

**Mandates of the Special Rapporteur on extrajudicial, summary or arbitrary executions; the Special Rapporteur on the independence of judges and lawyers and the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran**

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(Please use this reference in your reply)

6 February 2025

Excellency,

We have the honour to address you in our capacity as Special Rapporteur on extrajudicial, summary or arbitrary executions; Special Rapporteur on the independence of judges and lawyers and Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, pursuant to Human Rights Council resolutions 53/4, 53/12 and 55/19.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning the imminent execution of Mr. Behrouz Ehsani Eslamloo, and Mr. Mehdi Hassani.

According to the information received:

On 9 September 2022, agents from the Ministry of Intelligence of the Islamic Republic of Iran arrested Mr. Mehdi Hassani in Zanzan province.

In October 2022, agents from the Ministry of Intelligence of the Islamic Republic of Iran arrested Mr. Behrouz Ehsani at his home in Tehran on national security-related accusations.

Mr. Behrouz Ehsani was reportedly held in solitary confinement for 50 days in section 240 of Evin prison, during which he endured psychological torture, including threats of flogging, execution, and harm to his family, to enforce a confession that he did not deliver. He was transferred to section 209 for three and a half months before being moved to a general ward.

Mr. Mehdi Hassani was held in solitary confinement in Evin Prison for six months, where he was reportedly forced to write self-incriminating statements under torture, including physical beatings and threats against his family.

Both men were denied contact with their families during these periods and interrogated without access to legal counsel.

On 10 August 2024, both men were reportedly tried jointly before Branch 26 of the Revolutionary Court in Tehran in a trial that failed to meet due process and fair trial guarantees. The trial reportedly lasted only five minutes, and both men were denied access to their lawyers for nearly two years, from the time of their arrests until weeks before the trial. In addition, the allegations of torture raised by the victims were not investigated. Both men have denied the charges against them.

On 15 September 2024, the Revolutionary Court sentenced them to death on charges of “armed rebellion against the state” (baghi), “enmity against God” (moharebeh), and “corruption on earth” (efsad-e fel-arz), reportedly in connection to their alleged support of the banned opposition group, the People’s Mojahedin Organization of Iran (PMOI). They were also convicted of multiple other charges, including spreading propaganda against the system, gathering and colluding to commit crimes against national security, and membership in a group with the purpose of disrupting national security, for which they received prison sentences.

On 7 January 2025, the authorities notified their lawyers that the Supreme Court had upheld the convictions and death sentences. Both Mr. Behrouz and Mr. Mehdi have been protesting the death penalty as part of the “No Death Penalty Tuesdays” campaign inside prisons.

On 26 January 2025, without prior notice to their lawyers or families, Behrouz Ehsani and Mehdi Hassani were transferred from Evin prison to Ghezel Hesar prison in Alborz province, a facility where prisoners are frequently moved before execution. Since the transfer, the authorities had provided no information to their families or lawyers, raising serious concerns that their executions may be imminent. Their lawyers have filed for a judicial review of their case.

On 27 January 2025, the Supreme Court agreed to reportedly halt their executions after accepting their lawyers' request to review the possibility of a retrial, however, no clarity or guarantee has been given on how long the suspension will last.

While we do not wish to prejudge the accuracy of these allegations, I express grave concern about the imminent risk of execution faced by Behrouz Ehsani, and Mr. Mehdi Hassani. Moreover, we are seriously concerned at information which indicates that the judicial proceedings in relation to both cases did not fulfil the requirements for due process and fair trial under international human rights law, rendering such sentences unfair. Given the uncertainty surrounding the timeline for reviewing the possibility of a retrial, we are deeply worried about the imminent risk of execution should such a request be rejected by the courts.

We would also like to remind your Excellency’s Government of its obligations under articles 6(1) of the International Covenant on Civil and Political Rights prohibits the arbitrary deprivation of life.

We would like to remind your Excellency’s Government of its obligations under international human rights law. Article 6(2) of the International Covenant on Civil and Political Rights, ratified by the Islamic Republic of Iran on 24 June 1975, states that the death penalty may be imposed only for the most serious crimes. In general comment No. 36 (para. 35), the Human Rights Committee has noted that the term “most serious crimes” must be read restrictively and appertain only to crimes of extreme gravity, involving ‘intentional killing’, a finding also reflected in paragraph 1 of the United Nations Safeguards guaranteeing protection of the rights of those facing the death penalty (Safeguards), approved by the Economic and Social Council on 25 May 1984 (resolution 1984/50). Similarly, it was submitted in a report by the mandate on

extrajudicial, summary or arbitrary executions to the Human Rights Council that a death sentence can only be imposed in cases where it can be shown that there was an intention to kill which resulted in the loss of life (A/HRC/4/20, para. 53).

