

AMNESTY INTERNATIONAL

Public Statement

AI Index: MDE 13/005/2006 (Public)
News Service No: 010
16 January 2006

Iran: Amnesty International calls for end to death penalty for child offenders

Amnesty International is calling on the Iranian authorities to take immediate steps to end the use of the death penalty for child offenders. Two new cases have been reported in which child offenders – persons under 18 at the time of the crime – have been sentenced to death by Iranian courts, in breach of Iran's obligations under international human rights law.

On 3 January, 18-year-old Nazanin was sentenced to death for murder by a criminal court, after she reportedly admitted stabbing to death one of three men who attempted to rape her and her 16-year-old niece in a park in Karaj in March 2005. She was seventeen at the time. Her sentence is subject to review by the Court of Appeal, and if upheld, to confirmation by the Supreme Court.

According to reports in the Iranian newspaper, *E'temaad*, Nazanin told the court that three men had approached her and her niece, forced them to the ground and tried to rape them. Seeking to defend her niece and herself, Nazanin stabbed one man in the hand with a knife that she possessed and then, when the men continued to pursue them, stabbed another of the men in the chest. She reportedly told the court *"I wanted to defend myself and my niece. I did not want to kill that boy. At the heat of the moment I did not know what to do because no one came to our help"*, but was nevertheless sentenced to death.

Another child offender, 19-year-old Delara Darabi, was sentenced to death by a court in the city of Rasht for a murder committed when she was 17 years old. She denied the killing but the sentence was upheld by the Supreme Court at the beginning of January, though her lawyer is reportedly appealing the decision.

The Persian language news service *Aftab* reported that Delara Darabi and a 19-year-old man, Amir Hossein, broke into a house intending to commit burglary, but killed the woman who lived there. Delara Darabi initially confessed to the murder, but subsequently retracted her confession and stated that she had admitted responsibility for the murder at the request of Amir Hossein, to help him escape execution, because he believed that she would not be sentenced to death because she was under 18 at the time of the murder. She said that she was under the influence of sedatives during the burglary.

As a state party to the International Covenant 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, Amnesty International has recorded 18 executions of child offenders in Iran since 1990. In 2005 alone, at least eight executions of child offenders were recorded.

The Iranian authorities have been reported for about four years to be considering passing legislation to ban the use of the death penalty for offences committed under the age of 18. Despite this, over the past

two years, the number of child offenders executed has risen. Recent comments by a judiciary spokesperson suggest that the new law would in any case only prohibit the death penalty for certain crimes when committed by children, as he stated that “qisas” crimes (retribution – the sentence issued in cases where defendants are found guilty of murder) were a private, not a state matter. The majority of executions of child offenders in Iran are cases of “qisas” where the individual has been found guilty of murder.

The UN Committee on the Rights of the Child, which monitors states’ compliance with the CRC, in January 2005 urged Iran to immediately stay all executions of people convicted of crimes committed when they were under 18, and to abolish the use of the death penalty in such cases.

On 9 December, Philip Alston, the United Nations Human Rights Commission’s Special Rapporteur on extrajudicial, summary or arbitrary executions, 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.”*

Amnesty International is calling on the Iranian authorities to prevent the executions of Delara Darabi and Nazanin and other child offenders, and to take urgent steps to abolish the death penalty for all child offenders in accordance with Iran’s obligations as a state party to the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child.