

IRAN

STILL EXECUTING CHILD OFFENDERS

SUBMISSION TO THE UN COMMITTEE ON
THE RIGHTS OF THE CHILD FOR THE 71
PRE-SESSIONAL WORKING GROUP (8
JUNE 2015 - 12 JUNE 2015)

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1. INTRODUCTION

This submission to the UN Committee on the Rights of the Child (the Committee) is made ahead of the Committee's consideration of Iran's third periodic report on its application of the UN Convention on the Rights of the Child (the CRC).

The submission focuses on Iran's execution of child offenders, a particularly egregious violation of the CRC. Amnesty International also has other concerns in Iran relevant to the Committee's mandate - such as violence and discrimination against girls, children from ethnic and religious minorities, children of diverse sexual orientations and gender identities, children of Afghan refugees and migrants, street children and child workers - but is pleased to note that some of these issues are addressed in submissions made to the Committee by other NGOs. This submission, therefore, is concerned with the use of the death penalty against and executions of child offenders. It also briefly addresses the negative impact of public executions on the mental health and well-being of children in Iran. The submission includes Amnesty International's key recommendations to the Iranian government on these issues of concern.

2. MEASURES LIMITING IMPLEMENTATION (ARTICLE 51)

The Islamic Republic of Iran ratified the UN Convention on the Rights of the Child (the CRC) on 13 July 1994, maintaining a general “reservation to the articles and provisions which may be contrary to Islamic Laws” that it entered when signing the Convention. As the Committee has previously noted, the “broad and imprecise nature of the State party’s general reservation potentially negates many of the Convention’s provisions and raises concern as to its compatibility with the object and purpose of the Convention.”¹

At its previous periodic review of Iran’s application of the CRC, the Committee recommended that Iran should amend its general reservation; however, Iran’s government has taken no steps to comply.²

Iran did not enter reservations to any provisions of the International Covenant on Civil and Political Rights (ICCPR) when ratifying that treaty in 1975. Nor did Iran do so following the change of governmental structure in 1979 that saw the establishment of the Islamic Republic, or at any time since. This contrasts with Iran’s approach to the CRC, in relation to which, upon ratification, Iran reserved the right not to apply any provisions or articles of the CRC that it deems incompatible with “Islamic Laws”. For example, while the CRC considers a child to be any person under 18 years, Iranian law treats children convicted of capital offences in the same way as adults at significantly lower ages and discriminates in this regard on gender grounds. Under the Penal Code, girls become criminally liable for capital offences on the same basis as adults when they reach nine lunar years (8.7 solar years); boys incur the same liability when they reach 15 lunar years (14.6 solar years).

Iran’s reservations to the CRC are particularly inappropriate in light of its ratification of the ICCPR without reservations, and injurious to the rights of children in Iran. Amnesty International urges the Committee to draw Iran’s attention to this untenable contradiction and recommend that Iran remedies it by withdrawing its reservation to the CRC and committing to full implementation of the Convention.

Amnesty International urges the Iranian authorities to:

- Withdraw Iran’s reservation to the Convention on the Rights of the Child; such a general reservation is not compatible with the object and purpose of the Convention.

¹ Concluding Observations of the Committee on the Rights of the Child: Iran (Islamic Republic of), UN Doc. CRC/C/15/Add.123, 28 June 2000, para. 7.

² Concluding Observations of the Committee on the Rights of the Child: Iran (Islamic Republic of), UN Doc. CRC/C/15/Add.123, 28 June 2000, para. 8; Concluding Observations of the Committee on the Rights of the Child: Iran (Islamic Republic of), UN Doc. CRC/C/15/Add.254, 31 March 2005, para. 7.

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- Pending Iran's withdrawal of the reservation, refrain from invoking the reservation as a legal justification to allow for the execution of child offenders.

3. EXECUTIONS OF CHILD OFFENDERS (ARTICLES 6 AND 37)

More than two decades after its ratification of the CRC, Iran still applies the death penalty against, and executes, persons convicted of crimes committed before they reached the age of 18. Iran has maintained this policy and practice although the Committee has stated that it “deplores the fact that such executions have continued since the consideration of the State party’s initial report”³ and “emphasizes that such a penalty [sentence of death] is incompatible with the Convention.”⁴

Amnesty International notes that Iran’s state report to the Committee makes no reference to the execution of child offenders, rather confining its reference to the right to life of the child to issues such as “the child’s right to life [at] the prenatal stage” and “insurance against incidents and congenital disabilities”.

AMNESTY INTERNATIONAL MAKES THE FOLLOWING RECOMMENDATIONS:

To the Iranian Parliament:

- Abolish the death penalty for all crimes, and pending this step prohibit the use of the death penalty in all cases where those convicted of capital crimes were under 18 years of age at the time that the crimes were committed.

