

URGENT ACTION

DEATH SENTENCE FOR 'INSULTING THE PROPHET'

An Iranian man has been sentenced to death for “insulting the Prophet of Islam”. Soheil Arabi has now had his sentence upheld by Iran’s Supreme Court. He was sentenced for posts deemed offensive to the Prophet he had made on Facebook.

Photographer **Soheil Arabi**, 30, was sentenced to death on 30 August 2014 for “insulting the Prophet of Islam” (*Sabbo al-Nabbi*) by a five-judge panel of Branch 76 of the Criminal Court of Tehran: three of the judges ruled in favour of the death penalty. The charge stems from postings Soheil Arabi made on eight Facebook accounts, which the authorities said belong to Soheil Arabi. The Supreme Court upheld the sentence on 24 November. In a separate case stemming from the same Facebook posts, Soheil Arabi was sentenced to three years’ imprisonment for “spreading propaganda against the system” and “insulting the leader”, by a Tehran Revolutionary Court on 4 September.

Soheil Arabi was arrested in November 2013 by the Islamic Revolutionary Guard Corps (IRGC) in his home in Tehran, and spent two months in solitary confinement in section 2A of Evin Prison, which is under the control of the IRGC. During interrogation, he was pressured into making a “confession”. He was later transferred to Section 350 of the Prison, which is under the control of the Judiciary.

Please write immediately in Persian, English, Spanish or your own language:

- Calling on the Iranian authorities not to execute Soheil Arabi, and to immediately establish an official moratorium on executions as a first step towards abolishing the death penalty;
- Urging them to release Soheil Arabi if he is being held solely for peacefully exercising his right to freedom of expression and to uphold their obligations under the International Covenant on Civil and Political Rights to respect the right to freedom of expression;
- Reminding them that under international human rights law, the death penalty may only be used for "the most serious crimes", which international bodies have interpreted as being limited to crimes involving intentional killing.

PLEASE SEND APPEALS BEFORE 7 JANUARY 2015 TO:

Leader of the Islamic Republic
Ayatollah Sayed 'Ali Khamenei
The Office of the Supreme Leader
Islamic Republic Street – End of Shahid
KeshvarDoust Street,
Tehran, Islamic Republic of Iran
Twitter: @khamenei_ir
Email: info_leader@leader.ir
Salutation: Your Excellency

Head of the Judiciary
Ayatollah SadeghLarijani
c/o Public Relations Office
Number 4, 2 Azizi Street intersection
Tehran, Islamic Republic of Iran
(Subject line: FAO
Ayatollah Sadegh Larijani)
Salutation: Your Excellency

And copies to:

President of the Islamic Republic of Iran
Hassan Rouhani
The Presidency
Pasteur Street, Pasteur Square
Tehran, Islamic Republic of Iran
Email: media@rouhani.ir
Twitter: @HassanRouhani (English) and
@Rouhani_ir (Persian)

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date.

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ADDITIONAL INFORMATION

Soheil Arabai's case is the second case known to Amnesty International where someone was sentenced to death for "insulting the Prophet". The other case is of Rouhollah Tavana; the Supreme Court upheld his death sentence for "insulting the Prophet of Islam" in February 2014. He had been sentenced to death on 3 August 2013 by Branch Five of the Criminal Court in Khorasan in relation to a video clip in which he allegedly insulted the Prophet Muhammad. The Court also sentenced him to imprisonment and flogging on charges of "alcohol consumption", "making alcoholic beverages" and "illicit sexual relations". A Revolutionary Court in Khorasan sentenced him to a further three years' imprisonment after convicting him of "insulting the founder of the Revolution" and "insulting the Supreme Leader". See "Facing Death for 'Insulting the Prophet'" (<http://www.amnesty.org/en/library/info/MDE13/012/2014/en>).

Article 6(2) of the International Covenant on Civil and Political Rights (ICCPR) provides that the death penalty may be "imposed only for the most serious crimes". In November 2011, the UN Human Rights Committee, which oversees implementation of the ICCPR, expressed concern about the number of death sentences imposed and carried out in Iran. The Committee said the Iranian authorities "should consider abolishing the death penalty or at least revise the Penal Code to restrict the imposition of the death penalty to only the 'most serious crimes'".

As a state party to the ICCPR, Iran is obliged to respect, protect and fulfil the rights contained in the treaty. However, the revised Islamic Penal Code, signed into law in May 2013, has maintained articles that unduly impose restrictions on the rights to freedom of expression, association and assembly. Article 262 of the Revised Penal Code states that "anyone who curses the Prophet of Islam or other Prophets or accuses them of adultery is *Sabbo al-Nabi* and will be sentenced to death". According to Article 263 of the Penal Code, "an accused who claims that their statements were made under duress, as a result of negligence, or in a state of intoxication" among other things, would not be sentenced to death. A punishment of flogging is prescribed in such cases.

The UN Human Rights Committee in its General Comments No. 34 criticizes laws prohibiting blasphemy or lack of respect for religious systems, stating that "it would be impermissible for any such laws to discriminate in favour of or against one or certain religions or belief systems, or their adherents over another, or religious believers over non-believers. Nor would it be permissible for such prohibitions to be used to prevent or punish criticism of religious leaders or commentary on religious doctrine and tenets of faith."

Amnesty International opposes the death penalty unconditionally because it is the ultimate cruel, inhuman and degrading punishment and a violation of the right to life as proclaimed in the Universal Declaration of Human Rights.

Name: Soheil Arabi
Gender m/f: m

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