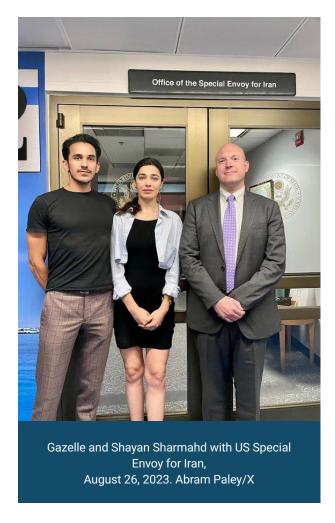
## JAMSHID SHARMAHD The Latest Victim of Iran's **Unlawful Campaign Against Dissent Abdorrahman Boroumand Center**

**November 10, 2024** – The four-year ordeal of Jamshid Sharmahd, a vocal opponent of the Islamic Republic and one of the victims of its relentless transnational repression, has finally ended. Iran's judiciary first announced his execution by hanging¹ on October 28 and then stated on November 5 that he had died before his sentence could be implemented.² Deliberately kept in the dark about the judicial process, his children campaigned tirelessly, including through a complaint³ filed in Germany, to draw international support for his release. Now, their ordeal continues because the authorities are releasing conflicting information on his death, "a side issue," according to Foreign Minister Abbas Araghchi, and holding on to his body. The family has the right to know the truth and bury him with dignity. The international community can and must act in concert to bring Sharmhad's body home and hold the Islamic Republic accountable.





<sup>1</sup> https://www.mizanonline.ir/fa/amp/news/4801143

<sup>2</sup> https://www.mizanonline.ir/fa/news/4802502/

<sup>3 &</sup>quot;The complaint focuses on eight high-ranking members of the judiciary and intelligence services in Iran, including Abdolghassem Salavati (Presiding Judge of Branch 15 of the Tehran Revolutionary Court) and Mahmoud Alavi (Minister of Intelligence of the Islamic Republic of Iran at the time of Sharmahd's abduction;" https://www.ecchr.eu/en/case/criminal-complaint-against-judicial-authorities-in-iran-german-federal-public-prosecutor-must-investigate-crimes-against-humanity

Sharmahd, a 68 year old software engineer and dissident, had been abducted in Dubai on July 31, 2020, taken to Iran, coerced into self-incriminating confessions, tried, and convicted in a judicial process that defied all standards of due process.

In the announcement of his death, Sharmahd's executioners accused him of violent crimes including a bombing on April 13, 2008 in Shiraz, which killed 14 and injured over 200. The prosecution's communique, published on October 28, 2024 by the Judiciary's outlet, Mizan News Agency, accused Sharmahd of having:

"For years, at the behest of his handlers in Western, American, and Zionist intelligence agencies, designed multiple terrorist operations against our beloved Islamic Republic of Iran. Among these was the bombing of the Seyed al-Shohada Hosseiniyeh in Shiraz."<sup>5</sup>

Rather than pursuing Jamshid Sharmahd's extradition through legal means, Iran abducted him, held him incommunicado for most of his detention, and used his coerced confessions to sentence him

to death. Sharmahd was also denied the right to properly defend himself in a public trial with the attorney his family had hired. "If the case against him was built on solid evidence," said Roya Boroumand, Executive Director of Abdorrahman Boroumand Center for Human Rights in Iran (ABC,) "the Iranian authorities would not have held him in solitary confinement during the past four years or denied his lawyer access to his client, the case file, and to the trial."



Jamshid Sharmahd, a German-Iranian

citizen, U.S. permanent resident, and father of two, was born in 1955 in Tehran, Iran, where he lived until the age of seven. He lived and studied in Germany and established his own software company, and created Unipad,<sup>6</sup> a critical encoding tool. He moved to the United States in 2003.

