

# AMNESTY INTERNATIONAL

## Public Statement

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### Iran: Juvenile offender executed despite calls for clemency

Amnesty International is outraged that once again Iran has carried out the execution of a juvenile offender, who was convicted of a crime committed before he was 18 years old.

Twenty year-old Afghan national, Rostam Tajik, was executed in public in Esfahan on 10 December – ironically, the day which the UN has marked annually as Human Rights Day. He was reportedly sentenced to *qisas* (retribution) by Branch 9 of the General Court of Esfahan for the May 2001 murder of a woman, Nafiseh Rafi'i, committed when he was 16 years old. The sentence was upheld by the Supreme Court.

According to the Iranian newspaper *Keyhan*, Rostam Tajik, an apprentice with Nafiseh Rafi'i's husband, went into the couple's house to burgle it. However, once inside he killed her and cut the throat of her 11-year-old daughter, whose screams alerted the neighbours. Rostam Tajik fled, and the neighbours took the daughter to hospital for treatment that saved her life. Rostam Tajik fled to Qazvin, west of Tehran, but was later arrested.

On 9 December, Philip Alston, the United Nations Commission on Human Rights Special Rapporteur on extrajudicial, summary or arbitrary executions, called on the Iranian authorities not to proceed with the execution.

The Special Rapporteur said: *"At a time when virtually every other country in the world has firmly and clearly renounced the execution of people for crimes they committed as children, the Iranian approach is particularly unacceptable...It is all the more surprising because the obligation to refrain from such executions is not only clear and incontrovertible, but the Government of Iran has itself stated that it will cease this practice."*

As a state party to the International Convention on Civil and Political Rights (ICCPR) and the Convention on the Rights of the Child (CRC), Iran has undertaken not to execute anyone for an offence committed when they were under the age of 18.

Nevertheless, Iran has executed at least eight juvenile offenders so far this year, two of whom were still under 18 at the time they were executed. The UN Committee on the Rights of the Child, which monitors states' implementation of the CRC, in January 2005 urged Iran to immediately stay all executions of people convicted of crimes committed when they were under 18, and abolish the use of the death penalty in such cases.

The Committee said that it deplore[d] the fact that Iran had continued to carry out such executions even after it ratified the CRC, including the execution of Iman Farokhi, for an offence committed when he was 17 years old, that had taken place on the very day of the Committee's examination of Iran's second

periodic report.

Draft legislation that would prohibit the use of the death penalty for offences committed under the age of 18 has been under consideration for four years, but has not yet been passed. Government officials have also made a distinction between murder (for which the punishment is *qisas*) and other crimes carrying the death penalty, indicating that even if promulgated, the draft legislation would not prevent the execution of all those under 18 at the time of their offence. Amnesty International urges the Iranian government to take the necessary steps as a matter of urgency to ensure that no one in Iran may be sentenced to death for any crime, including murder, committed before they reach the age of 18.

Iran has executed at least five other people since the beginning of December.