

PUBLIC

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27 March 2009

UA 87/09 Fear of imminent execution

IRAN **Abumoslem Sohrabi (m), aged 24, juvenile offender**

Abumoslem Sohrabi is at risk of imminent execution for a murder committed when he was 17 years old. His execution order has been approved by the Supreme Court and passed to the Office for the Implementation of Sentences, the body responsible for seeing that all sentences - including executions - are carried out.

In December 2001, Abumoslem Sohrabi from the city of Firouzabad, in Fars Province, stabbed a 25-year-old man, Amin, in what he claimed was an act of self-defence. Abumoslem Sohrabi says that Amin had raped him on numerous occasions and was harassing him at the time of the incident, by asking him out and offering him motorbike rides, but he had repeatedly refused the advances. On the day of the killing, Abumoslem Sohrabi had again refused a ride with Amin, who then threatened to tell others about their previous encounters. Abumoslem Sohrabi then said he would accept the ride, but, after mounting the motorbike, hit Amin and then ran away. Amin came after him, and they fought. Abumoslem Sohrabi managed to grab a knife that Amin was carrying and used it against him. He then fled the scene on Amin's motorbike, apparently not knowing that he had killed him.

Abumoslem Sohrabi was tried by Branch 3 of the Revolutionary Court in Firouzabad and sentenced to *qesas* (retribution) for murder committed in order to steal Amin's motorbike. However, in a letter to the Supreme Court, the judge who issued the original death sentence retracted his ruling in the light of evidence that Abumoslem Sohrabi was a rape victim and acted in self-defence. In July 2008 Branch 33 of the Supreme Court in Tehran ordered a review of the case but the death sentence was upheld.

BACKGROUND INFORMATION

Iran has executed at least 42 juvenile offenders since 1990, eight of them in 2008 and one on 21 January 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 child 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 concern that Abumoslem Sohrabi is at imminent risk of execution for a crime committed when he was under 18;

- calling on the authorities to 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

Howzeh Riyasat-e Qoveh Qazaiyeh (Office of the Head of the Judiciary)

Pasteur St., Vali Asr Ave., south of Serah-e Jomhuri, Tehran 1316814737, Islamic Republic of Iran

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

Salutation: Your Excellency

COPIES TO:

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

Director, Human Rights Headquarters of Iran

Mohammad Javad Larijani

Howzeh Riassat-e Ghoveh Ghazaiyeh (Office of the Head of the Judiciary)

Pasteur St, Vali Asr Ave., south of Serah-e Jomhuri, Tehran 1316814737, Islamic Republic of Iran

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

Email: fsharafi@bia-judiciary.ir (In the subject line: **FAO Mohammad Javad Larijani**)

int_aff@judiciary.ir (In the subject line: **FAO Mohammad 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 8 May 2009.