At the time of his abduction, Sharmahd was a member of the Anjoman Padeshahi Iran (API) (Kingdom

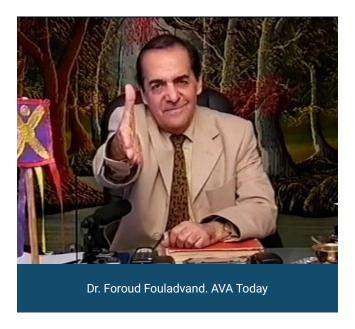
<sup>4</sup> https://www.mizanonline.ir/fa/amp/news/4801143

<sup>5</sup> https://farsnews.ir/social/1645346151000072024/

<sup>6 &</sup>quot;UniPad is a Unicode text editor for Windows operating systems. This technology allows users to enter plain Unicode text, save, and load the data in different formats. Additionally, SC UniPad provides features to help users working with Unicode text." https://www.oit. va.gov/Services/TRM/ToolPage.aspx?tid=6731 https://eturbonews.com/german-citizen-from-glendora-california-abducted-by-iran-ministry-in-dubai/

Assembly of Iran in English)<sup>7</sup>, an organization founded in 2004 to support the reestablishment of the Iranian monarchy and Zoroastrian religious faith, but the group is not aligned with other existing Royalist groups. The Kingdom Assembly of Iran's founder – Dr. Foroud Fouladvand (born Fatollah Manuchehri) – was outspoken in his criticism of the Quran and Islam on his television channel, Television-e Shoma, in the early 2000s.

In 2006, Sharmahd created a website for Fouladvand – tondar.org – to archive his television programs. On January 17, 2007, Fouladvand disappeared in Yüksekova (a district of Hakkari Province in Turkey, near Iran's border) along with two of his supporters, Alexander Valizadeh, an Iranian/ US citizen, and Nazem Schmidtt, an Iranian/German citizen. They are suspected to have been abducted by agents of the Islamic Republic.<sup>8</sup> Their whereabouts remain unknown to this day. Fouladvand's rental car was found in Turkey with broken windows, cut wiring and license plates removed.



Sharmahd's daughter, Gazelle, told ABC on August 19, 2023, that following Fouladvand's disappearance, Sharmahd continued to operate the website and – despite receiving threats through anonymous phone calls – opened the platform to supporters of the movement to share their views and write op-eds and articles. The contributors' real identities and affiliations were not necessarily known to her father.9

Sharmahd also hosted "Radio Tondar" from 2008 until 2018, with an interruption between 2010 and 2013, sharing news on Iran and giving a voice to those inside the country. On an April 16, 2013 live program of Radio

Tondar, Sharmahd explained that the radio will be open to API members and all other activists to report their activities and views as there is no outlet for them to do so inside Iran.

Sharmahd was a harsh critic of Iran's leaders' beliefs and of high-ranking officials, He denounced Iran's foreign policies, and state propaganda. However, Sharmahd was explicit in saying that the Kingdom Assembly of Iran and Tondar were not an organized political party directed by him, but rather a loose grouping of individuals sharing similar affinities, using Tondar.org solely as a means to express themselves and communicate with each other.<sup>10</sup> He specifically stated that neither he nor anyone else from the organization has sent, or will send in the future, any orders to individuals wishing to organize.<sup>11</sup>

<sup>7</sup> https://web.archive.org/web/20170318022059/https://tondar.org/

<sup>8</sup> https://www.amnesty.org/en/documents/mde13/083/2008/en/

 $<sup>9 \</sup>quad ABC \ Interview \ with \ Gazelle \ Sharmahd, \ August \ 19, 2023; See for example: \ https://www.youtube.com/watch?v=9L01AVE9wf0$ 

<sup>10</sup> Ibid

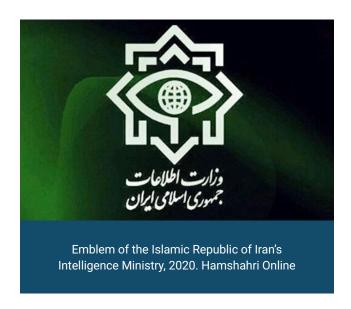
<sup>11</sup> https://www.youtube.com/watch?v=q4VdknHjvRE

