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Dear Mr. Shaheed, Mr. Mendez, Mr. Heyns, Ms. Shaheed, Ms. Izsák, and Ms. Knaul,

**Re: Urgent Appeal regarding the torture and real risk of execution of Ali Chebeishat, Sayed Khaled Mousavi and Salman Chayani (Islamic Republic of Iran)**

We write to you all regarding the torture of three Ahwazi Arabs in Iran, **Ali Chebeishat, Sayed Khaled Mousavi, and Salman Chayani**, and the real risk of execution that they face after an unfair trial before the Revolutionary Court of Ahwaz. This followed the peaceful activities that they took as part of their work with the Shush Cultural Institute in the area of cultural and linguistic rights.

The facts set out below engage your mandates, as will be described. In summary, just over one year since their arbitrary arrest and detention, Ali Chebeishat, Sayed Khaled Mousavi and Salman Chayani remain on death row and in poor conditions of health because of injuries sustained as a result of torture. Despite credible allegations of serious ongoing torture and ill-treatment, there has been a total failure to carry out a full, effective and impartial investigation capable of leading to the identification and prosecution of those responsible. On the contrary, there has been a concerted effort on the part of Iranian

authorities to obtain coerced confessions from Ali Chebeishat, Sayed Khaled Mousavi, and Salman Chayani and then broadcast them on state-controlled channels and use them as incriminating evidence in their trial. This has been accompanied by a series of cruel, inhuman and degrading treatments toward the complainants' next of kin, which continue unabated. They have been denied information about the situation and whereabouts of the complainants, manipulated and coerced into participating in a documentary which aired the complainants' coerced confessions, faced reprisal for contacting journalists, and warned against reaching out to human rights organizations.

We respectfully request that your offices enquire into these violations and take steps to urge the authorities

- To ensure that Ali Chebeishat, Sayed Khaled Mousavi, and Salman Chayani and their next of kin are not subjected to torture and other cruel, inhuman and degrading treatments and punishments
- To annul the sentences of execution and imprisonment that have been handed down by the Revolutionary Court of Ahwaz following an unfair trial
- To give Ali Chebeishat, Sayed Khaled Mousavi, and Salman Chayani a fair hearing by an independent and impartial tribunal
- To ensure that no confession obtained through torture is admitted as evidence
- To cease the broadcast of confessions that were extracted through torture and other ill-treatment
- To ensure that Ali Chebeishat, Sayed Khaled Mousavi, and Salman Chayani can exercise their right to retain counsel of choice and maintain contact with their lawyers and families while in detention
- To respect the right of Ali Chebeishat, Sayed Khaled Mousavi, and Salman Chayani and their next of kin to freedom of expression, association and assembly

We thank you for your attention to this urgent matter and welcome the opportunity to provide your offices with further information in relation to this matter.

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**Unit 11A, 25-27 Bickerton Road**  
**London, United Kingdom**  
**Tel: 00442034411499**  
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4 December 2013

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**URGENT APPEAL**  
**IN THE CASE OF THREE AHWAZI ARABS IN IRAN:**  
**ALI CHEBEISHAT, SAYED KHALED MOUSAVI AND SALMAN CHAYANI**

I. Identity of the complainants .....	4
II. Introduction and Summary .....	5
III. Statement of the Facts.....	6
IV. Ali Chebeishat, Sayed Khaled Mousavi, and Salman Chayani are victims of torture .....	9
V. The families of Ali Chebeishat, Sayed Khaled Mousavi, and Salman Chayani are victims of cruel, inhuman and degrading treatment.....	9
VI. Iran has violated the right of Ali Chebeishat, Sayed Khaled Mousavi, and Salman Chayani to a fair hearing by an independent and impartial tribunal .....	11
VII. Remedial action taken .....	11
VII. Information concerning the author of the present report .....	12

<b>I. Identity of the complainants</b>
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A. Family Name: **Chebeishat**