To the Head of the Judiciary:

- Take steps to ensure that the death penalty may never be imposed for crimes committed when a person was under 18 and that no persons are executed for crimes committed before they reached the age of 18;
- Take the necessary legal measures to commute, without delay and in conformity with the CRC, all death sentences imposed on persons who were under 18 years of age when the crimes of which they were convicted were committed.

AVAILABLE DATA

Ayatollah Sadeq Amoli Larijani, the head of Iran’ judiciary, responded in April 2014 to a European Parliament resolution condemning the high number of executions, including of minors, in Iran, stating: “In the Islamic Republic of Iran, we have no execution of people under the age of 18. This is a blatant lie by the European Parliament.” He also challenged

³ Concluding Observations of the Committee on the Rights of the Child: Iran (Islamic Republic of), UN Doc. CRC/C/15/Add.254, 31 March 2005, para. 29.

⁴ Concluding Observations of the Committee on the Rights of the Child: Iran (Islamic Republic of), UN Doc. CRC/C/15/Add.123, 28 June 2000, para. 29.

the European Parliament to name the victims: “if the claim about the execution of people under the age of 18 is genuine, why then have the names of these individuals not been announced.”⁵

In fact, Amnesty International has received reports of at least 72 executions of child offenders in Iran since 2005, all of which have been carried out without the knowledge and permission of the head of the judiciary. The crimes for which these 72 child offenders were sentenced to death included rape, “non-consensual anal sex with a member of the same sex” (*lavat* or *lavat be on onf*), “enmity against God” (*moharebeh*) and drugs-related charges (See Appendix 1). According to the Report of the UN Secretary General on the situation of human rights in Iran in August 2014, more than 160 child offenders are currently on death row.⁶ Amnesty International has repeatedly appealed to the Iranian authorities to cease executions of child offenders; in many cases, they are believed to have been sentenced to death after proceedings that failed to meet international standards for fair trial.⁷

Amnesty International faced many obstacles in obtaining this data, and recognizes that it is probably incomplete. The Iranian authorities have not allowed Amnesty International access to Iran to conduct human rights research for more than 30 years; the last such research visit by Amnesty International to Iran took place shortly after the 1979 Revolution. Moreover, detailed information on child offenders under sentence of death, including their precise number, is not readily available in Iran. Cases in which the death penalty is imposed are not regularly reported by the media in Iran or by the judiciary, and often such cases come to attention for the first time when the Supreme Court has confirmed the death sentence or when the execution has been carried out. Even in cases that come to light earlier, including cases of child offenders sentenced to death, it is often difficult or impossible to monitor developments closely. This is because lawyers and families of prisoners on death row are often reluctant to provide information and share court documents for fear that this could place them in jeopardy from Iranian security authorities or because they too are unable to obtain information about those on death row.

⁵ “We do not have execution of people under the age of 18”, *Iranian Students’ News Agency*, 9 April 2014, at: <http://bit.ly/1ENw90x> (accessed 27 January 2015).

⁶ Situation of human rights in Iran: Report of the UN Secretary General, UN Doc. A/69/306, 12 August 2014, para. 17.

⁷ “Iran: Juvenile offender at risk of execution in Iran: Rasoul Holoumi” (MDE 13/040/2014), 11 July 2014, at: <http://www.amnesty.org/en/library/info/MDE13/040/2014/en>; “Iran: Youth at risk of hanging amid disturbing rise in juvenile executions”, 15 July 2014, at: <http://www.amnesty.org/en/news/iran-youth-risk-hanging-amid-disturbing-rise-juvenile-executions-2014-07-15>; “Iran: Juvenile offender nearing execution” (MDE 13/037/2014), 19 June 2014, at: <http://www.amnesty.org/en/library/info/MDE13/037/2014/en>; “Iran: Execution of child offender Makwan Moloudazdeh is a mockery of justice”, 6 December 2007, at: <http://www.amnesty.org/en/for-media/press-releases/iran-execution-child-offender-makwan-moloudazdeh-mockery-justice-2007120>.

AMNESTY INTERNATIONAL MAKES THE FOLLOWING RECOMMENDATIONS:

To the Head of the Judiciary:

- Publish regularly comprehensive disaggregated data on the use of the death penalty against persons who were under 18 at the time of the crime for which they were convicted, indicating (a) the nature of the crime, when and where it was committed; (b) the age, gender and ethnicity of the person convicted; (c) which court convicted them, and (d) whether the conviction and sentence is awaiting appeal or have been confirmed;
- Publish and make available to the Committee on the Rights of the Child the number and identities of all persons executed in Iran for crimes committed when younger than 18 since 13 July 1994, the date of Iran's CRC ratification.