Sharmahd's involvement with Tondar resulted in multiple threats and cyberattacks against him and his family. In July 2009, the US authorities foiled an assassination attempt against him. Information on this attempt was made public as the result of a release of classified US diplomatic cables via WikiLeaks. A CNN report12 detailing the attempt described a plot in which a hitman was hired by an Iranian national - Reza Sadeghnia - to carry out the



assassination by hitting Mr. Sharmahd with a van, but the hitman contacted police instead. Following the 2009 assassination attempt, the Federal Bureau of Investigation (FBI) informed Mr. Sharmahd that his life was in danger outside of the US and advised him to halt any travel.

Gazelle Sharmahd told ABC that her father, whose work required traveling and his presence at the companies that hired him, followed this guidance for years and saw his income drop significantly as a result. Hence his decision to travel to India on March 8, 2020. As a result of lockdowns due to the COVID-19 pandemic, Sharmahd was stranded for months in India, then Germany, before deciding to return to India and complete his work. He booked a flight with a layover in Dubai in late July. While in Dubai, his connecting flight was canceled. His last communication with his family was on July 28, when he informed them of his whereabouts, the flight cancellation, and shared his location. On July



29, he stopped responding to messages. His shared location indicated that on July 30, he had moved south and entered Oman; on July 31, his location indicated that he traveled from an Islamic school to an Islamic hospital, and then showed him on the shore in Oman, before the tracker was disconnected.<sup>13</sup>

On August 1, 2020, the Iranian Ministry of Intelligence announced that secret agents referred to as the "unknown soldiers of Imam Mahdi," had arrested Jamshid Sharmahd following a "complex operation" in Dubai and brought him to Iran.<sup>14</sup> His daughter told ABC that her father was kept in solitary confinement

<sup>12</sup> https://web.archive.org/web/20110224053625/https://www.cnn.com/2011/US/02/04/siu.calif.iran.hit.foiled/index.html

<sup>13</sup> ABC Interview with Gazelle Sharmahd, August 19, 2023

<sup>14</sup> https://www.hamshahrionline.ir/news/536299/

throughout his arrest. In a late November 2020 telephone call, Sharmahd told his family he was being held in Tehran's Evin prison, but in subsequent calls, he said he was no longer there and was unable to say where he was being held. During a phone call on March 23, 2021, he reported that he had lost nearly 20kg in weight and had lost some of his teeth.

Several phone calls followed the first one in late 2020 and early 2021. During these calls, according to his daughter, the family could hear other voices instructing Sharmahd to, for example, ask his family members to post a letter from him acknowledging that he was the leader of the "terrorist group" and that members had acted on his orders. Faced with the family's lack of cooperation, the authorities prevented Sharmahd from contacting them for nine months. During his time in prison, Jamshid Sharmahd was denied adequate health care for his serious medical conditions, which included diabetes, heart disease, and Parkinson's disease.<sup>15</sup>



Jamshid Sharmahd trial, first and second sessions, February 6 and 20, 2022. Farhikhtegan

Sharmahd's seven-session trial began on February 6, 2022. The photos published by Mizan<sup>16</sup> show him sitting alone while photos of the Shiraz bombing victims are exposed behind him. Other photos show him with the explosion victims' family members, the plaintiffs, behind him.

