

URGENT ACTION

IRANIAN TEENAGER AT RISK OF EXECUTION

Danial Zeinolabedini, an 18-year-old imprisoned in Mahabad prison, West Azerbaijan province, is at risk of execution. He was sentenced to death in June 2018 after an unfair trial in which he was convicted of a murder that took place when he was 17 years old. His execution would be a grave violation of international law.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

*Head of the Judiciary Ebrahim Raisi
C/o Permanent Mission of Iran to the UN
Chemin du Petit-Saconnex 28
1209 Geneva, Switzerland*

Dear Mr Raisi,

*Iranian teenager **Danial Zeinolabedini** is at risk of execution in Mahabad prison for a crime that took place when he was 17 years old. International law prohibits without exception the use of the death penalty against persons who were below 18 years of age at the time of the crime. Iran would be in violation of the Convention on the Rights of the Child and the International Covenant on Civil and Political Rights, to which it is a state party, if it executes him.*

Danial Zeinolabedini, now aged 18, was sentenced to death on 3 June 2018 after a juvenile criminal court in the city of Mahabad, West Azerbaijan province, found him guilty of participating, along with four other young men, in the murder of a man. The court rejected his lawyer's request that Danial Zeinolabedini should be issued an alternative sentence to the death penalty on grounds that he had not yet attained full maturity. The court reasoned that even though "he is younger than the other defendants [all of whom were aged between 18 and 20 and years old at the time of the crime], the way he speaks, argues and defends himself shows that his level of mental maturity is higher than them." The death sentence was upheld on 27 October 2018 by the Supreme, Court and the request for a judicial review has been rejected. The legal proceedings that led to Danial Zeinolabedini's conviction were unfair and flagrantly violated the principles of juvenile justice; he was not allowed access to a lawyer during the entire period of his pre-trial detention and statements he had made without a lawyer present were used against him in court.

While I accept that the Iranian authorities have a duty to bring to justice the perpetrators of violent crimes such as the murder in this case, I urge you to immediately halt any plans to execute Danial Zeinolabedini, quash his conviction and death sentence and grant him a fair retrial in accordance with the principles of juvenile justice, without resort to the death penalty and excluding statements obtained in the absence of a lawyer. Please ensure that he has access to a lawyer of his choosing. More broadly, I call on you to immediately establish an official moratorium on executions and stop the use of the death penalty against all juvenile offenders and commute their death sentences without delay. I further call on you to initiate a legislative effort to amend Article 91 of the 2013 Islamic Penal Code to completely abolish, without any discretion by the courts or other exceptions, the use of the death penalty for crimes committed by people below the age of 18, in line with Iran's obligations under international law.

Yours sincerely,

**AMNESTY
INTERNATIONAL**



ADDITIONAL INFORMATION

Danial Zeinolabedini was arrested on 26 September 2017 after being summoned to the Investigation Unit of Iran's police, known as Agahi, in Mahabad, to answer questions about the gruesome murder of 19-year-old Sadegh Barmaki, who had been stabbed with a meat cleaver and knife and burned alive days earlier. According to domestic media reports at the time, the police also arrested several others in relation to the murder. Danial Zeinolabedini was detained in the Agahi detention centre until 27 September 2017, when he was transferred to a juvenile detention centre in Urumieh, West Azerbaijan province. He was tried alongside four men for the murder of Sadegh Barmaki. On 3 June 2018, he was sentenced to death for involvement in the murder. He was also sentenced to serve five years' imprisonment in the juvenile detention facility in Urumieh for involvement in the kidnapping of Sadegh Barmaki and fined for smoking marijuana and preparing a film of the crime. Two of the other defendants were also sentenced to death, and the remaining two were sentenced to prison terms.

The trial took place before a special court for children and juveniles in Branch Three of Criminal Court One in West Azerbaijan province. The court used as evidence videos which it said had been filmed by Danial Zeinolabedini and two other defendants and which were published online by an unknown source, days after the murder took place and before the trial began. The videos, some of which have been seen by Amnesty International, show disturbing footage of Danial Zeinolabedini and two men filming themselves with the body of Sadegh Barmaki as he lays in a car with blood on his face and clothes. They also show them taunting him from outside the car as one of them strikes him with a meat cleaver. On 25 September 2017, a shepherd herding his flock of sheep stumbled across Sadegh Barmaki's burned body and reported it to the police, after which Danial Zeinolabedini and the others were arrested.

However, Danial Zeinolabedini's trial was unfair and violated principles of juvenile justice. He was not allowed access to a lawyer until the day of his trial. During pre-trial detention, he admitted, while being interrogated without a lawyer present, to having been involved in the incident which led to the death of Sadegh Barmaki. The court used his statements, as well as statements that the other defendants had made without lawyers present, against them. In the court verdict, the court rejected the request of Danial Zeinolabedini's lawyer that he should be issued an alternative sentence to the death penalty, based on Article 91 of the penal code, which allows courts to impose such alternative sentences against those who were under the age of 18 at the moment of the crime if there are doubts about their "mental growth and maturity" at the time. The court held that Danial Zeinolabedini had attained full maturity and did not order him to be examined by the Legal Medicine Organization, a state forensic institute.

Amnesty International has recorded the execution of 93 juvenile offenders in Iran between 1 January 2005 and 17 June 2019 but believes that the real number may be far higher. The organization has also identified the names of scores of other juvenile offenders currently on death row across Iran.

Amnesty International opposes the death penalty in all cases without exception regardless of the nature of the crime, the characteristics of the offender, or the method used by the state to kill the prisoner. The death penalty is a violation of the right to life and the ultimate cruel, inhuman and degrading punishment.

PREFERRED LANGUAGE TO ADDRESS TARGET: Persian, English

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 30 July 2019

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: Danial Zeinolabedini (he; him)