

# Justice For Iran

عدالت برای ایران

**Mr. Ahmed Shaheed, Special Rapporteur on the Situation of Human Rights in the Islamic Republic of Iran**

Email: [sr-iran@ohchr.org](mailto:sr-iran@ohchr.org)

**Mr. Juan Mendez, Special Rapporteur on Torture**

Email: [sr-torture@ohchr.org](mailto:sr-torture@ohchr.org)

**Mr. Christof Heyns, Special Rapporteur on Extrajudicial, Summary, or Arbitrary Executions**

Email: [eje@ohchr.org](mailto:eje@ohchr.org)

**Ms. Farida Shaheed, Special Rapporteur in the field of cultural rights**

E-mail: [srculturalrights@ohchr.org](mailto:srculturalrights@ohchr.org)

**Ms. Rita Izsák, Independent Expert on Minority Issues**

Email: [minorityissues@ohchr.org](mailto:minorityissues@ohchr.org)

**Ms. Gabriela Knaul, Special Rapporteur on the Independence of Judges and Lawyers**

Email: [SRindependenceJL@ohchr.org](mailto:SRindependenceJL@ohchr.org)

c/o Office of the High Commissioner for Human Rights, United Nations Office at Geneva, CH- 1211 Geneva 10, Switzerland

E-mail: [urgent-action@ohchr.org](mailto:urgent-action@ohchr.org)

**May 8, 2014**

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

***Re: Follow-Up on Urgent Appeal regarding the torture and real risk of execution of Ali Chebeishat and Sayed Khaled Mousavi (Islamic Republic of Iran)***

We are writing to communicate updated information that we have received with regard to an urgent appeal that was addressed to you on December 4, 2013 concerning the arbitrary arrest, torture and real risk of execution of three Ahwazi Arab citizens of Iran, Mr. Ali Chebeishat and Mr. Sayed Khaled Mousavi, as a result of the activities they took part in while working with the Shush Cultural Institute in the area of cultural and linguistic rights of Arab communities in Southern Iran.

On 9 September 2013, Ali Chebeishat and Sayed Khaled Mousavi were sentenced to execution and Salman Chayani to twenty-five years of imprisonment in exile in the city of Yazd in central Iran by way of orders rendered by Justice Sayed Mohammed Baqir Mousavi of the Fourth Branch of the Ahwaz Revolutionary Court. Although the authorities have consistently refused to provide the families and the lawyer of Mr. Chebeishat and Mr. Mousavi with information, on May 1, 2014, the families were informed by reliable sources that the respective convictions and sentences of Ali Chebeishat and Sayed Khaled Mousavi were upheld by the Supreme Court of Iran. Considering the high level of uncertainty regarding the current conditions of the convicts and the imminent risk of their execution, this case warrants your immediate attention.

A crucial aspect of this case is that the sole source of evidence submitted in support of the charges of terrorism and *moharaba* (resorting to a weapon to cause terror and fear or disruption of public security) laid against the above-named in their summary trial before the judge was a video trailer of their forced “confessions” obtained through torture. These “confessions” were extracted from Mr. Chebeishat and Mr. Mousavi while they were being held in incommunicado detention in the Ministry of Intelligence Detention Centre in Ahwaz, and were broadcast on Iran’s state-controlled Press TV on 26 of June 2013, in violation of international fair trial standards. Furthermore, Ali Chebeishat and Sayed Khaled Mousavi were reportedly denied the right to be assisted by a lawyer of their choice throughout their prosecution and their families were consistently denied information regarding their whereabouts and conditions and the outcome of their trial, leaving them with no

option but to pay large bribes to local judicial officers in order to receive information.

Having set out the underlying facts and allegations in its initial allegation letter (attached hereto), Justice For Iran (JFI) wishes to draw your attention to the following recent information that have raised serious concerns regarding the conditions in which these prisoners are currently held and the real and imminent risk of execution that they are believed to be facing.

