

URGENT ACTION

TORTURED IRANIAN KURD AT RISK OF EXECUTION

Arsalan Khodkam, from Iran's Kurdish minority, is at risk of execution in West Azerbaijan province. He was sentenced to death for "spying" after a grossly unfair trial that lasted about 30 minutes and relied on "confessions" he says were obtained under torture. He has never been allowed access to a lawyer of his own choosing. The use of the death penalty for "espionage" violates international law.

TAKE ACTION:

1. Write a letter in your own words or using the sample below as a guide to the government official listed below. You can also email, fax, call or Tweet them.
2. [Click here](#) to let us know the actions you took on **Urgent Action 124.20**. It's important to report because we share the total number with the officials we are trying to persuade and the people we are trying to help.

Head of Judiciary Ebrahim Raisi
c/o H.E. Majid Takht Ravanchi

Permanent Mission of the Islamic Republic of Iran
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Dear Mr Raisi,

Arsalan Khodkam, 47, from Iran's Kurdish minority, is at risk of execution in Urumieh prison in West Azerbaijan province. He was sentenced to death on 14 July 2018 for "spying" for the Kurdish Democratic Party of Iran (KDPI), an armed Kurdish opposition group, while working as a low-ranking officer for the Revolutionary Guards. He denied the charge and said that the authorities accused him of espionage after they learned that he was in communication, via Instagram, with one of his wife's relatives, who was a member of the KDPI. He was sentenced to death less than three months after his arrest in a grossly unfair trial that lasted 30 minutes and relied on "confessions", which he said were made under torture. In February 2020, his lawyer attempted to access his court documents and prepare a clemency application. The prosecution authorities told the lawyer that he could not represent Arsalan Khodkam and a clemency application previously submitted from inside prison had been rejected. In May 2020, his relatives were warned that his execution may be carried out at any moment.

Following his arrest on 23 April 2018, Arsalan Khodkam was transferred to a Revolutionary Guard's detention facility in Almahdi military barracks in Urumieh where he was held in solitary confinement for 36 days, without access to his family and a lawyer. The alleged torture included repeated episodes of flogging, punching and kicking, including on his back where he has a surgical implant. As a result, he fainted multiple times. The interrogators also allegedly handcuffed him in a painful manner for prolonged periods, and while doing so, they denied him access to toilet facilities, which forced him to either urinate on himself or hold his urine leading to bladder and kidney pain. He also said that he was deprived of sleep. Arsalan Khodkam was convicted of "enmity against God" (moharebeh) through "espionage" by Branch 1 of the Military Court in West Azerbaijan. He met his court appointed lawyer for the first time at his trial and said that the lawyer did not present any defense in court. Branch 32 of the Supreme Court dismissed his appeal summarily, without addressing the unlawful use of torture-tainted "confessions" as evidence. The use of the death penalty for "espionage" violates international law and restricts its use to "most serious crimes" involving intentional killings.

I urge you to quash Arsalan Khodkam's conviction and death sentence and grant him a fair retrial, without recourse to the death penalty and excluding "confessions" obtained under torture and other ill-treatment. Please ensure access to a lawyer of his own choosing and order an independent and impartial investigation into his allegations of torture.

Yours sincerely,

AMNESTY
INTERNATIONAL



ADDITIONAL INFORMATION

Since 2018, Arsalan Khodkam's family have approached various state bodies including the office of the Supreme Leader, the office of the head of the judiciary, and several Members of Parliament, highlighting the unfair nature of his conviction, and urging them to intervene to save his life. However, officials have consistently told the family that as the case concerned "security matters", nothing could be done.

Arsalan Khodkam worked as a low-ranking officer at a Revolutionary Guards military base in Urumieh when he was arrested on 23 April 2018. The Revolutionary Guards accused him of "espionage" for the Kurdish Democratic Party of Iran (KDPI) and claimed that he had provided the KDPI with intelligence on the military affairs of the Revolutionary Guards and assisted the KDPI in its armed operations against the Revolutionary Guards. KDPI is an Iranian armed Kurdish opposition group based in the Kurdistan Region of Iraq, which resumed its armed opposition to the Iranian authorities in 2016 after having suspended it in the early 1990s. Arsalan Khodkam denied the accusations brought against him and said that he has not had any affiliation with the KDPI since he left the group in the early 1980s. According to information obtained by Amnesty International, on one occasion, Arsalan Khodkam had informed his relative, a member of the KDPI, that the Revolutionary Guards were preparing to send forces to crush a series of peaceful anti-establishment strikes and protests in Baneh, Kurdistan province, which started in April 2018. He said that in his other communications, he had not shared any sensitive information and only mentioned the names and positions of several Revolutionary Guards officials he knew at work

According to information obtained by Amnesty International, following his arrest in Urumieh, Arsalan Khodkam withstood days of physical torture, but signed the self-incriminating statements that the interrogators had prepared after they subjected him to psychological torture by detaining his wife on 28 April 2018 for two days and threatening to harm her and their son. During the 36 days he was held in solitary confinement, he reportedly lost considerable weight. He was subsequently transferred to Urumieh prison.

Arsalan Khodkam said that he has been experiencing serious vision problems in his left eye as a result of repeated blows to his face while undergoing interrogations. He is also suffering from painful back problems. The authorities have ignored his repeated requests to be transferred to a medical centre outside prison for diagnosis and treatment. He was only given pain relief injections at the prison clinic for his back pain.

Torture is a violation of international law and its use is prohibited under all circumstances. Statements elicited as a result of torture, ill-treatment or other forms of coercion must be excluded as evidence in criminal proceedings, except those brought against suspected perpetrators of such abuse. The right to a fair trial is legally binding on all states as part of customary international law. Those facing criminal proceedings must have the right to access legal counsel from the time of arrest; not to be compelled to testify against themselves or to confess guilt; not to be detained on vague charges; to receive a fair, public hearing before a competent, independent and impartial tribunal; and to be provided with a public, reasoned judgement. In view of the irreversible nature of the death penalty, the proceedings in capital cases must scrupulously observe all relevant international standards protecting the right to a fair trial.

Amnesty International opposes the death penalty in all cases without exception regardless of the nature of the crime, the characteristics of the offender, or the method used by the state to kill the prisoner. The organization considers the death penalty a violation of the right to life and the ultimate cruel, inhuman and degrading punishment. Amnesty International has repeatedly called on Iran to establish an official moratorium on executions with a view to abolishing the death penalty.

PREFERRED LANGUAGE TO ADDRESS TARGET: Persian

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 28 September 2020

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PRONOUN: Arsalan Khodkam (he/him)