

URGENT ACTION

WEB PROGRAMMER AT RISK OF EXECUTION IN IRAN

Web programmer Saeed Malekpour could be executed at any time in Iran. His death sentence was confirmed by the Supreme Court on 17 January 2012 and a court official has indicated that his death sentence may have now been sent for implementation.

Saeed Malekpour, a resident of Canada and Iranian national, aged 36, was again sentenced to death on 19 October 2011 by Branch 28 of the Revolutionary Court, and it was confirmed by Branch 32 of the Supreme Court on 17 January 2012. On 14 February 2012, one of Saeed Malekpour's lawyers visited both courts to ask about his case, but learned that the file was being held at neither court. Comments from a court official suggested that this is because Saeed Malekpour's file has been sent to the Office of Implementation of Sentences.

Saeed Malekpour was sentenced to death for "insulting and desecrating Islam" after a programme he had developed for uploading photos online had been used to post pornographic images without his knowledge. Branch 28 of the Revolutionary Court sentenced him to death in October 2010 following a trial that reportedly only lasted 15 minutes. After a June 2011 announcement that the Supreme Court had returned the case for further review, Branch 28 of the Revolutionary Court imposed again the death sentence as well as prison sentence of seven and a-half years. Amnesty International understands that although he has legal representation now, for much of his detention Saeed Malekpour has had no access to legal counsel.

Saeed Malekpour had been living in Canada since 2005, but was arrested in October 2008 while visiting his family in Iran. He was allegedly tortured while held for over a year in solitary confinement in Tehran's Evin prison. In 2009, Iranian state television repeatedly aired a "confession" by Saeed. In an open letter dated March 2010, Saeed Malekpour stated his "confession" was extracted after prolonged torture following orders by Revolutionary Guard interrogators.

PLEASE WRITE IMMEDIATELY in Persian, English or your own language:

- Calling on the Iranian authorities to not execute Saeed Malekpour;
- Expressing concern that Saeed Malekpour did not have a fair trial, and to disregard as evidence in court "confessions" which may have been coerced;
- Reminding the Iranian authorities that under international law, the death penalty can only be carried out for "the most serious crimes", which must be "intentional crimes with lethal or other extremely grave consequences".

PLEASE SEND APPEALS BEFORE 30 MARCH 2012 TO:

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

Twitter: "Call on #Iran leader

@khamenei_ir to halt the execution of
Saeed Malekpour

Salutation: Your Excellency

Head of the Judiciary

Ayatollah Sadegh Larijani
[care of] Public relations Office
Number 4, 2 Azizi Street
Vali Asr Ave., above Pasteur Street
intersection
Tehran, Islamic Republic of Iran
Email: bia.judi@yahoo.com (In subject
line: FAO Ayatollah Sadegh Larijani)
Salutation: Your Excellency

And copies to:

Secretary General, High Council for
Human Rights
Mohammad Javad Larijani
High Council for Human Rights
[Care of] Office of the Head of the
Judiciary, Pasteur St., Vali Asr Ave.
south of Serah-e Jomhuri, Tehran
1316814737, Islamic Republic of Iran
Email: info@humanrights-iran.ir
(subject line: FAO Mohammad Javad
Larijani)

Also send copies to diplomatic representatives accredited to your country.

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

Saeed Malekpour has been in detention since his arrest on 4 October 2008. In a March 2010 letter he wrote about his arrest: “a few agents physically beat me severely and verbally abused me, while I remained handcuffed and blindfolded. They forced me to sign a few forms, but I was not able to read the contents”. Saeed Malekpour was held in solitary confinement from his arrest until 16 August 2009 and during this time was denied contact with his family or legal counsel. Saeed Malekpour was again transferred to solitary confinement on 21 December 2009 and remained there until 8 February 2010. After being reportedly beaten by guards and kicked in the face in January 2009, Saeed Malekpour’s jaw became dislocated. It is not known whether he received adequate medical care. In addition to this, Saeed Malekpour has had limited access to legal counsel throughout his detention and Amnesty International understands that his lawyer has been unable to file for a judicial review of the case.

Saeed Malekpour’s arrest in October 2008 was in relation to alleged cyber crime. Two other individuals were arrested around the same time: blogger Vahid Asghari, who had been studying information and computer technology in India prior to his arrest in 2008, and website administrator Ahmad Reza Hashempour. Both are also on death row after apparently unfair trials, awaiting execution in relation to their online activities.

In 2009, a group reportedly affiliated with the Revolutionary Guards, alleged that some individuals, including Saeed Malekpour, were part of “a network of decadence on the internet.” The 2009 Law on Cyber Crimes in Iran extended the death penalty to such crimes. A relatively new and shadowy “cyber army”, reportedly linked to the Revolutionary Guards, has also carried out attacks on websites at home and abroad, including the Twitter site and Voice of America.

Prior to his arrest, Saeed Malekpour had been living in Canada since 2005 and holds Canadian permanent residency. There has been ongoing campaigning in Canada for Saeed Malekpour’s release.

This year the Iranian authorities have acknowledged the execution of 41 people, including nine public executions. Amnesty International has received credible reports of 25 other executions which were not officially acknowledged, mostly of alleged drugs offenders.

Article 6 of the International Covenant on Civil and Political Rights (ICCPR), to which Iran is a state party, states the death penalty may be “imposed only for the most serious crimes”. In November 2011, the UN Human Rights Committee, which oversees implementation of the ICCPR, expressed concern about the number of death sentences imposed and carried out in Iran in its Concluding Observations. The Committee stated that the Iranian authorities “should consider abolishing the death penalty or at least revise the Penal Code to restrict the imposition of the death penalty to only the ‘most serious crimes’”.

Amnesty International opposes the death penalty unconditionally as the ultimate cruel, inhuman and degrading punishment and violation of the right to life and is calling for all death sentences in Iran to be commuted.

Name: Saeed Malekpour

Gender m/f: m

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