B. First and other names: **Ali**

C. Sex: Male Female: **Male**

D. Birth date or age: **47 years old**

E. Nationality: **Iranian**

F. Occupation: **Farmer, Iran-Iraq War veteran, cultural activist and poet**

G. Identity card number: N/A

F. Activities: **Member of the Youth of Shush Cultural Institute; not associated with any political organization.**

G. Residential and/or work address: **Village of Khalaf Kaab Imsallam, near the city of Shush in Khuzestan province, Iran**

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A. Family Name: **Mousavi**

B. First and other names: **Sayed Khaled**

C. Sex: Male Female: **Male**

D. Birth date or age: **35 years old**

E. Nationality: **Iranian**

F. Occupation: **Farmer**

G. Identity card number: N/A

F. Activities: **Member of the Youth of Shush Cultural Institute; not associated with any political organization**

G. Residential and/or work address: **Village of Khalaf Kaab Imsallam, near the city of Shush in Khuzestan province, Iran**

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A. Family Name: **Chayani**

B. First and other names: **Salman**

C. Sex: Male Female: **Male**

D. Birth date or age: **32 years old**

E. Nationality: **Iranian**

F. Occupation: **Farmer**

G. Identity card number (if applicable)

F. Activities: **Member of the Youth of Shush Cultural Institute; no associated with any political organization**

G. Residential and/or work address: **Village of Khalaf Kaab Imsallam near the city of Shush in Khozestan province, Iran**

## II. Introduction and Summary

1. This Urgent Appeal is brought following the broadcast, by Iran's state-controlled Press TV<sup>1</sup>, of the complainants' coerced "confessions", taken while they were held incommunicado in pre-trial detention. Ali Chebeishat and Sayed Khaled Mousavi were sentenced to death and Salman Chayani to 25 years of imprisonment in exile Yazd, on 9 September 2013 by the Second Branch of the Ahwaz Revolutionary Court. All three men have denied the charges of terrorism that have been brought against them and stated that their "confessions" were obtained through torture. Their persecution, arrest, imprisonment and torture appears to have been solely on account of the peaceful exercise of their right to take part in cultural life. The complainants were members of a cultural institute in Shush that taught Arabic to Ahwazi Arab children and youth, and sought to develop their Arab cultural identity through language, literature, music, and organization of various rites and ceremonies.
2. Ali Chebeishat, Sayed Khaled Mousavi and Salman Chayani were arrested on 10 November 2012 during a raid at a private funeral ceremony held for Ali Chebeishat's mother in the village of Khalaf Kaab Imsallam near the city of Shush in Khuzestan Province. On that date, over twenty armed men, who were wearing black uniforms with facemasks, surrounded the house of Mr. Chebeishat with seven black sport utility vehicles and arrested Mr. Chebeishat and several other guests, including Mr. Mousavi, Mr. Chayani, Mr. Chebeishat's son, Hossien Chebeishat and Mr. Chayani's cousins, Mohammad and Karim Chayani. The armed men did not identify themselves. Nor did they explain the reasons of arrest.
3. Mr. Chebeishat, Mr. Mousavi and Mr. Chayani were subsequently held incommunicado for seven months without access to lawyer and their relatives at the Ministry of Intelligence and National Security (MOI) Detention Centre in Ahwaz, the capital of Khuzestan Province. While held incommunicado, they were severely tortured with a view to forcing a confession and implicating them in the explosion of the Chogha Zanbil natural gas pipeline near the village of Khalaf Kaab Imsallam on 23 October 2012. Their "confessions" were broadcast on Iran's state-controlled Press TV on 26 of June 2013<sup>2</sup> and became the sole source of evidence in their summary trial before Judge Sayed Mohammed Baqir Mousavi of the Second Branch of the Ahwaz Revolutionary Court.
4. The next of kin of Mr. Chebeishat, Mr. Mousavi and Mr. Chayani endured intense suffering to the detriment of their mental and moral integrity as a result of their loved one's forced disappearance and the circumstances related to it, such as the search they carried out relentlessly for over two months to identify the whereabouts of the complainants and the hostility, lack of information and the repeated requests for bribes that they experienced at the hands of government authorities in their search for the complainants. They also suffered emotionally and psychologically as a result of a series of inhuman and degrading treatments which were aimed at manipulating and coercing them into participating in a television documentary, entitled "Lost in Darkness". This "documentary", which was broadcast by Iran's state-controlled Press TV and Channel Three of the Islamic Republic of Iran

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<sup>1</sup> Justice for Iran, *Cut! Take Press TV off the Air* (April 2012), available at: <http://justiceforiran.org/reports/english-cut-take-press-tv-off-the-air/?lang=en>.

