

URGENT ACTION

TWO YOUTHS ARRESTED AT 17 FACE EXECUTION

Iranian young man Hossein Shahbazi is facing imminent execution for a crime that took place when he was just 17 years old. Despite a global outcry in late June 2021 against his planned execution, the Iranian authorities re-scheduled it for 25 July 2021. Arman Abdolali, another young man convicted and sentenced to death for a crime that took place when he was 17 years old, is also at risk of imminent execution after being retried and sentenced to death for a second time. Their trials were marred by serious violations, including the use of torture-tainted “confessions”.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

Head of judiciary, Gholamhossein Mohseni Ejei

c/o Embassy of Iran to the European Union

Avenue Franklin Roosevelt No. 15, 1050 Bruxelles, Belgium

Dear Mr Mohseni Ejei,

Hossein Shahbazi, aged 20, is facing imminent execution in Adelabad prison in Shiraz, Fars province, on 25 July 2021 for a crime that took place when he was 17 years old. His execution, which was scheduled previously for 1 March 2021 and again 28 June 2021, was postponed twice following mounting international pressure. Prosecution and judicial authorities have rescheduled Hossein Shahbazi’s execution for a third time despite a pending request for retrial. Hossein Shahbazi was sentenced to death on 13 January 2020 following a grossly unfair trial before Branch 3 of Criminal Court One of Fars province, which convicted him of murder. He was convicted, in part, based on “confessions” that he said were obtained through torture and other ill-treatment at a detention centre run by the Investigation Unit of Iran’s police (Agahi). The court acknowledged in its written verdict that he was under 18 at the time of the crime, but stated that the Legal Medicine Organization of Iran, a state forensic institute, had found he had attained “mental growth and maturity” at the time of the crime, and that he, therefore, merited the death penalty as per Article 91 of the Islamic Penal Code. In June 2020, the Supreme Court upheld the verdict.

Another young man, Arman Abdolali, aged 25, is also at risk of imminent execution in Raja’i Shahr prison in Karaj, Alborz province, for a crime that took place when he was 17 years old. He was first convicted of murder and sentenced to death in December 2015 following a grossly unfair, in which the court relied on torture-tainted “confessions”. The court stated that the circumstances of the crime indicated that he had attained maturity and, therefore, merited the death penalty. The Supreme Court upheld the verdict in July 2016. The trial and appeal verdicts both noted Arman Abdolali’s allegations that he was held in solitary confinement for 76 days and repeatedly beaten to “confess” but failed to order an investigation and proceeded to characterize the “confessions” as “unequivocal”. In February 2020, the Supreme Court granted Arman Abdolali a retrial, mostly based on “possible doubts” about his maturity. In September 2020, Criminal Court One of Tehran Province sentenced him to death again, maintaining that it was impossible to assess his maturity seven years after the crime and, therefore, “the prima facie presumption of full criminal responsibility” stands. In February 2021, the Supreme Court upheld the verdict.

I ask you to immediately halt the executions of Hossein Shahbazi and Arman Abdolali. I call on you to quash their convictions and sentences and grant them fair retrials in full compliance with the principles of juvenile justice, excluding coerced “confessions” and without resorting to the death penalty. I also urge you to take immediate steps to completely abolish the use of the death penalty against child offenders, in line with Iran’s obligations under international law including the Convention on the Rights of the Child.

Yours sincerely

ADDITIONAL INFORMATION

Hossein Shahbazi was arrested on 30 December 2018 and denied access to a lawyer and his family for 11 days while undergoing interrogations at a detention facility run by the Investigation Unit of Iran's police (*Agahi*) in Shiraz. He was then transferred to a juvenile detention facility but still denied access to his family for several days, after which his mother was allowed to visit him. The conviction and sentencing of Hossein Shahbazi to death, in part, on the basis of an opinion from the Legal Medicine Organization of Iran (LMOI) confirming his maturity at the time of the crime again highlights the complicity of doctors affiliated with the LMOI in the ongoing assault on children's right to life in Iran. Amnesty International has previously [called](#) on the LMOI to refrain from participating in processes that inherently violate the human rights of children and facilitates their execution, and to adopt a position that all children under the age of 18 must be treated as less mature and culpable than adults, in accordance with established international principles of juvenile justice. Medical professionals have a clear duty to avoid any involvement in torture and other cruel, inhuman or degrading punishment including the death penalty.

Arman Abdolali was first sentenced to death on 23 December 2015 after Branch 4 of the Provincial Criminal Court of Tehran convicted him of murder in connection with the disappearance of his girlfriend in 2014. In its verdict, the court stated that the way the murder was committed without leaving any trace indicated that Arman Abdolali had attained maturity and understood the nature and consequences of the crime. In reaching this decision, the court also relied on the opinion of a Children and Adolescent Court Advisor that Arman Abdolali understood the "abhorrent" nature of the crime committed. As such, the court concluded that he merited the death penalty as per Article 91 of the Islamic Penal Code. On 20 July 2016, Branch 29 of Iran's Supreme Court upheld the conviction and sentence. Arman Abdolali was subsequently scheduled for execution on 1 January 2020, but following an international outcry his execution was halted. On 8 February 2020, Branch 15 of the Supreme Court granted Arman Abdolali's request for a retrial after the Children and Adolescent Court Advisor involved during the original trial withdrew her initial opinion and noted in writing regret that she had issued the opinion without meeting Arman Abdolali and without having studied his criminal casefile or obtaining any information about his character. Arman Abdolali's case was then referred to Branch 5 of Criminal Court One of Tehran Province for a retrial, which largely focused on whether there were any doubts about his maturity at the time of the crime to warrant replacing his death sentence with an alternative sentence; but the court did not consider the sufficiency of the evidence leading to his initial conviction. On 22 September 2020, Branch 5 of Criminal Court One of Tehran ruled that it was not possible to determine Arman Abdolali's maturity years after the crime took place, and in the absence of any evidence to the contrary, "the prima facie presumption of full criminal responsibility" stands. This ruling highlights once again the flawed nature of Iran's juvenile justice system, which considers that in cases of murder and certain other capital crimes, boys aged above 15 lunar years and girls aged above nine lunar years are as culpable as adults and, therefore, merit the death penalty. While Article 91 of the Islamic Penal Code grants judges discretion to replace the death penalty with an alternative sentence if they find that there are doubts about the individual's full "maturity" at the time of the crime, in practice, there are no policies and guidelines in place on the types of evidence and the standards of proof needed to rebut the presumption of maturity. Amnesty International has repeatedly called on the Iranian authorities to amend Article 91 of the Islamic Penal Code to completely abolish the use of the death penalty for all child offenders, without any exception or discretion for judges.

The absolute prohibition on the use of the death penalty against persons who were under the age of 18 at the time of the crime is provided in the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child, both of which Iran has ratified. It is also recognized as a peremptory norm of customary international law, which means it is accepted and recognized by the international community of states as a norm which is binding on all states and from which no derogation is permitted.

In a [media interview](#) on 30 June 2021, the deputy for Iran's Hight Council for Human Rights, Majid Tafreshi, stated "When we are talking about under-18s, we are not talking about six or five years old. We are talking about mainly 17 years old big boys (where) the court recognized their maturity". Amnesty International recorded the execution of at least three people who were under the age of 18 at the time of the crime in 2020. The organization has also identified over 80 other individuals on death row who were under the age of 18 at the time of the crime. In 2020, Iran carried out at least 246 executions.

PREFERRED LANGUAGE TO ADDRESS TARGET: Persian, English

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 14 September 2021

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: Hossein Shahbazi, Arman Abdolali (all he/him)