

URGENT ACTION

JUVENILE OFFENDER STILL AT RISK OF EXECUTION

Juvenile offender Saman Naseem is believed to be held in solitary confinement in the north-western prison of Zanjan. He had been scheduled to be executed on 19 February for alleged crimes committed when he was 17 years old. He is at imminent risk of execution.

In the days leading up to 19 February, a worldwide international campaign was mobilized to call for Saman Naseem's scheduled execution to be stopped. **Saman Naseem** was transferred out of Oroumieh Prison to an undisclosed location on 18 February prior to his scheduled execution on 19 February. His family asked Oroumieh Prison officials and the Ministry of Intelligence office in Oroumieh what had happened, but the authorities claimed they knew nothing. They then told the family to pick up Saman Naseem's personal effects from Oroumieh Prison on 21 February. The family was left in the dark for several days, led to believe that Saman Naseem might have been executed and unable to get any information from the authorities. Amnesty International now understands that Saman Naseem was transferred to Zanjan Prison on or about 19 February. Saman Naseem's execution order is still in effect, and he could be put to death at any time.

Saman Naseem was sentenced to death in April 2013 by a criminal court in Mahabad, northwest Iran, for "enmity against God" (*moharebeh*) and "corruption on earth" (*ifsad fil-arz*) because of his membership of the Kurdish armed opposition group Party For Free Life of Kurdistan (PJAK), and for taking part in armed activities against the Revolutionary Guards. The Supreme Court upheld his death sentence in December 2013.

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

- Urging the Iranian authorities to halt any plans to execute Saman Naseem immediately and ensure that his case is subjected to a judicial review before the Supreme Court;
- Reminding them that Iran has ratified both the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child, which strictly prohibit the use of the death penalty for crimes committed by persons below 18 years of age;
- Urging them to ensure that he is not subjected to torture or other ill-treatment; investigate the allegation that he was subjected to torture or cruel treatment; and ensure that "confessions" obtained from him under torture are not used as evidence in court.

PLEASE SEND APPEALS BEFORE 16 APRIL 2015 TO:

Leader of the Islamic Republic of Iran
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:
[http://www.leader.ir/langs/en/index.php?
p=letter](http://www.leader.ir/langs/en/index.php?p=letter)
Twitter: @khamenei_ir (English-
language account), @Khamenei_ar
(Arabic-language), @Khamenei_es
(Spanish-language account).

Head of the Judiciary
Ayatollah Sadegh Larijani
c/o Public Relations Office
Number 4, 2 Azizi Street intersection
Tehran, Islamic Republic of Iran
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
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. This is the third update of UA 234/14. Further information:

<https://www.amnesty.org/en/documents/MDE13/0004/2015/en/>

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ADDITIONAL INFORMATION

Saman Naseem was arrested on 17 July 2011 after a gun battle between Revolutionary Guards and PJAK, in the city of Sardasht, West Azerbaijan Province. Saman Naseem was not allowed access to his lawyer during early investigations. Court documents say that during the fight one member of the Revolutionary Guards was killed and three others were wounded. They also say that during early investigations Saman Naseem admitted firing towards Revolutionary Guards forces in July 2011. He retracted this during the first court session, saying that he had only fired into the air and had not been aware of the content of the written “confessions” he was forced to sign as he had been kept blindfolded while he was interrogated. He told the court that during interrogation he had been hung upside down from the ceiling while blindfolded and that the interrogators had put his fingerprints on his “confessions”, whose contents he did not know. He has also alleged that the interrogators pulled out his toenails and fingernails and subjected him to beatings which left him with bruises on his back, legs and stomach. The court dismissed his statements and allowed the use of his “confession”.

Saman Naseem was first sentenced to death in January 2012 by a Revolutionary Court but the Supreme Court overturned the sentence in August that year and sent the case back for a retrial as he had been under the age of 18 at the time of the alleged crimes. During his retrial, the court once again allowed the use of his “confession” and sentenced him to death.

Under the Islamic Penal Code, the execution of offenders under the age of 18 is allowed for *qesas* (retribution-in-kind) and *hodoud* (offences and punishments for which there are fixed penalties under Islamic law). However, Article 91 of the Islamic Penal Code excludes the death penalty for crimes that fall under these categories of punishment, if the juvenile offender did not understand the nature of the crime or its consequences, or if there are doubts about the offender’s mental capacity. On 2 December 2014, the Supreme Court issued a “pilot judgment,” ruling that all those on death row for crimes committed when they were under the age of 18 could submit judicial review requests to the Supreme Court under Article 91 of the Islamic Penal Code.

The use of the death penalty against juvenile offenders – persons who were below the age of 18 at the time of the offence - is strictly prohibited under international law, as set out in Article 6(5) of the International Covenant on Civil and Political Rights (ICCPR) and Article 37(a) of the Convention on the Rights of the Child (CRC), both of which Iran has ratified.

Amnesty International opposes the death penalty in all cases without exception. The death penalty violates the right to life as proclaimed in the Universal Declaration of Human Rights. It is the ultimate cruel, inhuman and degrading punishment.

Name: Saman Naseem
Gender m/f: m

Further information on UA: 234/14 Index: MDE 13/1138/2015 Issue Date: 9 March 2015