<sup>2</sup> The trailer of the confessions is available at <http://www.youtube.com/watch?v=VmOuyeK5-WY>.

Broadcasting on 18 and 21 of November 2013, respectively, shows the “confessions” of Mr. Chebeishat, Mr. Mousavi and Mr. Chayani interspersed with scenes of their distressed families sobbing, weeping and expressing a deep sense of shock and dismay at their loved one’s “confessions”.<sup>3</sup>

5. The families were not aware that the authorities intended to film them for the purpose of a televised documentary and they had been led to believe that they were being taken by the Ministry of Intelligence to a nearby village, called Jarieh Seyyed Mohammad, in order to have a visit with their detainees. Upon arrival, they were faced with the camera crew of the Press TV, which works in close cooperation with the MOI, and warned that they must watch the confessions of their relatives if they want to see an improvement in their situation. While the family of Mr. Chebeishat rejected the arrangement, the families of Mr. Chebeishat and Mr. Mousavi agreed on the assurance that their appeal for clemency to the Supreme Leader of the Islamic Republic of Iran will be given a positive consideration.
6. A full statement of facts follows below.

### **III. Statement of the Facts**

#### **A. Arrest, Incommunicado Detention and Torture (November 2012 – June 2013)**

7. In 2004, Mr. Chebeishat, Mr. Mousavi and Mr. Chayani, along with other colleagues, founded the Youth of Shush Cultural Institute, with the goal of advocating culturally appropriate primary education for Ahwazi Arab children and engaging Ahwazi Arab youth in Arab cultural practices. Despite the peaceful nature of their activities, Mr. Chebeishat, Mr. Mousavi, and Mr. Chayani were continuously targeted for harassment and persecution, leading to their arrest on 10 November 2012.
8. On 10 November 2012, over twenty masked armed men in black uniforms raided a private funeral ceremony held for Ali Chebeishat’s mother in the village of Khalaf Kaab Imsallam near the city of Shush in Khuzestan Province and attacked Mr. Chebeishat, Mr. Mousavi and Mr. Chayani and other guests present at the function. Mr. Chebeishat, Mr. Mousavi and Mr. Chayani faced insults on the basis of their Arab identity and beaten all over their body with sticks and batons, until they bled. Blindfolded and bleeding, Mr. Chebeishat, Mr. Mousavi and Mr. Chayani were dragged and forcibly placed in one of the seven black sport utility vehicles that had surrounded the house. They were then transferred from the city of Shush to Ahwaz, the capital of Khuzestan Province, and placed in a MOI-run detention centre.
9. For the next seven months, Mr. Chebeishat, Mr. Mousavi and Mr. Chayani were held incommunicado without access to lawyers and their families and were subjected to severe torture. Methods of torture and other ill-treatment reported included prolonged solitary confinement; severe beatings, with hands, feet and cables; severe blows to genitals; extraction of fingernails; death threats, including mock executions; threats to, and actual arrest and torture of family members; torture in front of family members; deprivation of food and water; and denial of necessary medical treatment. On several occasions, they were

<sup>3</sup> The documentary is available at: <http://vimeo.com/79671895> & <http://www.youtube.com/watch?v=1DSxmxYjE10&feature=youtu.be>.

transferred to the Fatima-al Zahra Hospital in Ahwaz in order to receive treatment for broken ribs and other injuries sustained as a result of the torture. The last of such transfers appears to have been sometime in late July and after the hunger strike that the complainants started on 3 July 2012. After each brief period of hospitalization, the complainants were reportedly returned to the MOI Detention Centre in Ahwaz and suffered further physical and psychological mistreatment.

