

# URGENT ACTION

## FAMILY UNDER REPEATED ATTACK FOR SEEKING JUSTICE

In their latest retaliation against the Afkari family for seeking accountability, the Iranian authorities have been arbitrarily detaining Elham Afkari since her arrest by Ministry of Intelligence agents on 10 November in Shiraz, Fars province, amidst the ongoing popular uprising in Iran. Her brother, protester Vahid Afkari, is being tortured in Adelabad prison, Fars province, where he has been held in solitary confinement since 5 September 2020 and denied adequate medical care. Vahid Afkari and Elham Afkari must be released immediately.

### 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,*

*Elham Afkari, 39-year-old mother-of-one, is arbitrarily detained at Adelabad prison in Shiraz, Fars province, and at risk of a grossly unfair trial before a Revolutionary Court and prolonged unjust imprisonment in connection to her family ties. The Afkari family has been vocal in seeking justice for the death of her brother, Navid Afkari, at the hands of the Iranian authorities. On 10 November 2022, Ministry of Intelligence agents in Shiraz arrested Elham Afkari along with her husband and child. Her arrest took place amidst the authorities' crackdown on the popular uprising sweeping the country since mid-September and their systematic repression of families seeking accountability for the unlawful killings of protesters and other flagrant violations of the right to life by the authorities. Ministry of Intelligence agents held her in solitary confinement for nine days at a detention facility in Shiraz, known as "Pelak-e 100", where an investigator accused her of "spreading propaganda against the system" for her Instagram posts on the unlawful killings perpetuated by the authorities. On 22 November, an official announced she was charged with "gathering and colluding to commit crimes against national security" in connection with the uprising. She is being denied a fair trial, including her rights to adequate defence, to an independent lawyer of her choosing and to be tried by an independent, impartial tribunal.*

*The authorities have a long track record of unjustly targeting the Afkari family. Between September and December 2018, the Iranian authorities arbitrarily arrested three of Elham Afkari's brothers, Vahid Afkari, Navid Afkari, and Habib Afkari in the aftermath of their participation in protests in Shiraz between 2016 and 2018. They were subjected to a litany of abuse, and convicted of baseless charges in grossly unfair torture-tainted and politically-motivated proceedings. On 5 September 2020, Vahid Afkari and Habib Afkari were severely beaten and moved to solitary confinement, and Navid Afkari's unjust death sentence was carried out in secret on 12 September 2020. On 5 March 2022, Habib Afkari was released from prison after over 550 days in solitary confinement. Vahid Afkari remains in solitary confinement completely isolated from other prisoners in Adelabad prison, in reprisal for refusing authorities' demands for him to publicly admit "his crimes" and denounce his and his family's supporters in Iran and across the world. He is being deliberately denied adequate healthcare, including for torture-related injuries.*

***I call on you to release Elham Afkari and Vahid Afkari as they are arbitrarily detained. Pending their releases, ensure they are held in conditions meeting international standards for the treatment of prisoners, including access to adequate health care and removal from solitary confinement. A prompt, independent and impartial investigation into Vahid Afkari's allegations of torture and other ill-treatment must be conducted and all those suspected of criminal responsibility brought to justice in fair trials.***

*Yours sincerely,*

## ADDITIONAL INFORMATION

On 10 November, state media close to Iran's security and intelligence apparatus disseminated propaganda articles claiming that Elham Afkari was detained at the border of Iran while showing a photograph of her blindfolded in custody. According to information gathered by Amnesty International, she was arrested that same day in Shiraz, located in south-central Iran, while out with her family. The articles also falsely claimed that she was one of the "key agents" inside the country, working on behalf of Iran International, a Persian language news channel based outside of the country, which Iran's Minister of Intelligence has labelled a "terrorist organization", and also accused her of encouraging women and girls to participate in the ongoing popular uprising. On 22 November 2022, the spokesperson of judiciary stated that Elham Afkari was accused of "gathering and colluding to commit crimes against national security" through "assisting the calls of the opponents [of the Islamic Republic system]" in the context of the ongoing popular uprising. A conviction on this charge carries up to five years in prison. Elham Afkari's family denies all these accusations, which would fall within the scope of the peaceful exercise of human rights. Elham Afkari's husband and three-year-old child were released later the same day on 10 November 2022, though Ministry of Intelligence agents denied Elham Afkari all information about her child for two days, causing her great mental distress as she believed her child could still be in detention.

