

PUBLIC

AI Index: MDE 13/109/2007

31 August 2007

UA 230/07      Death penalty/ Fear of imminent execution

IRAN      Behnam Zare' (m), aged 18

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Behnam Zare' has been convicted of a murder committed when he was 15 years old, and is now at risk of imminent execution, though Iran is a state party to international treaties including the Convention on the Rights of the Child (CRC), which expressly prohibit the execution of child offenders. Behnam Zare' has been detained in Adelabad prison, in the south-western city of Shiraz, since his arrest. His death sentence could be carried out at any time.

The murder reportedly took place on 21 April 2005, when Behnam Zare' swung a knife during an argument with a man named Mehrdad, wounding him in the neck. Mehrdad later died in hospital. Behnam Zare' was detained on 13 November 2005; Branch 5 of Fars Criminal Court sentenced him to *qesas* (retribution) on charges of premeditated murder. Under Article 206 (b) of Iran's Criminal Code, murder is classed as premeditated "in cases where the murderer intentionally makes an action which is inherently lethal, even if [the murderer] does not intend to kill the person." The case went on appeal before Branch 33 of the Supreme Court where the sentence was upheld, and it has now been passed to the Office for Implementation of Sentences.

Behnam Zare' was reportedly not aware that he had been sentenced to death until a recent visit from his lawyer.

Around 11 August, his family were reportedly asked to seek a pardon from the victim's family, who have so far reportedly refused to grant one.

#### **BACKGROUND INFORMATION**

International law strictly prohibits the use of the death penalty against people convicted of crimes committed when they were under 18. As a state party to the International Covenant on Civil and Political Rights (ICCPR) and the CRC, Iran has undertaken not to execute child offenders. However, since 1990, Iran has executed at least 24 child offenders. At least 71 child offenders are currently on death row in Iran.

For more information about Amnesty International's concerns regarding executions of child offenders in Iran, please see: *Iran: The last executioner of children* (MDE 13/059/2007, June 2007)  
<http://web.amnesty.org/library/index/engmde130592007>

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

- expressing concern that Behnam Zare' is at risk of execution for a crime committed when he was under 18;
- calling on the authorities to halt the planned execution of Behnam Zare' immediately, and commute his death sentence;
- reminding the authorities that Iran is a state party to the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child, which prohibit the use of the death penalty against people convicted of crimes committed when they were under 18, and that the execution of Behnam Zare' would therefore be a violation of international law;
- urging the authorities to pass legislation to abolish the death penalty for offences committed by anyone under the age of 18, so as to bring Iran's domestic law into line with its obligations under international law;
- stating that Amnesty International acknowledges the right and responsibility of governments to bring to justice those suspected of criminal offences, but unconditionally opposes the death penalty.

**APPEALS TO:**

Leader of the Islamic Republic

His Excellency Ayatollah Sayed 'Ali Khamenei  
The Office of the Supreme Leader  
Islamic Republic Street - Shahid Keshvar Doust Street  
Tehran, Islamic Republic of Iran

**Email:** [info@leader.ir](mailto:info@leader.ir)

**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

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

**Salutation:** **Your Excellency**

**COPIES TO:**

President

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

**Email:** [dr-ahmadinejad@president.ir](mailto:dr-ahmadinejad@president.ir)  
**via website:** [www.president.ir/email](http://www.president.ir/email)

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 12 October 2007.