### **B. “Confessions”, Trial and Sentence (June 2013 – September 2013)**

10. On 26 June 2013, more than seven months after their arrest, a video trailer of the confessions of Mr. Chebeishat, Mr. Mousavi and Mr. Chayani was released on Iran’s state-controlled Press TV. The video presented Mr. Chebeishat, Mr. Mousavi and Mr. Chayani as terrorists who were responsible for the explosion of the Chogha Zanbil natural gas pipeline near the village of Khalaf Kaab Imsallam on 23 October 2012, and purported to show incriminating confessions from Mr. Chebeishat, Mr. Mousavi and Mr. Chayani. There are strong indications that Mr. Chebeishat, Mr. Mousavi and Mr. Chayani provided the “confessions” shown on the Press TV under duress after suffering torture and facing threats of further torture.
11. No evidence apart from these “confessions” has ever been produced in relation to the explosion of the Chogha Zanbil natural gas pipeline. Indeed, the authorities had declared long before the arrest and detention of Mr. Chebeishat, Mr. Mousavi and Mr. Chayani that the explosion had been an accident.<sup>4</sup> Nonetheless, the men were charged with *moharaba* [resorting to a weapon to cause terror and fear or disruption of public security]. On 9 September 2013, following a grossly unfair trial, Judge Sayed Mohammed Baqir Mousavi of the Second Branch of the Ahwaz Revolutionary Court sentenced Mr. Chebeishat and Mr. Mousavi to execution and Mr. Chayani to 25 years of imprisonment in exile in Yazd in central Iran.
12. It bears mentioning that throughout the entire process, the complainants have been denied the right to retain counsel of choice and meet with their court-appointed attorney, Abbas Torabi. Mr. Torabi, a former judge of the Revolutionary Court of Ahwaz himself, had reportedly requested 3 billion Rials (about 120,000 USD at the time of this submission) from each complainant's family. The request for money was allegedly for the specific purpose of bribing the judges overseeing the case to secure a better outcome. The families have been reportedly unable to secure appointments with Mr. Torabi, and were notified of the Court’s judgment and other matters through his secretary. The families have attempted but failed to secure alternative legal representation from several private attorneys in the province. They note that shortly after each time they approached an attorney, they were contacted by him/her and informed that their case cannot be taken due to attorneys’ concerns for their own safety.

### **C. The Status of Families as Victims of Cruel, Inhuman and Degrading Treatment**

13. Mr. Chebeishat, Mr. Mousavi and Mr. Chayani have been never given the right to contact their families and inform them of their situation. For two months following their arrest, the

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<sup>4</sup> See for example BBC Persian, “Gas Pipeline between Ahwaz and Shush catches fire” ((23 October 2012), available at: [http://www.bbc.co.uk/persian/rolling\\_news/2012/10/121023\\_rln\\_u06\\_pipe\\_line\\_fire\\_Ahwaz.shtml](http://www.bbc.co.uk/persian/rolling_news/2012/10/121023_rln_u06_pipe_line_fire_Ahwaz.shtml)).

authorities caused deep anguish to the families by refusing to supply information regarding the whereabouts of the complainants and conditioning any cooperation upon the receipt of large sums of money. The families were ultimately able to locate the detention centre at which their loved ones were held by selling one of their houses and providing a bribe of 20 million Toumans (roughly \$16,000 US) to a local official. They were not, however, able to secure a family visit for another seven months.