IRANIAN LAW AND THE DEATH PENALTY

Under Iran's Penal Code, children can be sentenced to death for a wide range of offences, many of which do not meet the threshold of "most serious crimes" under international law. International human rights bodies interpret the term "most serious crimes" as excluding crimes other than those that involve intentional killing.⁸

Iran's legal system distinguishes four types of punishments: *hodoud* (fixed punishments prescribed by "Islamic Law" (*Shari'a*)); *qesas* (retribution-in-kind, broadly akin to "an eye for an eye" punishment); *diyah* (financial compensation referred to as "blood money"); and *ta'zir* (punishments not fixed and predetermined by *Shari'a* which are imposed at the discretion of judges for crimes proscribed by the Penal Code).

Capital *hodoud* offences for which children can be sentenced to death include: "adultery while married" (*zina*),⁹ conviction for the fourth time for fornication by an unmarried person,¹⁰ conviction for the fourth time for drinking alcohol,¹¹ "anal sex between men" (*lavat*),¹² conviction for the fourth time for "same-sex sexual conduct between men without penetration" (*tafkhez*),¹³ conviction for the fourth time for "same-sex sexual conduct between

⁸ Special Rapporteur on extrajudicial executions, UN Doc. A/HRC/4/20, 29 January 2007, paras. 53, 65; Special Rapporteur on extrajudicial executions, UN Doc. A/67/275, 9 August 2012, para 67.

⁹ The Islamic Penal Code, Article 225 (2 May 2013), at: <http://rc.majlis.ir/fa/news/show/845002> (accessed 16 February 2015).

¹⁰ The Islamic Penal Code, Articles 225 and 136.

¹¹ The Islamic Penal Code, Articles 264 and 136.

¹² The Islamic Penal Code, Article 234.

¹³ The Islamic Penal Code, Article 236 and 136.

women” (*mosaheqeh*),¹⁴ and “insulting the Prophet, the twelve Shi’a Imams or Prophet’s daughter Fatemeh” (*sabbi nabi*).¹⁵

MAKWAN MOLOUDZADEH

Makwan Moloudzadeh, a child offender from Iran’s Kurdish minority, was executed in Kermanshah Central Prison on 4 December 2007 after he was convicted of “having anal sex by force” (*lavat be onf*) with a 13-year-old boy. Makwan Moloudzadeh was aged 13 at the time of the alleged offence. His trial, held in the western cities of Kermanshah and Paveh, was unfair.

On 7 June 2007, Branch One of the Criminal Court in Kermanshah convicted Makwan Moloudzadeh and sentenced him to death. In court, he retracted a pre-trial “confession” that he had engaged in a sexual relationship with a 13-year-old boy in 1999, which he alleged interrogators had extracted from him under torture and other ill-treatment in detention. During his trial, the complainants against Makwan Moloudzadeh withdrew their accusations, saying either that they had lied or that they had been forced by police to lodge complaints. Despite this and the absence of evidence of an offence, the judge relied on his “knowledge” and concluded both that the alleged offence had been committed and that Makwan Moloudzadeh should be tried as an adult. Under Article 120 of the former Islamic Penal Code, a judge who hears a case involving alleged “anal sex between men” (*lavat*) has discretion to “make his judgement according to his knowledge which is obtained through conventional methods”.

The death sentence was upheld by the Supreme Court in August 2007. However, in November 2007, after Makwan Moloudzadeh’s lawyer filed a request for a judicial review on the case, the then Head of the Judiciary, Ayatollah Mahmoud Hashemi Shahroudi, granted a temporary stay of execution pending further review. On or around 1 December 2007 the review found no fault with the verdict, and Makwan Moloudzadeh was executed soon after; his lawyer was not given advance notice of the execution as required by Iranian law.

According to the media interviews given by Makwan Moloudzadeh’s relatives and lawyer at the time, the authorities paraded Makwan Moloudzadeh through the streets of Paveh riding on a donkey with his head shaved shortly after his arrest on 1 October 2006. No investigation is known to have been held by the Iranian authorities into Makwan Moloudzadeh’s allegations of torture and other ill-treatment in detention or the allegations of coercion made by complainants who withdrew their accusations against Makwan Moloudzadeh and said they had been forced to provide false testimony.

Other *hodoud* crimes which can attract the death penalty include the vague and overly-broad offences of “sowing corruption on earth” (*efsad-e fel-arz*) and “enmity against God” (*moharabeh*). The former applies to those who “commit crimes against the physical well-being of the public; engage in crimes against internal or external security, publish lies, damage the economy of the country, engage in destruction and sabotage ... or operate or manage centers of corruption or prostitution in a way that seriously disturbs the public order and security of the nation”.¹⁶ The latter applies to those who “threaten public security by

¹⁴ The Islamic Penal Code, Article 239 and 136.

