

# URGENT ACTION

## JUVENILE OFFENDER SENTENCED TO DEATH AGAIN

**Juvenile offender Amanj Veisee has been sentenced to death for the second time, after a retrial. The court dismissed as “non-binding” an official forensic report which had concluded that he had not attained “mental growth and maturity” at the time of the crime, in April 2007, when he was 15 years old.**

Juvenile offender **Amanj Veisee** was resentenced to death for the murder of his cousin by Branch Three of Criminal Court No. 1 in the western province of Kermanshah in December 2015. The court ruled that “there is no doubt about his mental maturity at the time of the crime”. The verdict is less than a page long, and refers briefly to two statements by Amanj Veisee, which it states were later proven to be false, and point to his “intelligence and maturity”. In these statements Amanj Veisee had claimed that he stabbed his cousin only once in the leg, using a knife that a stranger passed on to him during the fight. The verdict also notes an expert opinion from a state forensic institution, the Legal Medicine Organization, on Amanj Veisee’s “lack of maturity at the time of the crime” but states, “the tests done now cannot reveal the truth about the past” and that expert opinions are intended only as guidance and are not binding on the court if they contradict other materials and existing evidence.

Amanj Veisee had been first sentenced to death in May 2008 after the Provincial Criminal Court of Kordestan Province convicted him of murder for fatally stabbing his cousin during a fight. The Supreme Court upheld the sentence three months later. In December 2013, when Amanj Veisee had reached the age of 22, the Head of the Judiciary gave permission for the sentence to be carried out, though by then a new Islamic Penal Code had entered into force which allowed courts to replace the death penalty with an alternative sentence if they determined that a juvenile offender had not understood the nature of the crime or its consequences, or there were doubts about his or her “mental growth and maturity” at the time of the crime. He was granted a retrial based on the 2013 Code in March 2015, after he had retained a new lawyer and sought a retrial from the Supreme Court.

### **Please write immediately in Persian, Arabic, English or your own language:**

- Urging the Iranian authorities to immediately commute Amanj Veisee’s death sentence and not carry out the execution of any person who was below the age of 18 at the time of the crime;
- Urging them to take legislative measures to completely abolish, without any discretion for 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 the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child.

### **PLEASE SEND APPEALS BEFORE 1 APRIL 2016 TO:**

#### Supreme Leader

Ayatollah Sayed ‘Ali Khamenei  
Islamic Republic Street- End of Shahid  
Keshvar Doust Street  
Tehran, Islamic Republic of Iran  
Email: via website  
[http://www.leader.ir/langs/en/index.php?  
p=letter](http://www.leader.ir/langs/en/index.php?p=letter)  
Twitter: @khamenei\_ir (English)

**Salutation: Your Excellency**

#### Head of the Judiciary

Ayatollah Sadegh Larijani  
c/o Public Relations Office  
Number 4, Deadend of 1 Azizi  
Above Pasteur Intersection  
Vali Asr Street  
Tehran, Islamic Republic of Iran  
Email: [info@humanrights-iran.ir](mailto:info@humanrights-iran.ir)  
**Salutation: Your Excellency**

#### **And copies to:**

Prosecutor General of Tehran  
Abbas Ja’fari Dolat Abadi  
Tehran General and Revolutionary  
Prosecution Office  
Corner (Nabsh-e) of 15 Khordad Square  
Tehran, Islamic Republic of Iran

**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.

**AMNESTY  
INTERNATIONAL**



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### ADDITIONAL INFORMATION

Amanj Veisee's execution was twice scheduled and then postponed between 2013 and 2015. Branch 33 of the Supreme Court quashed his death sentence in March 2015 and ordered that a newly constituted court retry his case based on the juvenile sentencing guidelines of the 2013 Islamic Penal Code. As Kordestan's Provincial Criminal Court is only composed of one branch and could not therefore provide a differently constituted panel, it referred the case for retrial to Branch Three of Kermanshah Province's Criminal Court No. 1. Amanj Veisee said before and during the trial that he had not intended to kill his cousin whom he had grown up with and loved deeply, and that he had stabbed him in a frightened reaction to a situation where his 23-year-old cousin, whom he described as "muscular", was strangling him. The court rejected the self-defence argument, and convicted him of "intentional murder" on the grounds that he had committed an act that was by its nature "deadly".

As a state party to the Convention on the Rights of the Child (CRC), Iran is legally obliged to treat everyone under the age of 18 as a child. This is different from the minimum age of criminal responsibility, which is the age below which children are deemed not to have the capacity to break the law. This age varies between countries, but it must be no lower than 12 years, according to the UN Committee on the Rights of the Child. People who have broken the law who are above the minimum age of criminal responsibility, but under 18, may be considered criminally responsible, prosecuted, tried and punished. However, they should never be subjected to the death penalty or life imprisonment without the possibility of release.

The age of adult criminal responsibility in Iran has been set at nine lunar years for girls and 15 lunar years for boys in cases of *hodud* (offences against God carrying inalterable punishments prescribed by Shari'a law) and *qesas* (retribution-in-kind connected with a criminal act). From this age a child convicted of these offences is generally convicted and sentenced in the same way as an adult. However, since the adoption of the 2013 Islamic Penal Code, judges have been given discretion not to sentence juvenile offenders to death if they determine that juvenile offenders did not understand the nature of the crime or its consequences, or their "mental growth and maturity" are in doubt.

The UN Committee on the Rights of the Child reviewed Iran's implementation of the CRC in January 2016. The Committee's Concluding Observations express "serious concern" that the exemption of juvenile offenders from the death penalty is "under full discretion of judges who are allowed, but not mandated to seek forensic expert opinion and that several persons have been resentenced to death following such retrials". Besides Amanj Veisee, Amnesty International is aware of at least seven other juvenile offenders – Salar Shadizadi, Hamid Ahmadi, Sajad Sanjari, Siavash Mahmoudi, Himan Uraminejad and Amir Amrollahi, and Fatemeh Salbehi – who have been retried, found to have sufficient "mental growth and maturity" at the time of the crime and sentenced to death again. The execution of Fatemeh Salbehi, who was 17 years old at the time of the commission of the crime, was carried out in October 2015. Amnesty International has recorded at least 73 executions of juvenile offenders between 2005 and 2015. According to the UN at least 160 juvenile offenders are now on death row (See Growing up on death row: The death penalty and juvenile offenders in Iran, <https://www.amnesty.org/en/documents/mde13/3112/2016/en/>).

Name: Amanj Veisee

Gender m/f: m

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