14. At sometime between June and July of 2013, a MOI officer contacted members of the complainants' families and asked them to report to the MOI office in Shush in order to have a visit with their detained family member. When reporting to the MOI office the groups of families, who included seniors, women and children, were placed in a minibus and taken to a nearby village called Jarieh Seyyed Mohammad. Upon arrival at the destination, the families were entered into a room equipped with cameras and recording devices, and were told, to their great shock and outrage, that the long-sought visit could take place only if they watched the detainees' recorded confessions and allowed themselves to be filmed.
15. Some members of Mr. Chebeishat's family, who could speak Farsi more fluently than others, protested against the inhuman terms of these conditions and objected that the confessions were obtained through torture. This objection led to an aggressive verbal confrontation in which Mr. Chebeishat's family were insulted on the basis of their cultural identity and were violently forced to leave the area. Said circumstances, together with feelings of frustration and powerlessness on the one hand and a deep fear of suffering the same pattern of violence on the other hand, led the families of the other two detainees to accept the fact of being filmed during the visit. During the filming, they were instructed to admit the guilt of Mr. Mousavi and Mr. Chayani and not make any mention of the mistreatment they have suffered while in detention. In return, they were promised that the Supreme Leader would give a serious consideration to their request for clemency. At no point were they forewarned that the recordings would be aired on a public TV channel.
16. A couple of months after this incident, Mr. Chebeishat's family were contacted again by the office of MOI and threatened that their son would be executed if they do not cooperate. Misrepresenting the situation of Mousavi and Mr. Chayani, the MOI told the family that Mr. Chebeishat's life would be saved if they followed the example of Mousavi's and Mr. Chayani's family and allowed themselves to be filmed. Under such coercion, Mr. Chebeishat's family went to the press office of the MOI and visited Mr. Chebeishat in the presence of MOI camera crews.
17. The families of Mr. Chebeishat, Mr. Mousavi and Mr. Chayani report that during their visits, the complainants cried uncontrollably, and seemed to suffer from severe memory impairment and not be aware of the present. This distressing encounter combined with the inhuman circumstances in which it took place generated intense feelings of helplessness and isolation, and other traumatic stress reactions such as nightmares and depression in members of the complainants' families. This was made more severe after a television "documentary" entitled "Lost in Darkness" was broadcast first by Press TV and then by Channel Three of the Islamic Republic of Iran Broadcasting, on 18 and 21 of November 2013, respectively. This "documentary" shows the "confessions" of Mr. Chebeishat, Mr. Mousavi and Mr. Chayani followed by scenes of their distressing visit with their families.

#### **IV. Ali Chebeishat, Sayed Khaled Mousavi, and Salman Chayani are victims of torture**

18. The events set out in the statement of facts above amount to torture and cruel, inhuman and degrading treatment or punishment. The UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, defines torture as:

[A]ny act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions.<sup>5</sup>

19. The use of torture while in custody against Ali Chebeishat, Sayed Khaled Mousavi, and Salman Chayani amounts to a violation of Iran's obligations under international law,<sup>6</sup> including the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT), and the International Covenant on Civil and Political Rights (Articles 7 and 10(1)). In addition, Article 38 of the Constitution of the Islamic Republic of Iran prohibits the use of torture.
20. Underlying the torture of Ali Chebeishat, Sayed Khaled Mousavi, and Salman Chayani were a number of prohibited purposes. Authorities were likely seeking to *punish* Mr. Chebeishat, Mr. Mousavi, and Mr. Chayani for the peaceful exercise of their social, cultural and linguistic rights as members of Iran's Ahwazi Arab minority. Mr. Chebeishat, Mr. Mousavi, and Mr. Chayani received insults on the basis of their Arab identity. They were tortured to give a coerced confession that would implicate them in the bombing of a pipeline, which according to the very statements of the authorities had exploded by accident.

#### **V. The families of Ali Chebeishat, Sayed Khaled Mousavi, and Salman Chayani are victims of cruel, inhuman and degrading treatment**

21. The Human Rights Committee has issued a number of decisions related to whether family members of victims of torture and enforced disappearance can themselves be victims of

<sup>5</sup> *UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*, A/RES/39/46, 10 December 1984, available at: <http://www.un.org/documents/ga/res/39/a39r046.htm>; see also UN Committee against Torture, *Zimbabwe Human Rights NGO Forum v Zimbabwe*, Communication No. 245/2002, para. 180.

<sup>6</sup> See, generally, UN Human Rights Committee, *Felicia Gilboa de Reverdito on behalf of her niece, Lucia Arzuaga Gilboa, who later joined as co-author v Uruguay*, Communication No. 147/1983, 1 November 1985, finding that beatings while in detention amount to torture and a violation of Article 7; UN Human Rights Committee, General Comment No. 21 (Forty-fourth session, 1992): Replaces general comment 9 concerning the humane treatment of persons deprived of liberty, paras. 3-4.

torture and other cruel, inhuman and degrading treatments. All of these decisions consider the application of Article 7 of the ICCPR, which provides that, “No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.”

