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**IRAN'S SUPREME COURT OVERTURNS THE DEATH SENTENCE GIVEN TO IRANIAN RAPPER
TOOMAJ SALEHI**

**DECISION WELCOMED BY TOOMAJ SALEHI'S FAMILY, INDEX ON CENSORSHIP, HUMAN
RIGHTS FOUNDATION AND MR SALEHI'S INTERNATIONAL LEGAL TEAM**

Today, 22nd June 2024, Iran's Supreme Court overturned the death sentence handed down in the case of rapper Toomaj Salehi, on the basis that it was contrary to Iranian law and excessive. Mr Salehi had been sentenced to death for alleged crimes including "*corruption on earth*," but his conviction and sentence arose from him using his music and his voice to stand in support of Iranian women and to speak out about his treatment in prison. The Supreme Court's decision means that Mr Salehi will not be executed for exercising his fundamental rights.

This verdict is the culmination of more than three years of judicial harassment - including arrest, imprisonment, and torture - directed at Mr Salehi, whose music and activism have supported protest movements across Iran, called out corruption, and pursued greater human rights for all Iranians.

The decision to sentence Mr Salehi to death was handed down by Branch 1 of the Isfahan Revolutionary Court on 23rd April 2024. His death sentence was handed down for crimes including "*participating in rebelling against state*", "*gathering and colluding against national security*", and "*propaganda against state*". The charges were said to amount to "*corruption on earth*" which is punishable by death under the Islamic Penal Code. The ruling also includes a two-year travel ban and a two-year ban on practicing

art. The verdict flew in the face of the principles underpinning a functional and independent judiciary.

On 3rd May 2024 an urgent appeal was filed with two United Nations Special Rapporteurs by an international legal team at Doughty Street Chambers, on behalf of the family of Toomaj Salehi and Index on Censorship. The international legal team is led by Caoilfhionn Gallagher KC, working with barristers Jonathan Price, Sam Jacobs and Nikila Kaushik. The legal team, Index on Censorship and the family are now working together with the Human Rights Foundation to ensure protection of Mr Salehi's rights.

Index on Censorship, the Human Rights Foundation and Mr Salehi's international legal team at Doughty Street Chambers welcomes today's decision by the Supreme Court. It is a clear demonstration of the injustice of the lower court decision, and we are delighted that Mr Salehi no longer faces the threat of execution. The Supreme Court found that the death sentence delivered to Mr Salehi was excessive and failed to comply with Iranian law.

Whilst the Supreme Court's decision is an important correction to Mr Salehi's cruel and unlawful treatment, it is critical that his rights are properly respected. Mr Salehi's case has been returned to Branch 1 of the Isfahan Revolutionary Court for resentencing. Even a shorter period of imprisonment would be an injustice: Mr Salehi has done nothing other than to call for his, and other Iranians', fundamental rights to be respected. He must be free to continue his music and seek the necessary medical care he needs following his imprisonment, free of any continued imprisonment, harassment or persecution.

BACKGROUND

Mr Salehi was first taken into custody on 30th October 2022, after posting videos of himself protesting. After an extended period of pre-trial detention, including significant time spent in solitary confinement, Mr Salehi was sentenced to six years

and three months in prison for “*corruption on earth*,” as well as being banned from leaving Iran for two years. He was also banned from preparing, singing, and producing music for two years.

In November 2023, Iran’s Supreme Court struck down Mr Salehi’s six-year prison sentence and referred the case back to the court of first instance. It has since held that that sentence was excessive and unlawful. On 18th November, Mr Salehi was released on bail only to be rearrested days later, after he uploaded a video to YouTube documenting his treatment while in detention. On 18th April 2024, Branch 1 of the Isfahan Revolutionary Court held a new trial for Mr Salehi following the Supreme Court’s earlier decision. Nearly a week later, on 23rd April, the court sentenced Mr Salehi to death.

TODAY’S RULING

Responding to today’s Supreme Court ruling, Mr Salehi’s cousin, **Arezou Eghbali Babadi**, and his friend and manager of his social media accounts, **Negin Niknaam**, made a joint statement, saying:

“The international community's solidarity and support have played a crucial role in the release of Toomaj Salehi. We extend our heartfelt gratitude to all who contributed in any way to this outcome. However, we must not lose sight of the unlawful and oppressive rules that continue to exert severe psychological pressure on freedom seekers, their families, and society as a whole in Iran.

While we urge for Toomaj's unconditional freedom and look forward to seeing him as soon as possible, we cannot forget the injustices we faced during this period. Our struggle continues as we seek justice for those prisoners who remain under the threat of the death sentence. It is imperative that we remain vigilant and persistent in our efforts to support all who bravely stand against oppression and demand a just and fair legal system in Iran.”

Jemimah Steinfeld, CEO of Index on Censorship said:

"While of course we welcome the Supreme Court's decision today it should not have been needed as Toomaj should never have been arrested in the first place. His courageous music, standing for women and fighting for the rights of everyone in Iran should be celebrated. Instead the Iranian authorities have done everything they can to target, isolate and persecute Toomaj. We hope that this decision today will allow Toomaj to seek the medical treatment he needs and continue his vital work. And we'd like to take this moment to highlight all the others who remain imprisoned in Iran simply for calling for freedom. We call on Iran to release them immediately."

Claudia Bennett, a legal and programs officer, Human Rights Foundation said:

"Toomaj's case is emblematic of the brutality of dictatorships. They use arbitrary detention to silence dissidents and those advocating for democracy and human rights. Toomaj's crime was singing a song and posting on social media. Something that we in democracies take for granted."

Caoilfhionn Gallagher KC, international counsel for Mr Salehi's family, Index on Censorship, and the Human Rights Foundation, added:

"Toomaj Salehi uses his powerful art – his rapping, his music, his words – to support human rights, democracy and freedom for the Iranian people. For this, the Iranian authorities have targeted him for years, attempting to silence him through arrests, imprisonment, torture, assaults, and even a death sentence."

The Iranian Supreme Court's decision is a welcome correction to the most recent injustice imposed on Mr Salehi, and we welcome the fact that his life has been spared. But this is not enough. Mr Salehi's immediate and unconditional release must follow. We urge the international community to keep the pressure up at this critical time, to secure Mr Salehi's freedom and hold Iran to account for its egregious violations of international human rights law."

Notes to Editors:

- Further details of the urgent appeal to the UN Special Rapporteurs are available here: <https://www.doughtystreet.co.uk/news/urgent-appeal-filed-united-nations-iranian-rapper-sentenced-death-his-music>.
- Any press queries for Index on Censorship should be directed to Jemimah Steinfeld on jemimah@indexonensorship.org.
- Any press queries for the Human Rights Foundation should be directed to media@hrf.org.
- Any press queries for the international legal team should be directed to press.enquiries@doughtystreet.co.uk or c.gallagher@doughtystreet.co.uk.
- More background about Toomaj Salehi is available on social media, at @OfficialToomaj (X) and @ToomajOfficial (Instagram). More details of the campaign can be found at #FreeToomaj.