According to media reports, the first four sessions of the trial held in Branch 15 of the Tehran Revolutionary Court, presided over by Judge Abolqasem Salavati,were dedicated to the reading of the indictment against Jamshid Sharmahd by Behruz Hassani Etemad, the Representative of the Prosecutor. The fifth session was dedicated to hearing the family members of the bombing victims. In the last session, held on August 23, 2023, the court asked Jamshid Sharmahd to respond to questions. The reports of these sessions provide information on the content of the indictment, but provide no information on Sharmahd's defense, except to report on the fact that he tried to deny responsibility for the acts he was accused of. 18

<sup>15</sup> ABC Interview with Gazelle Sharmahd, August 19, 2023

<sup>16</sup> https://www.mizanonline.ir/fa/news/797601/

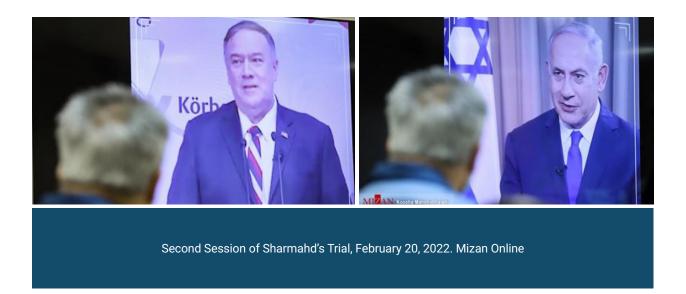
<sup>17</sup> https://farhikhtegandaily.com/news/69151/; https://www.iribnews.ir/fa/news/3366657

<sup>18</sup> https://www.mehrnews.com/news/6275717/



The indictment accused Sharmahd of planning and executing multiple bombings. However, aside from the 2008 explosion in Shiraz, none of the bombing plots described in the indictment had actually occurred or harmed anyone. Based on official media reports, the evidence offered by the prosecution regarding these bombings during Sharmahd's court sessions were the confessions made by him and members of API previously tried and executed.

Media reports, clips of Radio Tondar showing Sharmahd speaking to, and expressing support for, Iranians claiming to be involved in violent acts, and a letter to Mike Pompeo, the then-US Secretary of State, were also shown during the trial. The Prosecution also accused Sharmahd of being in direct contact with the US FBI and CIA, the State Department, the US President, and the Israeli Mossad.<sup>19</sup>



<sup>19</sup> https://farhikhtegandaily.com/news/69151/

The most substantial charges against Sharmahd were related to an explosion at the Seyed al-Shohada Hosseinieh in Shiraz, fifteen months after Fouladvand's disappearance in Turkey, on April 12, 2008. However, immediately after the explosion, which killed 14 and injured over 200, officials of the Islamic Republic declared that it was an accident and denied intentionality behind it. The Fars Province Police Force Commander had stated on April 13th that the explosion was probably caused by negligence and the fact that the ammunition used for an exhibit about the Iran-Iraq war in that location had been left there.<sup>20</sup>

In a statement published on April 16th, 2008, the Secretariat of the Supreme National Security Council announced that after the delegation of experts and representatives of the Council had traveled to Shiraz and conducted a "precise field investigation," they had determined the origin of the explosion.<sup>21</sup>

The Council's delegation had concluded that "the cause of the explosion in Seyed-ol-Shohada Hosseinieh in Shiraz City was the presence of several war ammunitions in this space". The statement noted that the investigation on why the ammunition had exploded is ongoing and rejected the news circulating regarding the existence of any bomb or the transfer of explosive material from the outside by "opposition factors and groups internally and externally."



One month later however, the Minister of Information, followed by then-Interior Minister Mostafa Pourmohammadi,<sup>22</sup> announced that several people had been arrested in relation to the bombings; the Minister of Information referred to them as agents of Monarchist groups.

Mohsen Eslamian, 21, Ali Ashghar Peshtar, 21, and Ruzbeh Yahyazadeh, 35, were arrested on charges

<sup>20</sup> https://rasekhoon.net/news/show/217343/

<sup>21</sup> https://www.irna.ir/news/7396224/

<sup>22</sup> Mostafa Pourmohammadi is one of the judges involved in the 1988 prison massacre. He has also served as Minister of Interior ( 2005 to 2008) and Minister of Justice (2013 to 2017). https://www.iranrights.org/library/document/1380/the-massacre-of-political-prisoners-in-iran-1988-report-of-an-inquiry

of Moharebeh<sup>23</sup> (war against God) and corruption on Earth for their membership in the Kingdom Assembly of Iran and their knowledge of, and participation in, the Seyed-al-Shohada Hosseinieh

bombings. The three of them were executed on April 10, 2009. Two other members of the Kingdom Assembly of Iran, Arash Rahmanipur<sup>24</sup> and Mohammad Reza Ali Zamani, were executed on January 28, 2010 on the same charges. On May 9, 2010, Mehdi Eslamian was executed for having assisted his brother in escaping arrest.<sup>25</sup>

