

PUBLIC

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26 May 2009

Further Information on UA 71/08 (MDE 13/049/2008, 13 March 2008) and follow-ups (MDE 13/120/2008, 19 August 2008; MDE 13/151/2008, 14 October 2008) - Fear of execution

IRAN	Naser Qasemi (m), aged 23]
	Mohammad Reza Haddadi (m), aged 20] alleged juvenile offenders

Mohammad Reza Haddadi has been scheduled for execution on 27 May. He has been sentenced to death after being convicted of a crime he was alleged to have committed while still under 18.

His lawyer should have been given 48 hours' notice by the authorities, but has received no warning from them at all; he only learned of the execution date from Mohammad Reza Haddadi's father. The execution is to take place in Adelabad prison, in the city of Shiraz where he is held. His death sentence had been confirmed by the Supreme Court in July 2005.

Branch 17 of the Supreme Court is reportedly conducting a review of the case and is said to have recently informed the implementing court in Shiraz so that they do not carry out the execution of Mohammad Reza Haddadi.

Mohammad Reza Haddadi was sentenced to death in January 2004 for a murder committed in 2003, when he was 15. He had confessed to the murder, but retracted the confession during his trial, saying he had claimed responsibility for the killing only because his two co-defendants had offered to give his family money if he did so. During the trial he said that he had not taken part in the murder. His co-defendants later supported Mohammad Reza Haddadi's claims of innocence, and withdrew their testimony that had implicated him in the murder. They were both over 18 at the time of the crime and received prison sentences.

Mohammad Reza Haddadi was first scheduled to be executed on 9 October 2008. However on 7 October, at his weekly press conference the spokesperson of the judiciary announced that the death sentence had been confirmed, but that the Head of the Judiciary had ordered a stay of execution; he did not give a new execution date.

There is no further information on Naser Qasemi, who was sentenced to death for a crime he was alleged to have committed when he was 15.

BACKGROUND INFORMATION

Since 1990 Iran has executed at least 43 people convicted of crimes that they allegedly committed when they were under 18 [alleged juvenile offenders]. Eight of these execution were in 2008 and two in 2009.

The execution of juvenile offenders is prohibited under international law, as stated in Article 6(5) of the International Covenant on Civil and Political Rights (ICCPR) and the Convention on the Rights of the Child (CRC), to which Iran is a state party, and so has undertaken not to execute anyone for crimes committed when they were under 18.

In Iran a person convicted of murder has no right to seek pardon or commutation from the state, in violation of Article 6(4) of the ICCPR. The family of a murder victim have the right either to insist on execution, or to pardon the killer and receive financial compensation (*diyeh*).

For more information about executions of juvenile offenders in Iran, please see *Iran: The last executioner of children* (Index: 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 great concern that Mohammad Reza Haddadi is in imminent danger of execution for a crime he allegedly committed when he was under 18;
- calling on the authorities to halt the execution of Mohammad Reza Haddadi immediately, and commute his death sentence;
- reminding the authorities that Iran is a state party to the International Covenant on Civil and Political Rights (ICCPR) and the Convention on the Rights of the Child (CRC), which prohibit the use of the death penalty against people convicted of crimes committed when they were under 18.

APPEALS TO:

Head of the Judiciary

Ayatollah Mahmoud Hashemi Shahroudi
c/o Director, Judiciary Public Relations and Information Office
Ardeshir Sadiq
Judiciary Public Relations and Information Office
No. 57, Pasteur St., corner of Khosh Zaban Avenue
Tehran, Iran

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

Salutation: **Your Excellency**

Judiciary spokesperson

Alireza Jamshidi
Howzeh Riyasat-e Qoveh Qazaiyeh / Office of the Head of the Judiciary
Pasteur St, Vali Asr Ave., south of Serah-e Jomhuri
Tehran 1316814737, Iran

Email: info@a-jamshidi.ir

Salutation: **Dear Sir**

Leader of the Islamic Republic

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

Email: info_leader@leader.ir

via website: <http://www.leader.ir/langs/en/index.php?p=letter> (English)

<http://www.leader.ir/langs/fa/index.php?p=letter> (Persian)

Salutation: **Your Excellency**

COPIES TO:

Director, Human Rights Headquarters of Iran

Mohammad Javad Larijani
Howzeh Riyasat-e Qoveh Qazaiyeh / Office of the Head of the Judiciary
Pasteur St, Vali Asr Ave., south of Serah-e Jomhuri
Tehran 1316814737, Iran

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

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

Salutation: **Dear Mr Larijani**

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 7 July 2009.