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Iran: Reprieve should be first step in ending juvenile executions

The one-month reprieve of two juvenile offenders who were due to be executed today should be the first step towards putting an end to the obscene practice of juvenile executions, Amnesty International said on Wednesday.

“We call on Iran to end, once and for all, such executions, including those of at least 85 other juvenile offenders on death row,” said Amnesty International. “These juveniles should not have been sentenced to death in the first place, when Iran has given its word by signing international treaties banning executions of children.”

Behnoud Shojaee and Mohammad Feda’i were accused of premeditated murder and sentenced to qesas, or retribution, for which the penalty is death. Both had claimed that they did not intend to kill.

Amnesty International is also concerned about reports that Saeed Jazee, a third juvenile offender now aged 21, is also scheduled to be executed on 25 June.

The reprieve was granted on Tuesday 10 June by Ayatollah Mahmoud Shahroudi, Head of Iran’s Judiciary. It came one day before the two were due to be executed after they had been sentenced to qesas. Amnesty International had received news of at least eight other executions that were also due to take place today Wednesday 11 June, in Tehran. The basis for conviction of the remaining eight is unknown.

Amnesty International has longstanding concerns with trial procedures that fall short of international standards which Iran is obliged to uphold.

In a recent letter by Mohammad Feda’i that was publicised on 7 June, he said that while in detention, officials kicked and tortured him, to the point that one night he agreed to sign a confession without knowledge of its content.

“I am a 21 year old, a young man, who was only 16 when he entered prison. Like any other teenager, [I was] still living my childhood dreams [...]”, he wrote, adding “I was beaten and flogged repeatedly [...] They hanged me from the ceiling [and] left me with no hope of living. “

Amnesty International recognises the right and responsibilities of states to bring those suspected of criminal offences to justice in fair proceedings, but opposes the death penalty in all cases.

“We call on Iran’s leaders, its judiciary and its new parliamentarians to ensure that Iran joins 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,” said Amnesty International.

Background

Since 1990 Iran has executed at least 30 juvenile offenders, seven of them in 2007 and at least one in 2008. Amnesty International is aware of at least 85 juvenile offenders currently on death row and fears there may be many more.

The International Covenant on Civil and Political Rights (ICCPR) and the Convention on the Rights of the Child (CRC), to which Iran is party, forbid the execution of people sentenced for crimes they committed under the age of 18.

Under Article 206 (b) of Iran’s Criminal Code, murder is classed as premeditated “in cases where the murderer intentionally makes an action which is inherently lethal, even if [the murderer] does not intend to kill the person.”

The right to insist on the execution, or to pardon the killer, rests with the family of the victim. A convicted murderer has no right to seek pardon or commutation from the state, in violation of Article 6(4) of the ICCPR.

Amnesty International has issued Urgent Action appeals for each of the juvenile offenders, which give details of their cases. See:

Behnoud Shojaee (UA 114/08, MDE 13/065/2008, 8 May 2008) -

<http://www.amnesty.org/en/library/asset/MDE13/066/2008/en/df156937-1dd3-11dd-a442-edc80cf9d3ed/mde130662008eng.html>

Saeed Jazee (UA 08/08, MDE 13/070/2008, 21 May 2008) -

<http://www.amnesty.org/en/library/asset/MDE13/070/2008/en/bbf7623a-27f7-11dd-b897-2fa493994d1b/mde130702008eng.html>

Mohammad Feda’i (UA 146/08, MDE13/074/2008, 30 May) -

<http://www.amnesty.org/en/library/asset/MDE13/074/2008/en/84c50240-2e5e-11dd-a024-1d23853b0ef1/mde130742008eng.html>

For more information on Iran and the execution of juvenile offenders, see:

Iran: The last executioner of children (MDE 13/059/2007, June 2007),

<http://web.amnesty.org/library/index/engmde130592007>