Sharmahd's trial concluded on July 26, 2022. He was denied independent legal representation at all stages of the proceedings. His lawyer, Mohammad Hossein Aghasi,<sup>26</sup> was not only denied access to the case file and courtroom, but was not allowed to see his client. The



court assigned a public defender to the case who, according to Gazelle Sharmahd, failed to seriously represent her father and kept the family in the dark. Instead, he asked the family to pay an exorbitant sum of money (\$250,000) for him to read the case file, which apparently he had failed to do.<sup>27</sup>



The news of Sharmahd's death sentence was announced by the Judiciary on March 1, 2023, and that of its confirmation by the Supreme Court on April 26, 2023.<sup>28</sup> Mas'ud Setayeshi, the spokesperson for the Judiciary who announced the verdict on March 1st, thanks Iran's intelligence services for Sharmahd's abduction:

"I must once again thank and express my appreciation for the decisive action of the anonymous soldiers of Imam Mahdi in arresting the leader of one of the most terrorist and criminal individuals of humanity, which was a highly valuable and specialized task."<sup>29</sup>

In addition to the criminal case, the Islamic Republic also slammed Sharmahd, "the leader of the

<sup>23</sup> https://www.iranrights.org/library/document/2005/quarterly-human-rights-report-by-the-defenders-of-human-rights-centre-spring-and-summer-2009

<sup>24</sup> https://www.iranrights.org/memorial/story/-7226/arash-rahmanipur

<sup>25</sup> https://www.iranrights.org/memorial/story/64512/mehdi-eslamian

<sup>26</sup> https://ir.voanews.com/a/mohammedhossein-aghasi-mohammed-hossein-lawyer/7522846.html

<sup>27</sup> ABC Interview with Gazelle Sharmahd, August 19, 2023; https://www.bbc.com/persian/iran-60335516

<sup>28</sup> https://www.tasnimnews.com/fa/news/1402/02/06/2885528

<sup>29</sup> https://www.mashreghnews.ir/news/1469452

Tondar terrorist group," and the US government with a lawsuit brought by 116 plaintiffs in Branch 55 of the Tehran Special Court for International Claims under the presidency of Judge Majid Hosseinzadeh. On March 11, 2024, the Mehr News Agency reported that:

"The Tondar terrorist group, also known as the Association of the Kingdom of Iran, under the leadership of Jamshid Sharmahd and supported by the U.S. government, has been ordered to pay a total of \$2.478 billion in compensation due to the crimes committed during the bombing of the Seyed al-Shohada Hosseiniyeh in Shiraz."

Mr. Sharmahd is not the first nor the last dissident disappeared or abducted outside Iran's borders and eventually executed following a judicial process that violates the most basic standards of due process and Iran's international obligations. Similar recent cases include that of dissident journalist Ruhollah Zam, who was abducted by Iranian agents during a trip to Iraq from his home in France and forcibly returned to Iran, where he was coerced into self incriminating confessions<sup>31</sup> and executed in December 2020, after an unfair trial. Habib Chaab, an Iranian-Swedish dual National, was also abducted in Istanbul in October 2020 and executed in Iran.32 Journalist Masih Alinejad was the subject of foiled assassination and kidnapping attempts by Islamic Republic military and intelligence agents and their proxies since 2021.33



For decades, the Islamic Republic authorities have targeted and silenced dissidents outside Iran with impunity.<sup>34</sup> The Prosecution's statement that announced Sharmahd's execution acknowledged the kidnapping and boasted about it. The capture, it noted,

"Demonstrates the resolve and long reach of the Islamic Republic of Iran in pursuing criminals and enforcing justice against sworn enemies of Iran, even from far away."

