

URGENT ACTION

SWEDISH-IRANIAN AT RISK OF RETALIATORY EXECUTION

Tortured Swedish-Iranian academic Ahmadreza Djalali, arbitrarily detained in Tehran's Evin prison, is at risk of imminent execution. Mounting evidence indicates that Iranian authorities are holding him hostage and threatening to execute him to compel Belgium and/or Sweden to hand over two imprisoned former Iranian officials, and to deter future prosecutions of Iranian officials. The authorities must halt any plans to execute Ahmadreza Djalali and release him 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,

Swedish-Iranian academic Ahmadreza Djalali, who is arbitrarily detained in Tehran's Evin prison, is at risk of imminent execution. Mounting evidence strongly indicates that the Iranian authorities are committing the crime of hostage-taking against Ahmadreza Djalali, and threatening to execute him in order to compel third parties to swap him for former Iranian officials convicted and/or on trial abroad as well as to refrain from future prosecutions of Iranian officials. On 4 May 2022, several Iranian state media outlets warned of Ahmadreza Djalali's looming execution and explicitly linked his fate to the trial in Sweden of former Iranian prison official Hamid Nouri for his alleged involvement in Iran's 1988 prison massacres, with the trial outcome expected on 14 July 2022.

Ahmadreza Djalali was arrested in Tehran in April 2016 and sentenced to death for "corruption on earth" (efsad-e fel-arz) in October 2017 after a grossly unfair trial before Branch 15 of the Revolutionary Court in Tehran. The court relied primarily on "confessions" that Ahmadreza Djalali says were obtained under torture and other ill-treatment while he was held in prolonged solitary confinement without access to a lawyer. Amnesty International has consistently held that the offence of "corruption on earth" fails to meet requirements for clarity and precision needed in criminal law and breaches the principle of legality and legal certainty. On 9 December 2018, his lawyers learned that Branch 1 of the Supreme Court had upheld his death sentence without granting them an opportunity to file their defence submissions. On 23 May 2022, Ahmadreza Djalali filed a request to the Supreme Court for judicial review and, separately, on 21 May 2022, Ahmadreza Djalali's lawyers appealed to the head of judiciary under Article 477 of Iran's Code of Criminal Procedure to order a review of the case. Both requests remain pending. Ahmadreza Djalali has several health conditions for which he has not received adequate medical treatment including medication. He underwent surgery on 21 January 2022 for his chronic back pain, but was transferred the next day back to prison, where he has been forced to again sleep on the floor, leading to worsening back pain.

I ask you to immediately stop any plans to execute Ahmadreza Djalali, quash his conviction and death sentence, and immediately release him and accord him an enforceable right to compensation, per the recommendation of the UN Working Group on Arbitrary Detention. Pending his release, Ahmadreza Djalali must be provided with adequate medical care and protected from further torture and other ill-treatment. Prompt, independent, effective, and impartial investigations into those suspected of ordering, committing, aiding or abetting unlawful acts against him, including hostage-taking and torture, must be conducted and those suspected of such offences brought to justice in fair trials. I also call on you to establish an official moratorium on executions with a view to abolishing the death penalty.

