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Iran: Swedish-Iranian doctor held hostage and at risk of retaliatory execution

There is mounting evidence to indicate that Iranian authorities are committing the crime of hostage-taking against Ahmadreza Djalali, a Swedish-Iranian academic who is at risk of imminent execution in Tehran's Evin prison, Amnesty International said today. Detailed research and analysis by the organization raises serious concerns that the Iranian authorities are threatening to execute Ahmadreza Djalali to compel Belgium and Sweden to hand over two former imprisoned officials, and to deter them and others from future prosecutions of Iranian officials.

The two former officials are: Asadollah Asadi, a former Iranian diplomat, who is serving a 20-year prison sentence in Belgium for his role in a thwarted 2018 bomb attack in France; and Hamid Nouri, a former prison official, who is on trial in Sweden for his alleged involvement in Iran's 1988 prison massacres, with the outcome expected on 14 July.

"The Iranian authorities are using Ahmadreza Djalali's life as a pawn in a cruel political game, escalating their threats to execute him in retaliation for their demands going unmet. The authorities are attempting to pervert the course of justice in Sweden and Belgium, and should be investigated for the crime of hostage taking," said Diana Eltahawy, Amnesty International's Deputy Director for the Middle East and North Africa.

"The Iranian authorities must halt any plans to execute Ahmadreza Djalali, release him immediately, and offer reparations for the harm they have caused him."

Breach of Hostages Convention

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. The conditions may be set explicitly or implicitly.

Amnesty International's research shows that, regardless of the Iranian authorities' initial motivations for arbitrarily detaining Ahmadreza Djalali in April 2016, since at least late 2020, the situation transformed into one of hostage-taking when Asadollah Asadi's trial in Belgium began.

On 24 November 2020, Ahmadreza Djalali was moved to solitary confinement and told his execution would be carried out in a week. The transfer took place just days before the trial of Asadollah Asadi was due to start in Belgium on 27 November 2020. After global interventions, Ahmadreza Djalali's execution was postponed on 2 December 2020.

On 4 May 2022, days after prosecuting authorities in Sweden sought a life sentence for Hamid Nouri, Iranian state media warned of Ahmadreza Djalali's looming execution. The reports further 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."

According to Ahmadreza Djalali's wife, judicial officials told his lawyers on 7 May 2022 that they had acted in "good faith" by postponing his execution once in December 2020. However, she said they added that by arresting and prosecuting Hamid Nouri, Sweden had joined forces with Iran's "enemies" and created "troubles" for the Islamic Republic system and this had left Iran with "no option" but carry out the execution. These remarks, together with state media articles published on 4 May 2022, provide compelling evidence that Ahmadreza Djalali is at risk of a retaliatory implementation of the death penalty, which Iranian authorities also appear to view as necessary to deter further arrests and prosecutions of Iranian officials outside Iran.

Amnesty International has also learned from multiple credible sources that Iranian officials have privately suggested on at least one occasion to Ahmadreza Djalali in prison and on multiple occasions to those advocating on his behalf that they are seeking to swap Ahmadreza Djalali for Asadollah Asadi and/or Hamid Nouri.

Other critical evidence includes public comments made by Belgian officials in early 2021 as well as March 2022, which hint that the Iranian authorities are pusuing a "deal" to swap Ahmadreza Djalali for Asadollah Asadi.

Prior to his arrest, Ahmadreza Djalali lived with his family in Sweden and was also a visiting professor in disaster medicine at the Vrije Universiteit Brussels in Belgium.

Iranian authorities have a long history of using arbitrarily detained dual and foreign nationals as leverage, as highlighted by the <u>UN Special Rapporteur on the situation of human rights in Iran</u> and the <u>UN Working Group on Arbitrary</u> Detention.

Amnesty International calls for the establishment of an effective, transparent, and independent inquiry into the situation of Ahmadreza Djalali, in accordance with the International Convention Against Taking of Hostages, to investigate evidence pointing to hostage-taking. Given the prevailing climate of impunity in Iran, such an inquiry should be established, either jointly or separately, by Sweden and Belgium as the states against which compulsion has been directed or attempted.

"Hostage-taking is an offence of grave concern to the international community. If it is established that the Iranian authorities have perpetrated this crime against Ahmadreza Djalali, all state parties to the Convention Against Taking of Hostages must urgently work together to hold Iran to account and ensure prevention, prosecution and punishment of such acts of hostage-taking," said Diana Eltahawy.

Background

In October 2017, Ahmadreza Djalali was sentenced to death for "corruption on earth" (*efsad-e fel-arz*) through "espionage" following a grossly unfair trial before Branch 15 of the Revolutionary Court in Tehran. The court relied primarily on "confessions" which Ahmadreza Djalili says were obtained through torture and other ill-treatment while he was held in solitary confinement and denied access to a lawyer.

In November 2017, the UN Working Group on Arbitrary Detention called on Iran to immediately release Ahmadreza Djalali and offer him the right to compensation and other reparations.

On 16 March 2022, Iranian authorities allowed charity worker Nazanin Zaghari-Ratciffle to leave Iran, after the UK government paid Iran £393.8 million in order to settle a debt dispute. Amnesty International will shortly be releasing the findings of its investigations into the circumstances of her six-year arbitrary detention and release within the framework of the International Convention Against Taking of Hostages in the coming weeks.