***Family members of Ali Chebeishat faced reprisal, threats and unlawful arrest for having sought international support from competent authorities***

Shortly after JFI's urgent appeal was sent to your attention, the family of Ali Chebeishat attempted to meet with the European Parliament delegations during their visit to Tehran, which took place on 13 to 18 December 2013. They managed to contact the staff accompanying the Parliamentary delegation through a human rights activist based outside of the country, and travelled to Tehran in hopes of pursuing Mr. Chebeishat's case through international channels. However, when Mr. Chebeishat's wife, son, father, brother and nephew went to the hotel where the European Parliament delegations were lodged, an unidentified individual forced them to leave the hotel. On their visit to the hotel the next day, Mr. Chebeishat's family were threatened and driven out by a plain-clothed agent. Mr. Chebeishat's family's subsequent attempts at meeting with the European Parliament delegations in front of the hotel remained fruitless.

Upon returning home, Mr. Chebeishat's nephew, Rostam Chebeishat, and brother, Hassan Chebeishat, were summoned by the Ministry of Intelligence and National Security in Shush and were held in detention for three consecutive days. While in detention, Rostam and Hassan Chebeishat were extensively interrogated regarding the reasons and circumstances of their contact with the European Parliament delegations. Rostam and Hassan Chebeishat told JFI that they suspected their telephone conversations were being wiretapped considering the far-reaching information Intelligence agents had regarding their contacts. Rostam and Hassan Chebeishat's cases are pending at this date.

In January 2014, Rostam Chebeishat's wife, brother and father were arrested and interrogated in relation to his travel to Germany in order to meet with Dr. Ahmad Shaheed, the United Nations Special Rapporteur on the Situation of Human Rights in the Islamic Republic of Iran. Hakim Chebeishat, Mr. Chebeishat's nephew, told JFI that the purpose of Rostam Chebeishat's meeting with Dr. Shaheed's team, which

took place on 29 January 2014, was to raise concern about the situation of Mr. Chebeishat and his co-detainees and also to bear witness regarding Press TV having manipulated and coerced the family into participating in a documentary which aired Ali Chebeishat's forced confessions and to discuss the family's intention to take legal action against Press TV.

Rostam Chebeishat's wife and father were released after three days of detention. His brother was released only upon posting bail bond after two weeks of detention.

Rostam Chebeishat has now sought asylum in Germany and is in very poor health conditions due to acute stress.

***Ali Chebeishat and Sayed Khaled Mousavi were recently transferred to an undisclosed location shortly after Ali Chebeishat's son was unlawfully arrested***

At the time of our initial Urgent Appeal, Mr. Chebeishat and Mr. Mousavi were held in Fajr Prison in Dezful in the north of Ahwaz Province and their sentence had been appealed to the Supreme Court of Iran. JFI was concerned by the detainees' poor health following inadequate treatment for the injuries sustained as a result of torture and their risk of being subjected to further torture and ill-treatment.

On March 18, 2014, Ali Chebeishat and Sayed Khaled Mousavi were reportedly transferred from Fajr Prison to an undisclosed location. One week before Ali Chebeishat and Sayed Khaled Mousavi's transfer was revealed by non official sources, Mr. Chebeishat's 24-year-old son, Salaheddin Chebeishat, was summoned by security services, arrested and later transferred to Sepidar Prison in Ahwaz. No information has been communicated regarding Salaheddin Chebeishat's current conditions and the grounds for his arrest and detention.

Salaheddin Chebeishat was arrested with his father on 10 November 2012 at a private funeral ceremony held for Ali Chebeishat's mother, but was later released upon posting a bail bond.

It bears mentioning that throughout the entire process, Ali Chebeishat and Sayed Khaled Mousavi 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. Their respective families told JFI that they have consulted over twenty lawyers during the past months, including the Head of the Law Society of Ahwaz, but each

time the lawyer has been threatened by security services and forced to withdraw the case.

While they were held at Fajr Prison, Ali Chebeishat and Sayed Khaled Mousavi's sentences were on appeal and pending before the Supreme Court of Iran. Although no official decision has been rendered public to this date, Ali Chebeishat and Sayed Khaled Mousavi's families were informed by non official sources on May 1, 2014, that their respective convictions and sentences have been upheld by the Supreme Court of Iran.