The three brothers were convicted of politically-motivated charges for their peaceful participation in protests. Vahid Afkari and Navid Afkari were also convicted of a baseless accusation involving murder of a security official. The authorities unjustly sentenced Navid Afkari to death, and Habib Afkari and Vahid Afkari to prison terms and 74 lashes each. Following extensive review of court documents and other legal documents pertaining to Vahid Afkari and Habib Afkari's cases, Amnesty International concluded that their convictions and sentences are flagrantly unjust and amount to a miscarriage of justice. See <https://www.amnesty.org/en/documents/mde13/4349/2021/en/>. In June 2022, the UN Working Group on Arbitrary Detention [held](#) that "that the deprivation of liberty of Vahid [Afkari] and Habib Afkari lacks legal basis and is thus arbitrary...[and] the breaches of the fair trial and due process rights... are of such gravity as to give their deprivation of liberty an arbitrary character" and called for their immediate unconditional release and for them to be accorded reparations in accordance with international law. Vahid Afkari reported in written complaints and in court that between his arrest in September 2018 and the May 2019 completion of the investigation stage, he was repeatedly tortured to "confess". He said he was held in prolonged solitary confinement, repeatedly punched, kicked, and beaten with sticks and cables while blindfolded, and psychologically tortured, including through death threats and threats to imprison, kill, sexually assault or otherwise harm his family members, including his sister. Vahid Afkari attempted suicide on 26 October 2018 and 2 April 2019; both times authorities failed to provide him with adequate healthcare. His repeated requests for his allegations of torture to be investigated were dismissed and ignored.

Amnesty International has previously [documented](#) how Iranian authorities systematically target families seeking truth and justice for the unlawful killings of their loved ones. Relatives seeking truth and justice and witnesses from the November 2019 protests who testified at hearings of the International People's Tribunal on Iran's Atrocities in London held between November 2021 and February 2022 faced reprisals from the Iranian authorities, including arbitrary arrest and detention, violence, unjust prosecution, summoning for coercive interrogations, death threats, and other forms of harassment. Amnesty International has also previously documented how the authorities were attempting to coerce the Afkari family into silence through repeated harassment, threats and prosecution, and restricted their rights to hold memorial ceremonies. They also subjected Navid Afkari's burial site to desecration and destruction. On 13 November 2022, Hamid Afkari, another brother, was arbitrarily detained for less than 24 hours when he inquired about his sister. Prior to this, on 12 September 2021, another brother, Saeed Afkari, who has also publicly called for accountability for his brothers, was arbitrarily arrested in Shiraz and released after hours of intense interrogations.

Iran has been rocked by an unprecedented popular uprising against the Islamic Republic system since the death in custody of Mahsa (Zhin) Amini following her arrest by Iran's "morality" police on 16 September 2022. Security forces have responded with unlawful force, including lethal force, killing hundreds of men, women and children and injuring thousands of others. According to a report by Radio Farda on the hacked files of state media outlet Fars News, the authorities have arbitrarily arrested over 29,000 people as of late October 2022 in the context of the popular uprising. Those arrested include protesters, journalists, human rights defenders, dissidents, university students and schoolchildren, and many have been subjected to enforced disappearance, incommunicado detention, torture and other ill-treatment, and unfair trials, including for offences carrying the death penalty.

**PREFERRED LANGUAGE TO ADDRESS TARGET:** Persian, English

You can also write in your own language.

**PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL:** 31 January 2023

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

**NAME AND PREFERRED PRONOUN:** Vahid Afkari (he, him), Elham Afkari (she, her)

**LINK TO PREVIOUS UA:** <https://www.amnesty.org/en/documents/mde13/4250/2021/en/>