

AMNESTY
INTERNATIONAL



MUSTERBRIEF

APPELLE AN

Oberste Justizautorität

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ANMERKUNGEN

AMNESTY FORDERT:

- Ich fordere Sie dringend auf, die Verurteilung und das Todesurteil gegen Abbas Deris unverzüglich aufzuheben. Für den Fall, dass er wegen einer international anerkannten Straftat angeklagt wird, muss sein Verfahren den internationalen Standards für faire Gerichtsverfahren entsprechen. Dabei darf nicht auf die Todesstrafe oder erzwungene "Geständnisse" zurückgegriffen werden.
 - Ich fordere Sie mit Nachdruck auf, Abbas Deris umgehend Zugang zu seiner Familie, einem unabhängig gewählten Rechtsbeistand und angemessener medizinischer Versorgung zu gewähren. Sorgen Sie bitte dafür, dass er vor weiterer Folter und anderen Misshandlungen geschützt wird und dass seine Foltervorwürfe untersucht werden. Die mutmaßlich Verantwortlichen müssen in fairen Verfahren vor Gericht gestellt werden.
 - Zudem bitte ich Sie dringend, unabhängigen Beobachter*innen Zugang zu Verfahren zu gestatten, die mit den Protesten in Verbindung stehen und bei denen die Todesstrafe verhängt werden kann. Bitte verfügen Sie ein offizielles Hinrichtungsmoratorium als ersten Schritt hin zur vollständigen Abschaffung der Todesstrafe.
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INHALT

Dear Mr Gholamhossein Mohseni Ejei,

Protester Abbas Deris, held in Mahshahr prison, Khuzestan province, is at grave risk of execution after Iran's Supreme Court rejected his request for a judicial review of his case in January 2024, despite flagrant violations of his fair trial rights. His lawyers have submitted an application for a special appeal based on Article 477 of Iran's Code of Criminal Procedure, under which the Head of the Judiciary can refer a final judgment he deems as contravening Shari'a law to a special branch of the Supreme Court for a conclusive verdict. This appeal is pending. His death sentence was issued by a Revolutionary Court on 19 October 2022 for "enmity against God" (moharebeh) in relation to a protest in Mahshahr on 18 November 2019 that was violently quashed by security forces who killed dozens of protesters and in which a commander of Iran's Counter Terrorism Special Forces (NOPO) was also killed. The authorities accused Abbas Deris of involvement in the death of the commander, which he has repeatedly denied. In November 2023, a criminal court separately sentenced him to 14 years in prison in relation to the same alleged offences. An appeal for this case is also pending before the Supreme Court.

Both trials - before Branch One of the Revolutionary Court in Mahshahr and Criminal Court One in Khuzestan province - were grossly unfair. According to an informed source, following Abbas Deris' arrest on 8 December 2019, Revolutionary Guards agents denied him access to a lawyer for months at the investigation phase, including during interrogations when he was forced to make self-incriminating statements under torture and other ill-treatment. According to information obtained by Amnesty International, he was subjected to beatings, prolonged solitary confinement for two months, and threats to execute his brother and nephew and subject his wife to sexual violence. His forced "confessions" were broadcast on state television, just weeks after his arrest and prior to his trial, violating his right to the presumption of innocence, to not self-incriminate, and to remain silent. His lawyers have publicly condemned his death sentence and argued his innocence, citing serious flaws in the investigation of his case and stating that both court verdicts relied on reports by Revolutionary Guards agents and Abbas Deris' forced "confessions" obtained by those agents while he was held in solitary confinement. His lawyers also publicly stated that the authorities failed to present evidence against Abbas

Deris and that, in upholding his death sentence, the Supreme Court ignored all evidence submitted by the defence.

I urge you to immediately quash the conviction and death sentence of Abbas Deris and release him unless he is charged with an internationally recognizable criminal offence and is given a fair retrial without recourse to the death penalty and excluding torture-tainted "confessions". Pending his release, grant him regular access to his family and chosen lawyer and to adequate healthcare; and protect him from torture and other ill-treatment, investigating any torture allegations and bringing anyone found responsible to justice in fair trials. Finally, I urge you to grant independent observers access to capital trials connected to protests and immediately establish an official moratorium on executions with a view to abolishing the death penalty.

Yours Sincerely,