

PUBLIC

AI Index: MDE 13/069/2007

07 June 2007

Further Information on UA 21/05 (MDE 13/003/2005, 25 January 2005) and follow-up (MDE 13/102/2006, 14 September 2006) – Death penalty/Unfair trial/Fear of imminent execution/Medical concern

IRAN **Khaled Hardani (m)**
 Shahram Pourmansouri (m)
 Farhang Pourmansouri (m)

Khaled Hardani's execution date has reportedly been set for 4 July. He was sentenced to death for his part in the January 2001 attempted hijacking of a 30-seater passenger aircraft.

The Implementation of Judgements section in Branch 6 of the Revolutionary Court in Tehran reportedly confirmed the execution date on 2 June, and said that Khaled Hardani had been officially informed of the verdict. He is reportedly held in Raja'i Shahr prison, in the city of Karaj, around 50km west of Tehran.

Khaled Hardani was one of 11 members of an extended family who attempted to commandeer a scheduled flight between the southern Iranian cities of Ahvaz and Bandar Abbas, and force it to fly to Dubai, in the United Arab Emirates. Security guards already on board ended the hijack attempt while the plane was still on the runway at Ahvaz, reportedly shooting Khaled Hardani in the process. The family were reportedly trying to escape the poverty and hopelessness they were experiencing as members of Iran's Arab minority. Khaled Hardani was sentenced to death, together with his brothers-in-law, Shahram and Farhang Pourmansouri, on charges of "acts against national security" (*eqdam 'aleyhe amniyat*) and "enmity against God" (*Moharebeh*) rather than charges relating specifically to hijacking an aircraft. At the time of the hijacking, the brothers were reportedly aged 17 and 18 respectively.

Khaled Hardani was originally scheduled to hang on 19 January 2005, but the Head of the Judiciary ordered a stay of execution the previous day, apparently to allow lawyers to appeal. As a state party to the International Covenant on Civil and Political Rights (ICCPR), Iran has undertaken not to execute anyone for an offence committed when they were under the age of 18. The Head of the Judiciary reportedly ordered the executions of all three men to be stayed because of the ages of the two brothers. In May 2006 Khaled Hardani told Amnesty International from Evin Prison, where he was held at the time, that following the stay of execution his case and those of his brothers-in-law had been referred to the Board of Monitoring and Follow-up (*Heyat-e Nezarat va Peigiri*).

Amnesty International has no new information regarding the Pourmansouri brothers.

BACKGROUND INFORMATION

Iran is a state party to international treaties which prohibit the execution of those under the age of 18 at the time of their alleged offence.

Amnesty International recognizes the right and responsibility of governments to bring to justice those suspected of criminal offences but opposes the death penalty unconditionally, as the ultimate cruel, inhuman and degrading punishment.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Persian, Arabic, English, French or your own language:

- urging the authorities to commute immediately the death sentences of Khaled Hardani and his brothers-in-law, Shahram and Farhang Pourmansouri;

- acknowledging that governments have a responsibility to bring to justice those suspected of criminal offences but stating your unconditional opposition to the death penalty, as the ultimate cruel, inhuman and degrading punishment and violation of the right to life;
- expressing concern that Shahram, aged 17 at the time of his offence, is facing execution;
- reminding the authorities of their commitment to the International Covenant on Civil and Political Rights, which states that "sentence of death shall not be imposed for crimes committed by persons below eighteen years of age", and calling on the Iranian authorities to implement the recommendations of the UN Committee on the Rights of the Child by immediately stopping the executions of those who were under the age of 18 at the time of the alleged offence;
- asking for details of the trial of Khaled Hardani and his brothers-in-law, Shahram and Farhang Pourmansouri, and any appeals they may have made;
- urging the authorities to ensure that Khaled Hardani and his brothers-in-law receive any necessary medical treatment.

APPEALS TO:

Leader of the Islamic Republic

His Excellency Ayatollah Sayed 'Ali Khamenei, The Office of the Supreme Leader
Shoahada Street, Qom, Islamic Republic of Iran

Email: info@leader.ir

istiftaa@wilayah.org

Fax: +98 251 774 2228 (mark **FAO Office of His Excellency Ayatollah al Udhma Khamenei**)

Salutation: Your Excellency

President

His Excellency Mahmoud Ahmadinejad
The Presidency, Palestine Avenue, Azerbaijan Intersection, Tehran, Islamic Republic of Iran

Email: dr-ahmadinejad@president.ir

via website: www.president.ir/email

Salutation: Your Excellency

Head of the Judiciary

Ayatollah Mahmoud Hashemi Shahroudi
Ministry of Justice, Ministry of Justice Building, Panzdah-Khordad Square, Tehran, Islamic Republic of Iran

Fax: +98 21 3390 4986 (please keep trying)

Email: info@dadgostary-tehran.ir (In the subject line write: **FAO Ayatollah Shahroudi**)

Salutation: Your Excellency

COPIES TO:

Speaker of Parliament

His Excellency Gholamali Haddad Adel
Majles-e Shoura-ye Eslami, Baharestan Square, Tehran, Islamic Republic of Iran

Fax: +98 21 3355 6408

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and to diplomatic representatives of Iran accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 19 July 2007.