

URGENT ACTION

IRANIAN MAN AT RISK OF IMMINENT EXECUTION

Saeed Sedeghi, a shop worker due to be executed on 13 October for a drugs offence in Iran, has been granted an apparent stay of execution. However it is not clear if the execution has simply been postponed or halted. There are fears Saeed Sedeghi could still be executed at any moment.

On 10 October, **Saeed Sedeghi** was transferred from Ghezel Hesar Prison in Karaj, Iran, to solitary confinement in Tehran's Evin Prison. Prior to being transferred, he told his family that his execution would take place on 11 October, along with the execution of 10 other men. On 11 October, Saeed Sedeghi's family, who had been outside of Evin Prison, was informed by the prison authorities that the executions had been postponed to 13 October. On the morning of 13 October, the family was told that none of the executions had been carried out. However, repeated inquiries by Saeed Sedeghi's family as to his whereabouts have remained unanswered by authorities at both Ghezel Hesar and Evin Prisons.

Saeed Sedeghi's brother, **Majid Sedeghi**, was arrested on 11 October, a day after giving interviews to BBC Persian and Voice of America about Saeed Sedeghi. Though his whereabouts were not immediately made known following his arrest by plain-clothed security officers, Majid Sedeghi's family later learned he was being held in Evin Prison. On 15 October Majid Sedeghi was released on bail.

Please write immediately in Persian, Arabic, English or your own language:

- Urging the Iranian authorities not to carry out the flogging or execution of Saeed Sedeghi, and to commute his death sentence and that of anyone else on death row;
- Calling on them to disclose the whereabouts and fate of Saeed Sedeghi and the others also scheduled for execution on 13 October, and to ensure that none of them are tortured or otherwise ill-treated.
- Acknowledging that the authorities have a right to prosecute individuals for offences connected to the production and supply of illegal drugs, but pointing out that drugs offences do not meet the threshold of "most serious crimes" to which the death penalty must be restricted under international law, and that death sentences should not be mandatory.

PLEASE SEND APPEALS BEFORE 30 NOVEMBER 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: "#Iran leader @khamenei_ir: halt execution of Saeed Sedeghi". Use the hashtag: #saeedsedeghi

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: info@dadiran.ir (Subject line: FAO Ayatollah Sadegh Larijani) or info_leader@leader.ir

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 Jomhouri, 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. This is the first update of UA: 165/12. Further information: <http://www.amnesty.org/en/library/info/MDE13/035/2012/en>

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ADDITIONAL INFORMATION

Saeed Sedeghi was arrested along with three other men in Tehran on 29 November 2011 for possession of the synthetic drug methamphetamine. Saeed Sedeghi has told his family that he was tortured or otherwise ill-treated, including having several teeth knocked out while in Kahrizak detention centre.

Saeed Sedeghi had an unfair trial on 26 May 2012, before Branch 30 of Tehran's Revolutionary Court, where he was represented by a state-appointed lawyer. His lawyer had had no contact with him, or access to his case file, before the trial. The court sentenced Saeed Sedeghi to death on 2 June 2012 for participating with three other men in the purchase and possession of 512 kg of methamphetamine. He was also ordered to pay a fine of two million Rials (approximately US\$163) and sentenced to 20 lashes for individual possession of 21 grams of the drugs opium and marijuana. On 28 July 2012, Saeed Sedeghi was brought before Branch 30 of Tehran's Revolutionary Court, where he signed a document, apparently informing him that his death sentence was going to be implemented.

Amnesty International understands that the death sentence of one of the 10 other men, whose identity is known to Amnesty International, and who had been scheduled to be executed on 13 October with Saeed Sedeghi, may have had his death sentence commuted to life imprisonment, though his family has been unable to learn of his whereabouts.

Iran has one of the highest rates of drug addiction in the world; in May 2011 the Head of the Law Enforcement Force, Esma'il Ahmadi-Moghaddam, said that there were probably more than two million users of illegal drugs in the country. It is also second only to China in the number of executions carried out each year. In 2011, of some 600 executions recorded by Amnesty International from both official and unofficial sources, 488 were for drugs offences – a staggering 81 per cent. For more information, see *Addicted to death: executions for drugs offences in Iran* (MDE 13/090/2011), 15 December 2011, <http://www.amnesty.org/en/library/info/MDE13/090/2011/en> So far in 2012, the Iranian authorities are believed to have executed at least 354 people since the start of the year, including 135 executions that have not been formally announced. The majority of those executed were convicted of drug offences.

Under Article 32 of the Anti-Narcotics Law, those sentenced to death for drugs offences do not have the right to appeal, as their convictions and sentences are merely confirmed by either the President of the Supreme Court or the Prosecutor-General. In practice, it seems that many such death sentences are referred to the Prosecutor-General. This contravenes Article 19 of the Law on Appeals, under which all death sentences are open to appeal, as well as Article 14 (5) of the International Covenant on Civil and Political Rights (ICCPR), which states that "everyone convicted of a crime shall have the right to his conviction and sentence being reviewed by a higher tribunal according to law".

In December 2010, amendments to the Anti-Narcotics Law extended the scope of the death penalty to include additional categories of illegal drugs (including methamphetamine – "crystal meth"), possession of more than specified amounts of which carries a mandatory death sentence.

Under Article 6 (2) of the ICCPR, to which Iran is a state party, "sentence of death may be imposed only for the most serious crimes". UN human rights mechanisms, including the Special Rapporteur on extrajudicial, summary, or arbitrary executions and the Human Rights Committee, have concluded that the death penalty for drugs offences fails to meet the condition of "most serious crime".

Names: Saeed Sedeghi, Majid Sedeghi
Gender m/f: m

Further information on UA: 165/12 Index: MDE 13/066/2012 Issue Date: 19 October 2012