<sup>30</sup> https://www.mehrnews.com/news/6051414

<sup>31</sup> https://www.bbc.com/persian/iran-53366797

<sup>32</sup> https://shafaq.com/en/World/Iran-Executes-Iranian-Swedish-Dissident-Habib-Shaab-on-Terrorism-Charges

<sup>33</sup> https://www.nytimes.com/2021/07/13/nyregion/iran-masih-alinejad-kidnapping.html; https://www.justice.gov/opa/pr/justice-depart-ment-announces-charges-and-new-arrest-connection-assassination-plot-directed; https://www.pbs.org/newshour/world/revolution-ary-guard-official-charged-in-alleged-plot-to-kill-iranian-american-activist

<sup>34</sup> https://www.iranrights.org/newsletter/issue/120

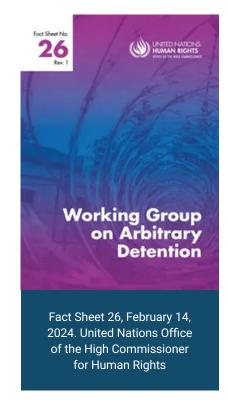
In the case of Jamshid Sharmahd, Iranian authorities have violated a plethora of rights, including his right to life and freedom of expression. His kidnapping was unlawful and a violation of Iran's obligations under international law, as were his arbitrary detention, sham trial, and conviction. The United Nations Working Group on Arbitrary Detentions (the Working Group) has determined that Sharmahd's detention was arbitrary and in violation of his right to freedom of speech:

"The Working Group consequently finds that the detention of Mr. Sharmahd resulted from his legitimate exercise of freedom of opinion and expression, as protected by article 19 of the Universal Declaration of Human Rights and article 19 of the Covenant. For these reasons, the Working Group considers that the deprivation of liberty of Mr. Sharmahd lacks a legal basis and is thus arbitrary....."

Given these findings, the Working Group stressed that Mr. Sharmahd should not have been tried. With regard to the trial, it pointed out that his right to prepare a proper defense and have a fair hearing were also violated:

"All persons deprived of their liberty have the right to legal assistance by a counsel of their choice at any time during their detention, including immediately after their apprehension, and such access must be provided without delay......The failure to provide Mr. Sharmahd with a lawyer from the outset of his detention, and regular access to a lawyer thereafter, has seriously impaired his ability to prepare a defence. Mr. Sharmahd's rights to adequate time and facilities for the preparation of his defence, to communicate with a lawyer of his choice and to defend himself through legal assistance of his choosing, under article 14 (3) (b) and (d) of the Covenant and principle 18 of the Body of Principles have been violated......The Government has not provided any justification for denying access to the case file in violation of Mr. Sharmand's rights under article 14 (1) and (3) (b) of the Covenant to a fair hearing and to adequate time and facilities for the preparation of a defence."35

In the aftermath of Jamshid Sharmahd's execution, Germany closed three of Iran's consulates in that country,<sup>36</sup> and Foreign Minister Annalena Baerbock described diplomatic relations



between the two countries as being at "more than a low point." "We have repeatedly and unequivocally made it clear to Tehran that the execution of a German citizen will have serious consequences," Baerbock said. The previous announcement of the death sentence against Sharmahd had resulted

<sup>35</sup> See, for example, opinions No. 57/2013, No. 2/2015, No. 11/2018 and No. 23/2020. 30 United Nations Basic Principles and Guidelines on Remedies and Procedures on the Right of Anyone Deprived of Their Liberty to Bring Proceedings Before a Court, principle 9 and guideline 8, and A/HRC/45/16, para. 51. 9 A/HRC/WGAD/2022/27." Opinions adopted by the Working Group on Arbitrary Detention at its ninety-third session, 30 March–8 April 2022, Par 60-66. August 31, 2022. https://www.ohchr.org/sites/default/files/documents/issues/detention-wg/opinions/session93/2022-10-20/A-HRC-WGAD-2022-27-AEV.pdf

<sup>36</sup> https://www.euronews.com/2024/10/31/germany-closes-iranian-consulates-over-execution-of-dual-national-jamshid-sharmahd

in Germany expelling two Iranian diplomats.<sup>37</sup> These steps are encouraging and effective, but they will not be sufficient to stop Iran in the long term.

