

# URGENT ACTION

## TORTURED DISSIDENT RAPPER FACING SPURIOUS CHARGES

Dissident rapper Toomaj Salehi is arbitrarily detained in Esfahan central prison, Esfahan province, in relation to his peaceful activities, including participation in the “Woman Life Freedom” uprising and social media posts critical of the Iranian authorities. In June 2024, the Supreme Court overturned his conviction and death sentence, and sent the case to a lower court. He is also facing new spurious charges in separate proceedings solely for peacefully exercising of human rights, including freedom of expression through his music.

**TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER**

**Head of judiciary, Gholamhossein Mohseni Ejei**

*c/o Embassy of Iran to the European Union, Avenue Franklin Roosevelt No. 15, 1050 Bruxelles, Belgium*

*Dear Mr Gholamhossein Mohseni Ejei,*

*Rapper Toomaj Salehi, 33, is arbitrary detained in Esfahan central prison, Esfahan province, in relation to his participation and support of the “Woman Life Freedom” uprising, his music, publicly condemning Iranian authorities’ oppression and executions, and calling for human rights and freedom for people in Iran. On 22 June 2024, Toomaj Salehi’s lawyer posted on X [formerly Twitter] that that Branch 39 of the Supreme Court overturned Toomaj Salehi’s conviction and death sentence for “corruption on earth” (efsad fel arz), which was imposed by Branch 1 of Revolutionary Court in Esfahan in April 2024 following a grossly unfair trial. He added that the Court would send the case to “an equivalent [lower court] branch for further proceedings”. An informed source told Amnesty International that the case was referred to Branch 5 of the Revolutionary Court of Esfahan by 7 July 2024, noting that the charges remained unknown. The source added that on 10 July 2024, intelligence agents interrogated Toomaj Salehi again without a lawyer present in relation to two new cases both solely stemming from his peaceful activities, including his new song released in March 2024 while imprisoned. He was charged in two case the same day. In the first case before the Revolutionary Court, he is charged with “spreading propaganda against the system” and “inciting people to war and killing with the intention to disrupt national security”. In the second case before a criminal court, he is charged with “insulting religious sanctities” and “spreading lies with the intention of disturbing public opinion”. If convicted, he faces prolonged imprisonment.*

*The authorities arbitrarily arrested Toomaj Salehi on 30 October 2022 and subjected him to enforced disappearance for a month by refusing to disclose his whereabouts to his family. During this time, his forced “confessions” were first aired on state television in early November 2022. On 18 November 2023, after he was released on bail, he said in a video posted online that he was tortured during arrest, including through repeated beatings, resulting in fractures in his hands and leg, and loss of consciousness for two days. He was also subjected to prolonged solitary confinement for eight to nine months. He was re-arrested on 30 November 2023; and authorities continue to deny him access to adequate healthcare, including for his torture-related injuries in his leg and hands, for which he needs surgery and pain relief.*

***I call on you to immediately and unconditionally release Toomaj Salehi, as he is held solely for the peaceful exercise of his human rights, and drop all charges against him related to exercising his right to freedom of expression and peaceful assembly. Pending his release, provide Toomaj Salehi with adequate healthcare and regular visits with his family and lawyers; and protect him from further torture and other ill-treatment. A prompt, independent, effective and impartial investigations into his torture allegations must be conducted, with those suspected of criminal responsibility brought to justice in fair trials. I further urge you to grant independent observers access to protest-related capital trials and immediately establish an official moratorium on executions with a view of abolishing the death penalty.***

*Yours sincerely,*

## ADDITIONAL INFORMATION

In a media interview on 30 October 2022, following Toomaj Salehi's arrest in Chaharmahal and Bakhtiari province, the Esfahan prosecutor, Mohammad Mousavian, violated Toomaj Salehi's right to the presumption of innocence by publicly accusing him of playing a "key role in instigating, inciting and encouraging riots". In violation of his rights not to self-incriminate and to presumption of innocence, state media outlets broadcast multiple propaganda videos accusing Toomaj Salehi of "inciting sedition and street riots" and airing his forced "confessions" obtained while he was detained without access to a lawyer and subjected to torture and other ill-treatment. An informed source told Amnesty International that agents subjected Toomaj Salehi various methods of torture and other ill-treatment including pouring water over him and giving electric shocks to his feet; holding a gun to his head and threatening to kill and bury him in a hole they dug in the ground; stomping on his chest; smashing his leg between a car door; and leaving him with an eye injury affecting his eyesight. While briefly released on bail in November 2023, Toomaj Salehi publicly said agents injected him with an unidentified substance in his neck. Following arrest, Toomaj Salehi was transferred to a detention facility run by the Intelligence Organization of the Revolutionary Guards inside Esfahan central prison before being moved to the public ward after 252 days.