22. The issue was first considered in *Quinteros et al. v. Uruguay*.<sup>7</sup> The complainant asserted that her daughter was arrested and then abducted by Uruguayan military personnel. The mother was unable to obtain any official information about her daughter’s whereabouts, and her daughter’s detention was never admitted by state officials. The Committee concluded that the anguish and stress suffered by the mother as a result of the disappearance as well as the uncertainty of her fate and whereabouts gave rise to a separate violation of Article 7.<sup>8</sup>
23. This reasoning was affirmed in *Sarma v. Sri Lanka*.<sup>9</sup> *Sarma* involved a claim by the father of an individual that was abducted, beaten and tortured by the Sri Lankan military. The complainant informed the local police, the International Committee of the Red Cross, other human rights groups and even the President, but the military nevertheless maintained that the son had never been taken into custody. Following the conclusion in *Quinteros*, the Committee found that the father and the family of the victim were also themselves victims of a violation of Article 7:

Moreover, noting the anguish and stress caused to the author's family by the disappearance of his son and by the continuing uncertainty concerning his fate and whereabouts, the Committee considers that the author and his wife are also victims of violation of article 7 of the Covenant. The Committee is therefore of the opinion that the facts before it reveal a violation of article 7 of the Covenant both with regard to the author's son and with regard to the author's family.<sup>10</sup>

24. Similar findings in relation to violations of family members’ rights have been made by the Committee in the later cases of *Sharma v. Nepal*,<sup>11</sup> *Grioua v Algeria*,<sup>12</sup> and *Giri v Nepal*.<sup>13</sup>
25. Applying the Human Rights Committees’ line of jurisprudence, the foregoing statement of facts gives rise to a claim of cruel, inhuman and degrading treatment on the families’ behalf, separate and apart from the torture claim of Mr. Chebeishat, Mr. Mousavi, and Mr. Chayani. These families suffered the initial psychological trauma of their loved one’s forced disappearance. As evidence of torture was found, they further suffered the extreme prejudice of learning that their loved ones had been severely beaten and tortured while in custody. Their trauma was later exacerbated as they were targeted for repeated harassments, misrepresentations, mistreatments and coercions in order to be coerced into

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<sup>7</sup> Human Rights Committee, *María del Carmen Almeida de Quinteros et al. v. Uruguay*, Communication No. 107/1981, UN Doc CCPR/C/19/D/107/1981 (21 July 1983) [*Quinteros*].

<sup>8</sup> *Ibid.*, para. 14.

<sup>9</sup> Human Rights Committee, *Sarma v Sri Lanka*, Communication No. 950/2000, UN Doc CCPR/C/78/D/950/2000 (31 July 2003).

<sup>10</sup> *Ibid.*, para. 60.

<sup>11</sup> Human Rights Committee, *Sharma v. Nepal*, Communication No. 1469/2006, UN Doc CCPR/C/94/D/1469/2006, (6 November 2008).

<sup>12</sup> Human Rights Committee, *Grioua v Algeria*, Communication No. 1327/2004, UN Doc CCPR/C/90/D/1327/2004 (10 July 2007).

<sup>13</sup> Human Rights Committee, *Giri v Nepal*, Communication No. 1761/2008, UN Doc CCPR/C/101/D/1761/2008 (11 April 2011).

participating in the confessional documentary “Lost in Darkness”.

## **VI. Iran has violated the right of Ali Chebeishat, Sayed Khaled Mousavi, and Salman Chayani to a fair hearing by an independent and impartial tribunal**

26. Iran has the obligation to prohibit the use of confessions obtained by torture as evidence in a criminal case under the International Covenant on Civil and Political Rights (Article 14), as well as the Iranian Constitution (Article 38). It is not enough to simply prohibit the use of a confession obtained through torture, but allegations of torture “*must be investigated promptly and impartially by competent authorities.*”<sup>14</sup> Further, once a complaint of torture has been raised, it is for the prosecution “*to prove the confession was made without duress.*”<sup>15</sup>
27. Mr. Chebeishat, Mr. Mousavi, and Mr. Chayani have stated that their “confessions” had been extracted through torture and other ill-treatment. The “confessions” remained, nonetheless, the sole source of evidence against them. The use of a forced confession by the courts violates the prohibition of torture<sup>16</sup> as well as the right of accused to a fair hearing by an independent and impartial tribunal.<sup>17</sup>

