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IRAN

TORTURED GERMAN-IRANIAN FACING DEATH SENTENCE



Iranian authorities have forcibly disappeared and are torturing Jamshid Sharmahd, a 67-year-old German-Iranian political dissident who is at risk of being sentenced to death for “corruption on earth” (efsad-e fel-arz) following a grossly unfair trial. He has been arbitrarily detained and held in solitary confinement since July 2020, but authorities refuse to reveal his location to his family.

Throughout the trial proceedings, which concluded on 26 July 2022, he was denied access to an independent lawyer of his own choosing and the right to defend himself. His government-appointed lawyer told his family on 2 July 2022 that there was “no point” to him objecting against the Revolutionary Court admitting Jamshid Sharmahd’s forced “confessions” as evidence. Prior to this, on 9 May 2021, the government-appointed lawyer said that without payment of US\$250,000 from the family, he would not defend

Jamshid Sharmahd in court and would only “sit there [in court]”. Following Jamshid Sharmahd’s abduction in late July 2020 and arbitrary detention, Iranian state television aired propaganda videos showing him “confessing” to having a role in an April 2008 explosion in Shiraz, Fars province, in which 14 people were killed according to Iranian state media, thus violating his right to the presumption of innocence, not to self-incriminate and violating his right to be protected from torture and other ill-treatment. The charge of “corruption on earth”, which is in connection with Jamshid Sharmahd’s involvement in the Kingdom Assembly of Iran, an opposition collective that advocates for an end to the Islamic Republic system, is not clearly defined in law, and as such contravenes the principle of legality. He has repeatedly denied these accusations, including during trial.

Jamshid Sharmahd has been forcibly disappeared for about 21 months, with the authorities continuing to refuse to reveal the location of his detention to his family. Since late September 2021 he has only been permitted two brief phone calls to his family –on 23 March 2022 and on 19 June 2022. During these brief phone calls in the presence of security agents, Jamshid Sharmahd revealed that he is being tortured and otherwise ill-treated, including by being held in prolonged solitary confinement since his abduction in July 2020, denied all contact with other prisoners, forced to sleep on the floor in a small room, where he is unable to take even a few steps or distinguish between daytime and night-time. Authorities are also denying him adequate healthcare, including dental care, and are routinely delaying his access to medications required for his Parkinson’s disease, resulting in severe body aches and difficulty breathing.

Write to the Head of the Judiciary urging him to:

- immediately reveal Jamshid Sharmahd's fate and whereabouts and, in light of his arbitrary detention, immediately release him
- pending his release, ensure that he is given regular access to family, adequate medical care, including dental care, a lawyer of his choosing and consular assistance from the German authorities
- ensure he is protected from further torture and other ill-treatment
- conduct an independent, effective and impartial investigation into his allegations of torture and other ill-treatment, with a view of bringing those responsible to justice in fair trials

Write to:

The Head of the Judiciary,
Gholamhossein Mohseni Ejei
c/o Embassy of Iran to the European Union
Avenue Franklin Roosevelt No. 15
1050 Bruxelles
Belgium
Email: secretariat@iranembassy.be
Salutation: Dear Mr Gholamhossein Mohseni Ejei:

Additional information

Jamshid Sharmahd, a resident of the USA and a journalist, created a website, Tondar, for the Kingdom Assembly of Iran (also known as Anjoman-e Padeshahi-ye Iran), where content could be posted anonymously, and which he read out in radio and video broadcasts. The website included statements from the Kingdom Assembly of Iran claiming responsibility for explosions inside Iran. Jamshid Sharmahd has denied his involvement in the violent acts attributed to him by the authorities, including by rejecting all accusations during trial. Amnesty International is concerned that Jamshid Sharmahd is at risk of the death penalty as two men, Mohammad Reza Ali Zamani and Arash Rahmanipour, were executed in Iran in January 2010 after being convicted in grossly unfair trials of "enmity against God" (moharebeh) in relation to their real or perceived affiliation with the Kingdom Assembly of Iran.

On 1 August 2020, the Ministry of Intelligence announced in a statement that its secret agents, referred to as the "unknown soldiers of Imam Zaman" had arrested Jamshid Sharmahd following a "complex operation" without providing further details. The same day, Iran's Minister of Intelligence, Mahmoud Alavi, stated that Jamshid Sharmahd was "heavily supported by the intelligence services of the USA and Israel" and that he had been "led" into Iran through "complex operations" and taken into the custody of the Ministry of Intelligence. This was widely understood to have meant that he was abducted by Iran's intelligence agents from abroad – Jamshid Sharmahd had been in the UAE – and forcibly taken to Iran. Jamshid Sharmahd's forced "confessions" were aired on Iranian state television on multiple occasions prior to his trial. In one propaganda video, released in January 2021, his "confessions" were interspersed with clips of his broadcasts for the Kingdom Assembly of Iran, with him identified by the narrator as the group's leader and a "terrorist". Following his abduction and arbitrary detention, his family in the USA reports that Ministry of Intelligence agents pressured them to prepare forced "confessions" on Jamshid Sharmahd's home computer, which they refused.

Following his abduction, Ministry of Intelligence agents told Jamshid Sharmahd that he was held in Tehran's Evin prison, but by late 2020 he told his family he was no longer there without being permitted to say more about his location. During a 23 March 2021 phone call, Jamshid Sharmahd said he had lost nearly 20kg and that only two of his teeth remained intact without being able elaborate further, adding that he was only able to eat by using his gums to try to chew food. Since 2019, Amnesty International has documented two other cases involving the abduction of dissidents based abroad by Iran's security and intelligence agents and their forcible return to Iran. Dissident journalist Rouhollah Zam was abducted during a visit to Iraq in October 2019 by the Revolutionary Guards, apparently with the assistance of Iraqi intelligence authorities, and forcibly returned to Iran. He was [executed](#) in December 2020 following a grossly unfair trial. Habib Chaab, an Iranian-Swedish dual national, currently detained in Iran, was abducted in Turkey in October 2020, and removed to Iran through what the Iranian authorities called "specialist and combined actions". Turkish authorities wrote in a January 2021 [reply](#) to a communication from several UN Special Rapporteurs that he was "illegally smuggled to Iran the day after his arrival in Turkey." Habib Chaab is currently at risk of being sentenced to death.

While every government has a duty to bring to justice those suspected of criminal responsibility for criminal acts, 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 to guarantee the right to a fair trial and ensuring international fair trial standards are respected. These further include the rights to choose one's own lawyer; to access effective legal assistance from the time of arrest and throughout the pre-trial, trial and appeal proceedings; to be brought promptly before a judge or other officer authorized by law to exercise judicial power; 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. The imposition of the death penalty following an unfair trial constitutes an arbitrary deprivation of the right to life and executions of individuals sentenced to death by Revolutionary Courts following unfair trials that violate international human rights law, may also amount to extrajudicial executions, a crime under international law. 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.