On 2 July 2023, Toomaj Salehi was tried before Branch 1 of the Revolutionary Court in Esfahan. He was only permitted 30 minutes to meet with his lawyers prior to trial, thereby violating his right to adequate time and facilities to prepare a defence. On 10 July 2023, Toomaj Salehi's lawyer said in a media interview that Branch 1 of the Revolutionary Court in Esfahan had issued its verdict, convicting him of six charges and sentencing him to a total of 18 years and nine months in prison. According to his lawyer, the court sentenced him to six years and three months in prison under the Note to Article 286 of the Islamic Penal Code, which is the charge of "corruption on earth" (*efsad fel arz*). Article 286 of the Islamic Penal Code states: "Whoever, in a widespread manner, commits crimes against individuals' physical integrity, crimes against national security, causes disruption in the economic structure of the country, commits arson and destruction, distributes poisonous or dangerous substances, or runs corruption and prostitution centres, in a manner that causes severe disruption in the public order of the country or causes extensive damage to the physical integrity of individuals or private and public property, or spreads corruption or prostitution in large scale is 'corrupt' on earth and shall be sentenced to death." The Note to Article 286 states that if the court does not establish, from the totality of the evidence, the intention to cause widespread disruption and insecurity in public order, cause major damage, or spread corruption or prostitution on a large scale, and if the individual's actions do not fall under other legal penalties, the individual will receive a prison sentence, rather than a death sentence. He was also sentenced to one year and three months in prison for "spreading lies with the intention of disturbing public opinion" for the same alleged acts of which he was convicted under the Note to Article 286. According to his lawyer, these charges stem from his posts on X in relation to the uprising and criticism of the authorities. Toomaj Salehi was also sentenced to one year and three months in prison for "spreading propaganda against the system"; one year and three months and 40 lashes for "disturbing public order"; six years and three months for "inciting people to war and killing with the intention to disrupt national security"; and two years and six months for "inciting people to commit acts of violence". He also received a two-year travel ban, a two-year ban on music-related activities, and mandatory attendance in life skills classes held by the judiciary's crime-prevention department. A previous six-month suspended prison sentence dating back to 2021 was also invoked. In November 2023, Branch 39 of the Supreme Court overturned the Revolutionary Court ruling and referred the case back to the same lower court for retrial. On 21 January 2024, Toomaj Salehi's lawyer reported on X that the Revolutionary Court called the Supreme Court's ruling "advisory" and sent the case back to the prosecutor's office and ordered a new indictment with 10 charges to be issued, including the two he was previously acquitted of, as well as two new charges, namely "gathering and colluding to commit crimes against national security" and "complicity in armed rebellion against the state" (*baghi*). In April 2024, Branch 1 of Revolutionary Court in Esfahan sentenced Toomaj Salehi to death for "corruption on earth" (*efsad fel arz*).

On 18 November 2023, after the Supreme Court had overturned the Revolutionary Court verdict, Toomaj Salehi was released on bail. On 26 November 2023, he published a video on YouTube detailing the torture to which he was subjected and the formal complaints he had made to the authorities about his detention. After the authorities re-arrested him on 30 November 2023, the judiciary announced that he "was detained after making baseless and unsubstantiated claims online and was charged with 'spreading lies with the intention of disturbing the public mind'". In early January 2024, his lawyer publicly said that Toomaj Salehi was sentenced to one year in prison in relation to this case, which was before a Revolutionary Court; an appeal court upheld this conviction and prison sentence in mid-February 2024. All of Toomaj Salehi's trials have been grossly unfair.

**PREFERRED LANGUAGE TO ADDRESS TARGET:** Persian, English, or your own language.

**PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL:** 30 November 2024

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

**NAME AND PREFERRED PRONOUN:** Toomaj Salehi (he; him)

**LINK TO PREVIOUS UA:** <https://www.amnesty.org/en/documents/mde13/8055/2024/en/>

## ADDITIONAL TARGETS

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