The Islamic Republic's authorities continue to act outside the law inside and outside the country with brazen disregard for the rule of law or their international obligations. They target Iranian dissidents, and non-Iranian perceived enemies<sup>38</sup>, to silence their critics and advance their agenda. They do so because the price it has paid so far, if any, has been insignificant. The International



Community must show resolve in stopping this systemic unlawful behavior by increasing its political cost through concerted and sustained action, including through systematic monitoring and reporting of the Islamic Republic's transnational repression.



The November 8, 2024, misleading statements of Iran's Minister of Foreign Affairs, Abbas Araghchi, to Der Spiegel is a case in point. He expressed outrage at the accusations that Sharmahd's trial was unfair and stressed that the court assigned a lawyer to him because "though he was allowed to choose a lawyer, he did not want to do so." He also stressed that Iran has no problem with the repatriation and autopsy of Mr. Sharmahd's body if the family submits a demand to that effect.<sup>39</sup>

In fact, Sharmahd's family had hired a lawyer, but the court never allowed the lawyer to

visit him so that he could sign the engagement letter. Further, Gazelle Sharmahd also told ABC that the family has taken the necessary steps to request the repatriation and provided the required documents through the German government.<sup>40</sup> Minister Araghchi's statements indicate neither regret nor goodwill. But his lies add to the suffering of an already grieving family.

<sup>37</sup> https://apnews.com/article/iran-politics-government-bdd70470b62de3476f3a55a20ef51025

<sup>38</sup> On November 8, 2024, Attorney General Merrick B. Garland announced that: "The Justice Department has charged an asset of the Iranian regime who was tasked by the regime to direct a network of criminal associates to further Iran's assassination plots against its targets, including President-elect Donald Trump. We have also charged and arrested two individuals who we allege were recruited as part of that network to silence and kill, on U.S. soil, an American journalist who has been a prominent critic of the regime..." https://www.justice.gov/opa/pr/justice-department-announces-murder-hire-and-related-charges-against-irgc-asset-and-two; https://www.reuters.com/investigations/murder-hire-inside-irans-proxy-war-with-israel-west-2024-10-05/; https://www.cgra.be/de/node/4139

<sup>39</sup> https://www.tabnak.ir/fa/news/1270581

<sup>40</sup> Gazelle Sharmahd phone interview with ABC, November 8, 2024

The United Nations Special Rapporteur on Extrajudicial, Summary, or Arbitrary Executions, Morris Tidball-Binz, has drawn attention in his August 2022 report to the serious impact of the death penalty on families well beyond the execution of their loved ones. He has also stressed that:

"The secrecy [regarding the execution and the treatment of their bodies] further traumatizes the bereaved families."

The international community must act in concert to effectively hold the Islamic Republic accountable and stop its ongoing transnational repression. It should also press Iran to repatriate Jamshid Sharmahd's body to his family immediately, with no conditions and categorically oppose an autopsy carried out by the Islamic Republic without independent experts and representatives of the concerned governments, that is Germany and the United States. The Sharmahds have lost a loved one in horrific circumstances. Their ordeal must end. They have the right to know the truth about how he died, the right to bury him with dignity where they want, and the right to mourn him in peace.

<sup>41</sup> Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Morris Tidball-Binz.15 September 2022. https://www.ohchr.org/en/documents/thematic-reports/a77270-report-special-rapporteur-extrajudicial-summary-or-arbitrary