

PUBLIC

AI Index: MDE 13/081/2008

12 June 2008

Further Information on UA 114/08 (MDE 13/065/2008, 29 April 2008) and follow-up (MDE 13/066/2008, 08 May 2008) - imminent execution

IRAN Behnoud Shojaee (m), aged 20, juvenile offender

Juvenile offender Behnoud Shojaee was granted a one-month reprieve on 10 June, the day before he was scheduled for execution, to allow time for his family to negotiate financial compensation with the family of the boy he was convicted of stabbing to death, in exchange for a pardon.

This is the second time his execution has been postponed: he remains at risk of being executed unless the families can agree on compensation.

BACKGROUND INFORMATION

As a state party to both the International Covenant on Civil and Political Rights (ICCPR) and the Convention on the Rights of the Child (CRC), Iran has undertaken not to execute people convicted of crimes committed when they were under the age of 18. However, since 1990 Iran has executed at least 30 juvenile offenders, seven of them in 2007 and two in 2008.

A Kurdish boy believed to be 16 or 17 years old was hanged in Sanandaj prison on 10 June 2008. He had been convicted of the murder of another boy, aged 10. He had been about 15 at the time (see Kurdish boy executed in Iran, at: <http://www.amnesty.org/en/news-and-updates/news/kurdish-boy-executed-iran-20080611>). On 26 February 2008 Javad Shoja'i, who was sentenced to *qesas*, or retribution, for a murder he carried out at the age of 16, was executed in the central city of Esfahan.

At least 85 other juvenile offenders, possibly many more, are now on death row in Iran. The execution of juvenile offenders is prohibited under international law. Amnesty International opposes the death penalty in all cases, and supports the global trend away from the use of the death penalty, powerfully expressed in the UN General Assembly's resolution calling for a worldwide moratorium on executions on 18 December 2007.

The family of a murder victim have the right either to insist on execution, or to pardon the killer and receive financial compensation. A convicted murderer has no right to seek pardon or commutation from the state, in violation of Article 6(4) of the International Covenant on Civil and Political Rights.

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

For more information about the reprieve handed down to Behnoud Shojaee on 10 June, see *Iran: Reprieve should be first step in ending juvenile executions* (11 June 2008), <http://www.amnesty.org/en/for-media/press-releases/iran-reprieve-should-be-first-step-ending-juvenile-executions-20080611>

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

- welcoming the stay of execution of Behnoud Shojaee;
- calling on the authorities to commute his death sentence, as he 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, but pointing out that no one should be executed for crimes committed when under 18 and that the death penalty is the ultimate cruel, inhuman and degrading punishment;
- 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:

Leader of the Islamic Republic

His Excellency Ayatollah Sayed 'Ali Khamenei
The Office of the Supreme Leader
Islamic Republic Street - Shahid Keshvar Doust Street
Tehran, Islamic Republic of Iran

Email: info@leader.ir

Salutation: **Your Excellency**

Head of the Judiciary

Ayatollah Mahmoud Hashemi Shahroudi
Howzeh Riyasat-e Qoveh Qazaiyeh / Office of the Head of the Judiciary
Pasteur St., Vali Asr Ave., south of Serah-e Jomhouri, Tehran 1316814737, Islamic Republic of Iran

Email: info@dadgostary-tehran.ir (In the subject line write: **FAO Ayatollah Shahroudi**)

Salutation: **Your Excellency**

COPIES TO:

President

His Excellency Mahmoud Ahmadinejad
The Presidency, Palestine Avenue, Azerbaijan Intersection, Tehran, Islamic Republic of Iran

Email: dr-ahmadinejad@president.ir OR via website: www.president.ir/email

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 24 July 2008.