

PUBLIC

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12 June 2008

Further Information on UA 146/08 (MDE 13/074/2008, 30 May 2008) - Imminent execution/legal concern

IRAN **Mohammad Feda'i (m), aged 21, juvenile offender**

Juvenile offender Mohammad Feda'i was granted a one-month reprieve on 10 June, the day before he was scheduled to be executed, to allow time for his family to negotiate with the family of the boy he was convicted of killing, and to agree on financial compensation in exchange for pardoning him.

Mohammad Feda'i had been due to be executed on 18 April 2007, but his execution was stayed because he had received inadequate legal representation during his trial. His request for a retrial was rejected, and his execution was rescheduled for 11 June.

In a recent letter made public on 7 June, Mohammad Feda'i said that officials had kicked and tortured him, to the point that one night he agreed to sign – by way of a fingerprint - a confession without knowledge of its content. In his letter he wrote, "I was beaten and flogged repeatedly ... They hanged me from the ceiling [and] left me with no hope of living." The courts had taken no account of the fact that Mohammad Feda'i had only confessed after being tortured.

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, Mohammad Hassanzadeh, believed to be aged 16 or 17, was hanged in Sanandaj prison on 10 June. He had been convicted of murdering a 10-year-old boy; he had been aged 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>). Another juvenile offender, Javad Shoja'i, was executed in the central city of Esfahan on 26 February. He had been sentenced to *qesas* (retribution) for a murder carried out when he was 16.

At least 85, and possibly many more, other juvenile offenders 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.

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 Mohammad Feda'i 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, English or your own language:

- welcoming the stay of execution granted to Mohammad Feda'i;

- calling on the authorities to commute his death sentence, as he is facing execution for a crime committed when he was under 18;
- pointing out that in a letter made public on 7 June Mohammad Feda'i described how he had been tortured and how he was forced to confess, both of which are strictly illegal under Iranian and international human rights law;
- 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 the death penalty is the ultimate cruel, inhuman and degrading punishment;
- reminding them that Iran is a state party to both the International Covenant on Civil and Political Rights (ICCPR) and the Convention on the Rights of the Child (CRC), which prohibits the use of the death penalty against those under the age of 18 at the time of offence, and that the execution of Mohammad Feda'i would therefore be a violation of international law.

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 Jomhuri, 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
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 after 24 July 2008.