

PUBLIC

AI Index: MDE 13/034/2009

20 April 2009

Further Information on 98/09 (MDE 13/031/2009, 09 April 2009) and follow-up (MDE 13/032/2009) - Fear of imminent execution

IRAN Delara Darabi (f), aged 22, juvenile offender

Juvenile offender Delara Darabi was granted a two month stay of execution by the Head of the Judiciary on 19 April, the day before she was due to be executed.

Delara Darabi's lawyer, Abdolsamad Khorramshahi, has confirmed that her execution has been postponed for two months after the family of the victim refused to attend the execution. They are however still demanding that she be executed. According to Article 7 of Iran's Code of Procedure on executions, the family of the victim or their lawyer are required to be present for the implementation of the sentence.

Delara Darabi remains at risk of being executed unless the family of the victim agrees on compensation.

BACKGROUND INFORMATION

Iran has executed at least forty two juvenile offenders since 1990, eight of them in 2008 and one on 21 January 2009.

The execution of juvenile offenders is prohibited under international law, as stated in Article 6(5) of the International Covenant on Civil and Political Rights (ICCPR) and the Convention on the Rights of the Child (CRC), to which Iran is a state party, and so has undertaken not to execute anyone for crimes committed when they were under 18.

In Iran a person convicted of murder has no right to seek pardon or commutation from the state, in violation of Article 6(4) of the ICCPR. The family of a murder victim have the right either to insist on execution, or to pardon the killer and receive financial compensation (*diyeh*).

For more information about executions of child offenders in Iran, please see *Iran: The last executioner of children* (Index: MDE 13/059/2007), June 2007, (<http://web.amnesty.org/library/index/engmde130592007>).

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

- welcoming the stay of execution for Delara Darabi;
- calling on the authorities to commute her death sentence, as she is facing execution for a crime committed when he was under 18;
- acknowledging that governments have a right and responsibility to bring to justice those suspected of criminal offences in proceedings that meet international standards for fair trial and the Convention of the Rights of the Child, and pointing out that no one should be executed for crimes committed when under 18;
- calling on the authorities to pass, as a matter of urgency, legislation abolishing the death penalty for all offences committed by those under 18, in accordance with Iran's obligations as a state party to the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child.

APPEALS TO:

Head of the Judiciary

Ayatollah Mahmoud Hashemi Shahroudi
c/o Director, Judiciary Public Relations and Information Office
Ardehsir Sadiq
Judiciary Public Relations and Information Office
No. 57, Pasteur St., corner of Khosh Zaban Avenue
Tehran, Iran

Email: info@dadiran.ir (In the subject line write: **FAO Ayatollah Shahroudi**)
Salutation: Your Excellency

Judiciary spokesperson

Alireza Jamshidi
Howzeh Riyasat-e Qoveh Qazaiyeh / Office of the Head of the Judiciary
Pasteur St, Vali Asr Ave., south of Serah-e Jomhuri
Tehran 1316814737, Iran

Email: info@a-jamshidi.ir
Salutation: Dear Sir

Leader of the Islamic Republic

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: info_leader@leader.ir
via website: <http://www.leader.ir/langs/en/index.php?p=letter> (English)
<http://www.leader.ir/langs/fa/index.php?p=letter> (Persian)

Salutation: Your Excellency

COPIES TO:

Director, Human Rights Headquarters of Iran

Mohammad Javad Larijani
Howzeh Riyasat-e Qoveh Qazaiyeh / Office of the Head of the Judiciary
Pasteur St, Vali Asr Ave., south of Serah-e Jomhuri
Tehran 1316814737, Iran

Fax: +98 21 3390 4986 (please keep trying)
Email: info@dadgostary-tehran.ir (In the subject line write: **FAO Javad Larijani**)
Salutation: Dear Mr Larijani

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 1 June.