

URGENT ACTION

JUVENILE OFFENDER SAMAN NASEEM THREATENED

Juvenile offender Saman Naseem is believed to have been put under renewed pressure to do a video interview and threatened with “consequences”, including execution, if he fails to comply.

Juvenile offender **Saman Naseem**, now 22, was taken on 7 March to the Ministry of Intelligence office in Oroumieh Central Prison, West Azerbaijan Province, where two men from the Children’s Rights division of Iran’s High Council for Human Rights asked him to do a video interview. One of them apparently told him the interview would be confidential, only for the use of the office of the Secretary General of the High Council for Human Rights, Mohammad Javad Larijani. The man also seemed to threaten that non-compliance would have “consequences”, even execution. Amnesty International understands that Saman Naseem refused, saying he would never repeat the televised “confessions” he had once been forced to make.

Saman Naseem has been taken three times since December 2015 to the Legal Medicine Organization of Iran, purportedly for the forensic body to assess whether he had attained “mental maturity” at the time of the crime. These assessments, ordered by Criminal Court One of West Azerbaijan Province, have involved asking him to perform very basic tasks such as counting and naming the days of the week. Saman Naseem’s case has come before this court for retrial after Iran’s Supreme Court quashed, in April 2015, a death sentence that he had received two years earlier after being convicted of “enmity against God” (*moharebeh*) and “spreading corruption on Earth” (*efsad fil-arz*) because of his membership of the Kurdish armed opposition group Party For Free Life of Kurdistan (PJAK) and his involvement in armed activities against the Revolutionary Guards.

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

- Urging the Iranian authorities to ensure that Saman Naseem’s retrial adheres strictly to international law and standards on juvenile justice, without recourse to the death penalty;
- 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 people below 18 years of age;
- Urging them to ensure that he is protected from torture and other ill-treatment, including coercion to be interviewed on video, investigate his enforced disappearance and the allegation that he was subjected to torture or other ill-treatment, and ensure that “confessions” obtained under torture and other ill-treatment are not used as evidence in court.

PLEASE SEND APPEALS BEFORE 26 APRIL 2016 TO:

Office of the 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
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. This is the fifth update of UA 234/14. Further information:
<https://www.amnesty.org/en/documents/mde13/2585/2015/en/>

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ADDITIONAL INFORMATION

The assessments carried out by the Legal Medicine Organization of Iran (a state forensic institution that conducts diagnostic and clinical examinations in relation to criminal cases) were ordered by Criminal Court One of West Azerbaijan Province, in the light of Article 91 of the 2013 Islamic Penal Code, which allows courts to replace a death sentence with an alternative punishment if they conclude that a juvenile offender had not understood the nature or consequences of their crime at the time, or their mental growth and maturity at the time were in doubt.

Saman Naseem was transferred on 4 February 2016 from Oroumieh Central Prison to the Legal Medicine Organization in the same city, where doctors apparently sought to assess his “mental maturity” by asking him to perform very basic tasks, such as counting and naming the days of the week. He was scheduled to be transferred for an additional assessment by the Legal Medicine Organization in the city of Salmas on 11 February 2016 but this was cancelled due to a public holiday. He was taken on 18 February 2016 to Razi Psychiatric Hospital in Oroumieh, where he was examined by four doctors from the Legal Medicine Organization of the city of Salmas. They examined him physically and apparently asked him to state the date of his birth, his age at the time he was arrested, and his medical history. Saman Naseem had to pay 1,700,000 Rials (US\$56) for this medical check-up, even though the state is legally required to bear such costs. Saman Naseem had had another assessment by the Legal Medicine Organization in Oroumieh in December 2015, where he was asked only about his age.

Saman Naseem had been arrested on 17 July 2011 after a gun battle between Revolutionary Guards and PJAK, in the city of Sardasht, West Azerbaijan Province, during which one member of the Revolutionary Guards was killed and three others were wounded. He was 17 at the time. Saman Naseem was not allowed access to his lawyer during early investigations, during which time court documents say that he admitted firing towards the Revolutionary Guards forces. He retracted this during the first court session, saying he had only fired into the air and had not been aware of the content of the written “confessions” he had been forced to sign during his interrogation, as he had been kept blindfolded. 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 “confession”. He has also alleged that interrogators pulled out his toenails and fingernails and beat him, leaving him with bruises on his back, legs and stomach. The court dismissed his statements and allowed the use of his “confession” as evidence.

After worldwide campaigning to stop his scheduled execution on 19 February 2015, Saman Naseem was transferred to an undisclosed location. After nearly five months of concealing his fate and whereabouts, the authorities finally confirmed that he was alive. It was only in July 2015 that the authorities allowed him to phone his family. His lawyer was informed that the Head of the Judiciary had stayed the execution on 6 April 2015, and the Supreme Court had quashed his death sentence, based on the new juvenile sentencing guidelines in Article 91 of the 2013 Islamic Penal Code, and sent his case back to a court of first instance for retrial. On 19 September, Saman Naseem was returned from the north-western prison of Zanzan to Oroumieh Central Prison, where he had been held before his five-month enforced disappearance began. Saman Naseem’s case came before Criminal Court One of West Azerbaijan Province for retrial sometime after April 2015.

The use of the death penalty against juvenile offenders – people 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 and Article 37(a) of the Convention on the Rights of the Child, both of which Iran has ratified.

Name: Saman Naseem
Gender m/f: m

Further information on UA: 234/14 Index: MDE 13/3645/2016 Issue Date: 15 March 2016