## **VII. Remedial action taken**

28. To date, no investigation has been conducted into the allegations of torture that have been raised by Mr. Chebeishat, Mr. Mousavi and Mr. Chayani. This is while various human rights mechanisms in Iran, including Article 90 Committee and Iran’s Human Rights Council, are on paper responsible for investigating complaints of violations and providing satisfactory replies.
29. Mr. Chebeishat, Mr. Mousavi, and Mr. Chayani are currently held in Dezful Prison in the north of Ahwaz Province and their sentence has been appealed to the Supreme Court of Iran. They are reportedly in poor health following inadequate treatment for the injuries sustained as a result of torture and face a real risk of being subjected to further torture and ill-treatment.
30. The families of Mr. Chebeishat, Mr. Mousavi, and Mr. Chayani have faced reprisal in the form of harassment, threats and temporary arrests for conducting interviews with foreign

<sup>14</sup> See UN Human Rights Committee, General Comment No. 20 (Forty-fourth session, 1992): Replaces general comment 7 concerning prohibition of torture and cruel treatment or punishment, 3 April 1992, para. 14.

<sup>15</sup> UN Human Rights Committee, *Nallaratnam v. Sri Lanka*, Case no. 1033/2001, Views adopted on 21 July 2004, para. 7.4.

<sup>16</sup> UN Human Rights Committee, *Nallaratnam v. Sri Lanka* (1033/2001), ICCPR, A/59/40 vol. II (21 July 2004) 246 at paras. 7.4-7.6

<sup>17</sup>Article 15, UN Convention against Torture, available here:

[http://treaties.un.org/Pages/ViewDetails.aspx?mtdsg\\_no=IV-9&chapter=4&lang=en](http://treaties.un.org/Pages/ViewDetails.aspx?mtdsg_no=IV-9&chapter=4&lang=en); UN Human Rights Committee, *Saidov v. Tajikistan* (964/2001), ICCPR, A/59/40 vol. II (8 July 2004) 164 at para. 6.2.; *A and Others v. Secretary of State for the Home Department (No. 2)* [2005] UKHL 71, [2005] 3 WLR 1249,

also available at [www.parliament.the-stationery-office.co.uk/pa/ld200506/ldjudgmt/jd051208/aand.pdf](http://www.parliament.the-stationery-office.co.uk/pa/ld200506/ldjudgmt/jd051208/aand.pdf), at paras. 51–52 (per Lord Bingham of Cornhill); paras. 70–79

(per Lord Nicholls of Birkenhead); paras. 86–97 (per Lord Hoffmann); paras. 110–114 (per Lord Hope of Craighead); paras. 137–138 (per Lord Rodger of Earlsferry); paras. 148–150 (per Lord Carswell); paras. 164–165 (per Lord Brown of Eaton-under-Heywood).

correspondents. On 23 November 2013, two days after Mr. Chebeishat's brother, Hakim Chebeishat, talked to BBC Persian about the plight of his brother, MOI agents arrested Mr. Hakim Chebeishat and detained him for a period of 48 hours. He was subsequently released by posting a bail in the amount of 300 million Rials days (about 120,000 USD at the time of this submission) and warned against reaching out to media stations and human rights organizations located outside Iran.

## **VII. Information concerning the author of the present report**

31. Justice For Iran is an Iranian human rights non-governmental organisation, based in London, with a mandate to protect and promote human rights in Iran through action to combat impunity. As part of its mandate, Justice For Iran documents cases of serious human rights violations in Iran, and engages in human rights research and advocacy. The organization has accumulated extensive expertise in the documentation of torture and other serious human rights abuses in Iran, particularly against women, ethnic and religious minorities and Afghan refugee and migrants.

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