

PUBLIC

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14 April 2005

UA 86/05 Imminent execution/flogging

IRAN **Rasoul Mohammadi (m), aged 17**
Mousa Ali Mohammadi (m), aged 46, his father

Seventeen-year-old Rasoul Mohammadi is reportedly due to be executed on 16 April. Iran has ratified international treaties that prohibit it from executing anyone for crimes committed when they were under 18. His father, Mousa Ali Mohammadi, is due to be executed at the same time. Each is to receive 74 lashes before he is put to death.

According to 11 April reports in the Persian-language newspaper *Iran*, the Assistant Public Prosecutor for the Office of Sentence Implementation (in Persian, *Daftar-e Ejra'-e Ahkam*) has announced to the press that Mousa Ali Mohammed will be publicly hanged in 24 Metri Street in Esfahan at 6.30am on 16 April, and his son will be hanged at the same time, in Esfahan Central Prison.

Rasoul Mohammadi and his father had been found guilty by a court in the city of Esfahan of abducting 40 young girls, stealing their jewellery and raping at least four of them. They apparently confessed to the charges during interrogation.

The sentence has been upheld by the Supreme Court, and Rasoul Mohammadi and his father are now in the custody of Esfahan General Court, which will carry out the sentence. According to the report in *Iran*, because of "complaints" by the accused, the case has been again referred to the Supreme Court. The report gives no further details of this process.

BACKGROUND INFORMATION

Rasoul Mohammadi's parents divorced when he was one year old, and he went to live with his grandmother. When he was four years old he was sent to a children's home, where he lived for several years before being returned to the custody of his father.

As a state party to the International Convention on Civil and Political Rights (ICCPR) and the Convention on the Rights of the Child (CRC), Iran has undertaken not to execute anyone for an offence committed when they were under the age of 18.

Nevertheless, 11 child offenders have been executed in Iran since 1990. On 20 January 2005 Iman Farokhi was executed for a crime committed when he was 17 years old. On the same day an Iranian governmental delegation claimed that Iran does not execute people under the age of 18, in a declaration to the United Nations Committee on the Rights of the Child.

The Committee, which monitors states' implementation of the CRC, urged Iran to immediately stay all executions of people convicted of crimes committed when they were under 18, and abolish the use of the death penalty in such cases. The Committee said that it "deplored" the fact that Iran had continued to carry out such executions even after it ratified the CRC, including the execution that had taken place that day.

For the last three years, the Iranian authorities have been considering legislation that would prohibit the use of the death penalty for offences committed under the age of 18.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Persian, English, Arabic or your own language:

- stating that Amnesty International recognizes the right and responsibility of governments to bring to justice those suspected of criminal offences, but opposes the death penalty as the ultimate cruel, inhuman and degrading punishment;
- urging the authorities to commute the death sentence imposed on Rasoul Mohammadi, who is 17 years old, and his father Mousa Ali Mohammadi, immediately;
- asking for details of the trial of Rasoul Mohammadi and his father, including their legal representation and the appeals against their convictions;
- reminding the authorities of their commitment to the International Covenant on Civil and Political Rights, which states that "sentence of death shall not be imposed for crimes committed by persons below eighteen years of age";
- calling on the Iranian authorities to implement the recommendations of the United Nations Committee on the Rights of the Child, which called on Iran in January 2005 to "immediately suspend the execution of all death penalties imposed on persons for having committed a crime before the age of 18, and to abolish the death penalty as a sentence imposed on persons for having committed crimes before the age of 18, as required by article 37 of the Convention."

APPEALS TO:

Leader of the Islamic Republic

His Excellency Ayatollah Sayed 'Ali Khamenei

The Presidency, Palestine Avenue, Azerbaijan Intersection, Tehran, Islamic Republic of Iran

Fax: + 98 21 649 5880 (please mark 'For the attention of the Office of His Excellency, Ayatollah al Udhma Khamenei, Qom)

Email: info@wilayah.org

Salutation: Your Excellency

Head of the Judiciary

His Excellency Ayatollah Mahmoud Hashemi Shahroudi

Ministry of Justice, Park-e Shahr, Tehran, Islamic Republic of Iran

Email: irjpr@iranjudiciary.org (mark 'Please forward to HE Ayatollah Shahroudi')

Salutation: Your Excellency

COPIES TO:

Speaker of Parliament

Gholamali Haddad Adel

Majles-e Shoura-ye Eslami (Parliament)

Imam Khomeini Avenue,

Tehran, Islamic Republic of Iran

Fax: + 98 21 646 1746

Salutation: Dear Sir

and to diplomatic representatives of Iran accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 26 May 2005.