the Islamic Republic of Iran since the 1980s. The exchange of gunfire apparently started at a Revolutionary Guards checkpoint after the men were identified while travelling in a car and did not heed a call to stop. During the clash, Ramin Hossein Panahi was severely injured and the other three men, Sabah Hossein Panahi, Hamed Seyf Panahi and Behzad Nouri, were shot dead. However, Ramin Hossein Panahi and his lawyer have since claimed that the shots were only fired by the Revolutionary Guards. This claim is supported by a report on a domestic media outlet affiliated with the Ministry of Intelligence, Akam News, on 17 July 2017, which stated that the Revolutionary Guards ambushed the men and opened fire on them and the men were not able to fire any shots back. An official statement that the Revolutionary Guards issued on 23 June 2017 also referred to no casualties.

During the four months in which he was forcibly disappeared following his arrest, Ramin Hossein Panahi's elderly parents reported making strenuous efforts to locate him by visiting various government offices in Sanandaj and Qorveh, and the village of Dehgolan, all in Kurdistan Province, but said that officials refused to disclose his fate or whereabouts. Instead, officials directed threats and insults at them, describing their loved one as a "terrorist". After tormenting his family for more than four months, the Ministry of Intelligence in Sanandaj contacted Ramin Hossein Panahi's mother on 31 October 2017 and instructed her to go to Sanandaj's bus terminal, which she did immediately. From there, she was picked up by Ministry of Intelligence officials and taken to an undisclosed location to meet with her son. His mother said that the intelligence officials initially wanted to take photos and videos of the family visit but they removed the cameras after Ramin Hossein Panahi objected.

Hours after Ramin Hossein Panahi's arrest on 23 June 2017, the Revolutionary Guards stormed his parents' house in the village of Qeruchay, near Sanandaj, and arrested his brother, **Afshin Hossein Panahi**. They raided the house again on 24 June and arrested three other members of his family: **Ahmad Hossein Panahi** (his brother-in-law); **Zobeyr Hossein Panahi** (a distant relative); and **Anvar Hossein Panahi** (a cousin). Information received by Amnesty International suggests that none of these men had any involvement with the armed clashes and were instead arrested by the Revolutionary Guards in an apparent effort to exact retribution and create a climate of fear. In October 2017, **Afshin Hossein Panahi** was sentenced to eight and a half years in prison, which he is currently serving in Sanandaj's Central Prison. **Ahmad Hossein Panahi** and **Zobeyr Hossein Panahi** were sentenced, respectively, to five and six years in prison. They were all convicted of national security charges connected to their involvement with Komala.

International law restricts the application of the death penalty to the "most serious crimes", interpreted by international bodies as being limited to "intentional killing". Under the International Covenant on Civil and Political Rights, which binds Iran as a state party, all people brought to trial have the right to fair proceedings. Given the irreversible nature of the death penalty, international human rights law requires explicitly that proceedings in capital cases scrupulously observe all relevant international standards protecting the right to a fair trial, no matter how heinous the crime. 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, as a violation of the right to life and the ultimate cruel, inhuman and degrading punishment.

Name: Ramin Hossein Panahi

Gender m/f: m

Further information on UA: 171/17 Index: MDE 13/7827/2018 Issue Date: 05 February 2018