We also recall article 7 of the ICCPR which refers to the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment and that persons deprived of their liberty are to be treated with dignity and humanity. Attached to the prohibition on torture and other cruel, inhuman or degrading treatment or punishment are obligations to criminalize and investigate all acts of torture or other cruel, inhuman or degrading treatment or punishment, to prosecute suspects, to punish those responsible and to provide remedies to victims.<sup>1</sup>

We remind that the right not to be arbitrarily deprived of life, the right not to be subjected to torture are *jus cogens* norms, also enshrined in international customary law, from which no derogation is permitted, regardless of contexts of internal political instability or any other public emergency (Human Rights Committee, general comment No. 36, para. 2).

The full texts of the human rights instruments and standards recalled above are available on [www.ohchr.org](http://www.ohchr.org) or can be provided upon request.

In view of the urgency of the matter, I would appreciate a response as soon as possible on the initial steps taken by your Excellency's Government to safeguard the rights of the above-mentioned persons in compliance with international instruments.

As it is my responsibility, under the mandate provided to me by the Human Rights Council, to seek to clarify all cases brought to my attention, I would also be grateful for your observations on the following matters:

1. Please provide any additional information and any comment you may have on the above-mentioned allegations.
2. Please provide detailed information on the nature of the offense for which Behrouz Ehsani, and Mr. Mehdi Hassani were convicted and on the specific acts attributed to Mr. Behrouz Ehsani and Mr. Mehdi Hassani that resulted in their prosecution, including the basis for accusations of corruption on earth (efsad-e fel-arz), moharebeh, baghy, and other related offenses.
3. Please provide detailed information on the exact charges against Mr. Behrouz Ehsani, and Mr. Mehdi Hassani. and the relevant legal provisions under the Iranian Law, and explain how the imposition of the death penalty in the cases of Behrouz Ehsani, and Mr. Mehdi Hassani for

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<sup>1</sup> For a full explanation on the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment and the related States' obligations to criminalize, investigate and prosecute crimes of torture and other ill-treatment, see Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment (A/77/502): <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N22/610/77/PDF/N2261077.pdf?OpenElement>; and Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Good practices in national criminalization, investigation, prosecution and sentencing for offences of torture (A/HRC/52/30): <https://documents.un.org/doc/undoc/gen/g23/033/16/pdf/g2303316.pdf?token=clzfg4HLIHmm6KknXQ&fe=true>.

“corruption on earth” (efsad-e fel arz) is consistent with international human rights law, including the United Nations Safeguards for the Protection of the Rights of Persons Facing the Death Penalty.

4. Please also provide information as to what measures have been taken to ensure that the rights of Behrouz Ehsani, and Mr. Mehdi Hassani. to due process and a fair trial have been respected, and how such measures comply with the obligations of your Excellency’s Government under international human rights law.
5. Please provide detailed information on the measures which have been taken, or which are foreseen, to ensure full and impartial investigations, independent medical examinations, and judicial or other inquiries in relation to the allegations of torture and other cruel, inhuman, or degrading treatment or punishment. If measures have been undertaken, please make available the results of the investigations. If no such measure has been taken, please explain how this is compatible with the international human rights obligations of Iran.
6. Please provide information on the legal avenues for Mr. Behrouz Ehsani, and Mr. Mehdi Hassani. to appeal the death penalty or seek the right to request a commuting of their sentence or pardon, according to international standards.

This communication and any response received from your Excellency’s Government will be made public via the communications reporting [website](#) within 60 days. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person responsible of the alleged violations.

We may publicly express my concerns in the near future as, in my view, the information upon which the press release will be based is sufficiently reliable to indicate a matter warranting immediate attention. We also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations. The press release will indicate that we have been in contact with your Excellency’s Government’s to clarify the issue/s in question.

Please accept, Excellency, the assurances of our highest consideration.

Morris Tidball-Binz  
Special Rapporteur on extrajudicial, summary or arbitrary executions

Margaret Satterthwaite  
Special Rapporteur on the independence of judges and lawyers

Mai Sato  
Special Rapporteur on the situation of human rights in the Islamic Republic of Iran