

23 November 2021

**AMNESTY
INTERNATIONAL**



Head of judiciary, Gholamhossein Mohseni Ejei
c/o Embassy of Iran to Denmark
Svanemollevej 48
2100 København

Dear Mr Mohseni Ejeri,

Heidar Ghorbani, a member of Iran's Kurdish minority, held in Sanandaj prison, Kurdistan province, is at imminent risk of execution. In early August 2021, a branch of the Supreme Court rejected his request for judicial review made under Article 477 of Iran's Criminal Code of Procedure. Soon after, in early August 2021, judicial authorities informed Heidar Ghorbani's family that his case has been sent to the office for implementation of sentences, raising serious concerns that his execution may be carried out at any time. He has filed another request for judicial review under Article 477, which remains pending.

On 21 January 2020, following a grossly unfair trial, a Revolutionary Court in Sanandaj convicted Heidar Ghorbani of "armed rebellion against the state" (baghi) and sentenced him to death in connection with the killing of three men reportedly affiliated with the Basij paramilitary forces in September and October 2016 by individuals affiliated with the Kurdish Democratic Party of Iran. In its verdict, the court acknowledged that Heidar Ghorbani had never been armed and instead relied on his "confessions", which he has said were obtained under torture and other ill-treatment, in which he said he "confessed" to providing support to the perpetrators of the killings, including by driving them to and from the locations of the killings. In August 2020, Branch 27 of the Supreme Court upheld his death sentence without addressing the numerous due process violations and evidential issues. The following month, the Supreme Court rejected his first request for judicial review. Amnesty International has found that the verdict violates both Iran's obligations under international law, which limits the use of the death penalty to the "most serious crimes" involving intentional killing, as well as Iranian law, which stipulate that for the crime of "armed rebellion against the state", the defendant must be a member of an armed group and personally resort to arms.

Following his arrest by ministry of intelligence agents on 11 October 2016, Heidar Ghobani was held in prolonged solitary confinement and subjected to an enforced disappearance. He has said that during this period he was repeatedly tortured to give a video "confession," which was subsequently broadcast by state-run Press TV prior to his trial in March 2017, in violation of the right to presumption of innocence. He was denied access to a lawyer during the investigation stage, and his lawyers were denied full access to his court file at the trial stage.

I urge you to immediately halt the execution of Heidar Ghorbani. I call on you to quash his conviction and death sentence and grant him a fair retrial, excluding "confessions" obtained under torture and other ill-treatment or without the presence of a lawyers and without recourse to the death penalty. Please ensure that his enforced disappearance and torture allegations are investigated with a view to ensuring that those suspected of responsibility are brought to justice in fair trials.

Yours sincerely,

The attached 33.229 signatories to this letter and Amnesty International Denmark