Yours sincerely,

ADDITIONAL INFORMATION

On 4 May 2022, Iranian state media outlets warned of Ahmadreza Djalali's looming execution and stated that "in carrying out the death sentence of Ahmadreza Djalali, the government of Iran will... bar the government of Sweden from undertaking further actions similar to the detention of Hamid Nouri." These articles were published just days after the prosecution authorities in Sweden sought a life sentence for Hamid Nouri for his alleged involvement in Iran's [1988 prison massacres](#). Hamid Nouri's trial is the first time a criminal case has been brought against an Iranian defendant abroad under the principle of universal jurisdiction and is also the first time, after [decades of systemic impunity](#), that the prison massacres of 1988 are being addressed through a criminal trial. The trial has, therefore, attracted widespread public attention and shed unprecedented new light on the details of the 1988 prison massacres, which the Iranian authorities have for decades tried to conceal. Amnesty International's analysis of the current circumstances surrounding Ahmadreza Djalali's arbitrary detention indicates that since at least late 2020, the Iranian authorities have been conditioning his fate on a "deal" with Sweden to exchange him for Hamid Nouri and/or with Belgium to swap him for a former Iranian diplomat, Asadollah Asadi. Asadollah Asadi was arrested in June 2018 and subsequently sentenced by a criminal court in Belgium to 20 years' imprisonment in February 2021 for his role in a thwarted bomb attack at a 2018 rally in France. Hamid Nouri was arrested in Sweden in November 2019 under the principle of universal jurisdiction and tried for his alleged involvement in Iran's 1988 prison massacres where thousands of political dissidents were forcibly disappeared and extrajudicially executed in secret. See <https://www.amnesty.org/en/documents/mde13/5623/2022/en/> for further analysis and details, including how the developments in Ahmadreza Djalali's case are taking place in a context where Iranian state officials and state media outlets consistently refer to the "importance" of detained dual and foreign nationals, and thus indicating that their detention may be used for gaining political, diplomatic and/or economic leverage.

Ahadreza Djalali is a medical doctor and academic who was living in Sweden and was also a visiting professor in disaster medicine at the Vrije Universiteit Brussels. He was arbitrarily arrested on 26 April 2016 while on a business trip to Iran. He was held in Evin prison for seven months in section 209, which is under the control of the Ministry of Intelligence. He was held for three months in prolonged solitary confinement, without access to a lawyer. In a letter written from prison in August 2017, Ahmadreza Djalali said that during this period he was subjected to torture and other ill-treatment in order to force him to "confess" to being a spy. This included threats to execute him, kill or otherwise harm his children, who live in Sweden, and his mother, who lived in Iran and died in 2021. He has said that he was forced to read out "confessions" pre-written by his interrogators in front of a video camera. Ahmadreza Djalali denies the accusations against him and says they have been fabricated by the authorities. In the same letter, Ahmadreza Djalali wrote that he was held solely because of his refusal to use his academic ties in European institutions to spy for the Iranian authorities. On 17 December 2018 Iran's state-run TV aired Ahmadreza Djalali's "confessions" during a programme titled *Axing the root*, which used dramatic music, graphics and international news footage interspersed with Ahmadreza Djalali's "confessions", along with a voiceover presenting him as a "spy". By extracting and airing these forced "confessions", Iranian authorities violated Ahmadreza Djalali's right to the presumption of innocence as well as the right not to be forced into incriminating himself. Ahmadreza Djalali has since said the broadcast "confessions" were filmed while he was being held in solitary confinement, without access to a lawyer. In November 2017, the [UN Working Group on Arbitrary Detention](#) called on Iran to release Ahmadreza Djalali immediately and accord him an enforceable right to compensation and other reparations. They found that his right to a fair trial had been violated so gravely "as to give Mr Djalali's deprivation of liberty an arbitrary character".

Iran, Sweden and Belgium are all parties to the International Convention Against the Taking of Hostages, which criminalizes acts of hostage-taking committed by state and non-state actors. The Convention defines hostage-taking as the detention of any person accompanied by threats to kill, injure or continue to detain them, unless certain conditions are met by a third party. There is no requirement under international law for the conditions attached to the release of a detainee to have been explicitly uttered for the act of detention to amount to the crime of hostage-taking. Circumstances of a case that demonstrate an implicit demand placed on a third party to do or refrain from doing something, may suffice to establish intent and to qualify the deprivation of liberty as an act of hostage-taking. Amnesty International opposes the death penalty in all cases without exception regardless of the nature or circumstances of the crime; guilt, innocence or other characteristics of the individual; or the method used by the state to carry out the execution. The death penalty violates the right to life as proclaimed in the Universal Declaration of Human Rights.

PREFERRED LANGUAGE TO ADDRESS TARGET: English, Persian

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 5 August 2022

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

NAME AND PREFERRED PRONOUN: Ahmadreza Djalali (he, him)

LINK TO PREVIOUS UA: <https://www.amnesty.org/en/documents/mde13/5567/2022/en/>