

PUBLIC

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**Further Information on UA 98/09 (MDE 13/031/2009, 9 April 2009) and follow-ups (MDE 13/032/2009, 17 April 2009 and MDE 13/034/2009, 20 April 2009) - Fear of imminent execution**

IRAN

Delara Darabi (f), aged 22, juvenile offender

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On 1 May 2009, Delara Darabi was executed in Rasht Prison, northern Iran. Neither her parents nor her lawyers were notified before her execution, though under Iranian law her lawyer should receive 48 hours' notice.

According to her lawyer, on the day before her execution, Delara Darabi's mother visited her in prison. Delara told her "If I come out of prison, I want to continue my education. I would like to be free. One of the judges promised that I would be pardoned. Delara Darabi added: "Mother, I am innocent".

At 7am on 1 May, Delara Darabi phoned her family saying that she was about to be executed and asking her parents to save her. During the conversation, someone took the phone receiver away from Delara Darabi and told her parents that their child would be killed and that there was nothing they could do about it. The Darabi family then rushed to the prison asking to see their daughter and were denied a final meeting with her. Whilst they were standing outside the prison, their daughter was executed. Delara Darabi's parents informed her lawyers of her execution.

Delara Darabi was buried on 2 May, in a cemetery in Rasht called "Heaven's Garden". Hundreds of people attended her funeral. Her father could not attend the ceremony as he was in hospital.

In September 2003, Delara Darabi, then aged 17, and her 19-year-old boyfriend Amir Hossein Sotoudeh broke into her father's female cousin's house to commit a burglary. Amir Hossein allegedly killed the woman during the burglary. Delara Darabi initially confessed to the murder in order to protect her boyfriend from execution, claiming that he had told her that as she was 17 she could not be executed. She subsequently retracted her confession.

Delara Darabi was initially sentenced to death by Branch 10 of the General Court in Rasht on 27 February 2005. In January 2006, the Supreme Court found "deficiencies" in the case and sent it to a children's court in Rasht for retrial. Following two trial sessions in January and June 2006, Delara Darabi was sentenced to death for a second time by Branch 107 of the General Court in Rasht. Amir Hossein Sotoudeh was sentenced to 10 years' imprisonment for complicity in the murder. Both received sentences of three years' imprisonment and 50 lashes for robbery, and 20 lashes for an "illicit relationship". Delara Darabi's death sentence was upheld by the Supreme Court on 16 January 2007.

In March 2007, her lawyer filed an appeal against her death sentence. In April 2007 the sentence was confirmed following a further review by Branch 7 of the Supreme Court, after which the verdict was sent to the Head of the Judiciary for consideration. In December 2007, as a result of procedural flaws having been identified, the Head of Judiciary reportedly returned the case to Rasht for a further review. In February 2008, human rights lawyer Mohammad Mostafaei was reported to have visited Delara Darabi in prison. She was said to be very depressed and told Mohammad Mostafaei that she was tired of the waiting and of her unbearable life in prison (for further information see UA 04/06, MDE 13/001/2006, 6 January 2006 and follow-ups).

On 21 March 2009, Delara Darabi phoned one of her lawyers, Abdolsamad Khorramshahi, saying that she had heard rumours that she would be executed. Her execution was scheduled for 20 April. However, on 19 April, Delara Darabi was granted a two-month stay of execution by the Head of the Judiciary.

Iran has now executed at least 43 juvenile offenders since 1990, eight of them in 2008. Delara Darabi was the second juvenile offender to be executed this year. There are at least 137 juvenile offenders on death row in Iran.

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.

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>).

**Many thanks to all who sent appeals. No further action is required from the UA network.**