

## Special Rapporteur on Extrajudicial, Summary or Arbitrary executions A/HRC/23/47/Add.5 para 56

### Full recommendation:

*The Special Rapporteur thanks the Government of the Islamic Republic of Iran for its reply. He welcomes the measures undertaken to investigate the death in custody of Mr. Satar Beheshti. He calls upon the authorities to ensure a thorough, prompt, and impartial criminal investigation of this death, as well as to criminally prosecute and punish all those responsible. The Special Rapporteur would appreciate further detailed information on the progress of the investigation and all other related proceedings on this case.*

### Assessment using Impact Iran human rights indicators<sup>1</sup>

Mr. Satar Beheshti was arrested on 30 October 2012 and later transferred to Evin Prison.<sup>2</sup> While in prison, Mr. Beheshti lodged a complaint with the Evin Prison authorities claiming that his interrogators had tortured him after his arrest, an allegation corroborated by prisoners detained in the same prison. Mr. Beheshti was then transferred to the Iranian cyber police's (FATA) detention centre for further investigation, where he reportedly died on 3 November 2012.<sup>3</sup>

The Iranian Parliament's National Security and Foreign Policy Commission and the Judiciary's High Commission for Human Rights launched investigations into the incident.

On 20 November 2012, the medical commission reported that the "most likely cause of death can be the phenomenon of shock, which if verified, could be caused by a blow or blows on sensitive areas of the body or through severe psychological pressure."<sup>4</sup> Iran's Judiciary spokesperson later confirmed that acts of torture were perpetrated on Mr. Beheshti by the FATA police agents, facts further supported by the Parliament's investigation.<sup>5</sup> However, torture was ultimately ruled out as a potential cause of death.<sup>6</sup> There has been no official conclusion on the causes of Mr. Beheshti's death.

The State Prosecutor's Office published a statement on 22 November 2012 declaring that a number of individuals, including police officers, those responsible for interrogating Mr. Beheshti, and wardens at the detention centre, were charged and placed in custody,<sup>7</sup> without providing further information on trials and convictions. The report of the investigation conducted by the Parliament stated that the detention of Mr. Beheshti at the FATA Police detention centre violated standards of due process.<sup>8</sup> In December 2012, the commander of the FATA was dismissed.<sup>9</sup>

<sup>1</sup> CCPR.6.S.1; CCPR.7.S.1

CCPR.6.P.2; CCPR.7.P.1

CCPR.6.2.O.3

<sup>2</sup> <https://iranhr.net/en/articles/896/>

<sup>3</sup> Abdorrahman Boroumand Center, <https://www.iranrights.org/memorial/story/-7809/sattar-beheshti>

<sup>4</sup> Reporters Without Borders, <https://rsf.org/en/news/new-light-death-detention-blogger-sattar-beheshti>

<sup>5</sup> Abdorrahman Boroumand Center, <https://www.iranrights.org/memorial/story/-7809/sattar-beheshti>

<sup>6</sup> The New York Times, <https://www.nytimes.com/2012/12/02/world/middleeast/after-death-of-sattar-beheshti-iranian-blogger-head-of-tehrans-cybercrimes-unit-is-fired.html>

<sup>7</sup> Reports Without Borders, <https://rsf.org/en/news/new-light-death-detention-blogger-sattar-beheshti>

<sup>8</sup> Abdorrahman Boroumand Center, <https://www.iranrights.org/memorial/story/-7809/sattar-beheshti>

<sup>9</sup> Reuters, <https://www.reuters.com/article/uk-iran-blogger/bloggers-death-stirs-political-hornets-nest-in-iran-idUKBRE8BP02U20121226>

Investigations led to the trial and reported conviction of one FATA police agent for “assault and harassment” under Article 578 of the Islamic Penal Code (2013). The trial was held *in camera* and the plaintiffs were prohibited from attending.<sup>10</sup> The verdict was upheld in appeal.

Reportedly, a number of witnesses who testified for the case of Mr. Beheshti were later subjected to judicial and police harassment.<sup>11</sup> The family of Mr. Beheshti, who filed a complaint in objection to the conclusion of the investigation and subsequent trial, was also reportedly subjected to harassment.<sup>12</sup> Reportedly, Mr. Beheshti’s mother was pressured into withdrawing her complaint. Similar pressure was reported when Mr. Beheshti’s father lodged a complaint and the Iranian police allegedly attempted to argue that he was suffering from Alzheimer’s.<sup>13</sup>

While the Iranian Government and Judiciary launched an investigation, and ultimately convicted a FATA police officer, Mr. Beheshti’s cause of death remains undetermined. Although the commander of the FATA has been dismissed from his position, there is no readily available information that might indicate that he has been held accountable for his role in Mr. Beheshti’s death. Additionally, although violations of due process were reported by the Parliament’s investigation, there has been no further information provided on the roles played by the police or how the Iranian judicial system enabled, directly or indirectly, the death of Mr. Beheshti. Ultimately, there is very little information that might indicate that a thorough, prompt, and impartial criminal investigation has been conducted into the death of Mr. Beheshti or that those responsible have been held accountable. Further, the harassment of witnesses and Mr. Beheshti’s family suggests an unwillingness from Iranian authorities to shed further light on the case.

Recommendation Status:

This recommendation has **NOT** been implemented.

---

<sup>10</sup> Abdorrahman Boroumand Center, <https://www.iranrights.org/memorial/story/-7809/sattar-beheshti>

<sup>11</sup> Abdorrahman Boroumand Center, <https://www.iranrights.org/memorial/story/-7809/sattar-beheshti>

<sup>12</sup> Amnesty International, <https://www.amnesty.org.uk/press-releases/iran-mother-dead-blogger-attacked-while-mourning-son-his-graveside>

<sup>13</sup> Abdorrahman Boroumand Center, <https://www.iranrights.org/memorial/story/-7809/sattar-beheshti>