In fact, given the circumstances of their undisclosed and unexpected transfer, and considering the fact that other Ahwazi Arab convicts have been executed in the past without prior notice of the outcome of their cases before the Supreme Court, the families of Ali Chebeishat and Sayed Khaled Mousavi and human rights activists are highly concerned that they face an imminent risk of execution. Non official sources suspect that Ali Chebeishat and Sayed Khaled Mousavi are being currently held at the Ministry of Intelligence Detention Centre in Ahwaz.

***The families of Ali Chebeishat and Sayed Khaled Mousavi are denied any information regarding their current situation and the final disposition of their sentences***

On 24 April 2013, Mr. Torabi informed Ali Chebeishat and Sayed Khaled Mousavi's respective families that despite repeated attempts he had been unable to meet with or obtain any information regarding his clients' current location. He was also unable to retrieve any information regarding the outcome of their appeal before the Supreme Court.

The only information that was communicated to Mr. Torabi from Ahwaz Revolutionary Court was that Ali Chebeishat and Sayed Khaled Mousavi's files had been transferred to Tehran and could be followed up before the Court of Administrative Justice. However, since that date the Court of Administrative Justice has refused to communicate any information with Ali Chebeishat and Sayed Khaled Mousavi's families, stating that the court has not yet received their files. Ali Chebeishat and Sayed Khaled Mousavi's lawyer further received a printed copy of a letter from Ahwaz Revolutionary Court, without letterhead or signature, reading « Ali Chebeishat and Sayed Khaled Mousavi have been sentenced to execution pursuant to judgement no 9109986119901221 rendered by the Fourth Branch of Ahwaz Revolutionary Court. » This is while, until this date, the families of Ali Chebeishat and Sayed Khaled Mousavi were under the belief that they were tried and convicted by the Fourth Branch of the Court, which demonstrates yet again the

total lack of information and the abuses of due process that these families experienced at the hands of government authorities in their search for the complainants.

In view of the foregoing, JFI respectfully reiterates its request that your offices enquire into these violations and take steps to urge the authorities:

- Not to proceed with the execution of Ali Chebeishat and Sayed Khaled Mousavi, and immediately disclose their whereabouts;
- To ensure that Ali Chebeishat and Sayeh Khaled Mousavi and their next-of-kin are not subjected to torture and other cruel, inhuman and degrading treatments or 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 and Sayed Khaled Mousavi a fair hearing by an independent and impartial tribunal;
- To investigate the allegations of torture by Ali Chebeishat and Sayed Khaled Mousavi and ensure that no confession obtained through torture or other ill-treatment is admitted as evidence for the purposes of their prosecution;
- To cease the broadcast of “confessions” that were extracted through torture or other ill-treatment;
- To ensure that Ali Chebeishat and Sayed Khaled Mousavi can exercise their right to retain counsel of choice and maintain regular contact with their lawyers and families while in detention; and,
- To respect the right of Ali Chebeishat and Sayed Khaled Mousavi and their next-of-kin to freedom of expression, association and assembly.

In addition, given the current circumstances of the case, we respectfully request that your offices urge the authorities :

- To provide Ali Chebeishat and Sayed Khaled Mousavi’s families with adequate, accurate and transparent information regarding the whereabouts and circumstances of their arrested relatives and the outcome of their respective cases before the Supreme Court of Iran, and,
- To redress the cruel, inhuman and degrading treatment suffered by the families of Ali Chebeishat and Sayed Khaled Mousavi as a result of continuing uncertainty concerning the fate and whereabouts of their loved ones.

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

**Justice For Iran**  
**Unit 11A, 25-27 Bickerton Road**  
**London, United Kingdom**  
**Tel: +44 20 3441 1499**  
[www.justiceforiran.org](http://www.justiceforiran.org)

Sincerely,

Shadi Sadr  
Executive Director, Justice For Iran  
[shadi.sadr@justiceforiran.org](mailto:shadi.sadr@justiceforiran.org)