¹⁵ The Islamic Penal Code, Article 262.

¹⁶ The Islamic Penal Code, Article 286.

drawing arms with the intent to kill, injure, steal, or frighten members of the public”.¹⁷

As *hodoud* crimes are regarded as crimes against God, unlike *ta'zir* punishments, they are not open to pardon by the Supreme Leader on the recommendation of the Head of the Judiciary.

SAMAN NASEEM & BARZAN NASROLLAHZADEH

Saman Naseem, a member of Iran's Kurdish minority, was sentenced to death after he was convicted of “enmity against God” (*moharebeh*) and “corruption on earth” (*isfad fil- arz*) for allegedly taking part in armed activities against the state, that led to the death of a member of the Revolutionary Guards. He was 17 years old at the time of the alleged crime. Authorities secretly scheduled Saman Naseem's execution for 19 February 2015, but when this became known it sparked wide international concern and appeals to the Iranian authorities by, among others, the European Parliament, the UN Special Rapporteur on the Situation of Human Rights in Iran, the UN Special Rapporteur on Extrajudicial Executions, and the Office of the UN High Commissioner for Human Rights, urging the Iranian authorities not to proceed with Saman Naseem's execution and send his case for judicial review.

Despite these interventions, the Iranian authorities removed Saman Naseem from Oroumieh Central Prison to an unknown location the day before his scheduled execution, and subsequently refused either to confirm his execution or disclose his whereabouts, causing his family, who remain uncertain of his fate, acute mental anguish.

Saman Naseem was arrested on 17 July 2011 after an armed clash in Sardasht, Western Azerbaijan Province, between Iran's Revolutionary Guards and members of the Party For Free Life of Kurdistan (PJAK) armed opposition group. According to court documents, one Revolutionary Guard died in the clash and three others were wounded. Following his arrest, Saman Naseem was transferred to a Ministry of Intelligence detention centre in Oroumieh, West Azerbaijan province, where he was detained for two months without access to a lawyer or his family. In September 2011, he was forced to make a televised “confession” which was aired on state television.

Saman Naseem's trial before the Revolutionary Court of Mahabad was grossly unfair. During the first court session, he retracted his “confession” made in pre-trial detention, the contents of which he said he had not been permitted to read, and alleged that interrogators had tortured him by suspending him upside down while blindfolded, extracted his toe and finger nails, and beaten him on his back, legs and abdomen. The court dismissed Saman Naseem's allegations of torture and other ill-treatment and admitted his pre-trial “confession” as evidence against him.

Saman Naseem was first sentenced to death in January 2012 by the Revolutionary Court of Mahabad, but Branch 32 of the Supreme Court overturned this sentence in August 2012 and sent his case to a court of first instance for retrial, noting that he was under 18 at the time of the crimes of which he was convicted. In April 2013, a Criminal Court in Mahabad sentenced Saman Naseem to death for a second time; it too accepted his torture-tainted “confession” as evidence against him. The court documents make no reference to the earlier Supreme Court ruling that Saman Naseem was under 18 at the time of the crime but allege that he joined the

¹⁷ The Islamic Penal Code, Article 279.

PJAK knowing that it aimed to overthrow the current system in Iran.

In December 2013, the same Branch of the Supreme Court that had previously overturned the verdict upheld Saman Naseem's death sentence. The death sentence was subsequently sent to the Office for the Implementation of Sentences, which meant Saman Naseem could be executed at any time.

Barzan Nasrollahzadeh, a Sunni Muslim school student and member of Iran's Kurdish minority, was sentenced to death by a Revolutionary Court that convicted him of "enmity against God" (*moharebeh*) for "having connections with Salafist groups". He was arrested on 29 May 2010 apparently by Ministry of Intelligence officials in plain clothes in the city of Sanandaj, Kordestan Province, as he returned home from school. He alleges that one officer in plain clothes shot him in the abdomen, causing injuries to his spleen for which he did not receive adequate medical care. He was under 18 at the time of his arrest. Following his arrest, he was held for several months in a Ministry of Intelligence detention facility in Sanandaj during which he was denied access to a lawyer. He alleges that security officials there tortured him by using an electric-shock device, suspended him upside down from a ceiling, and beat him. Barzan Nasrollahzadeh has said that the authorities did not permit him to obtain representation by a lawyer of his own choosing but instead appointed a state lawyer to represent him whom he was not able to meet. Branch 28 of the Revolutionary Court in Tehran sentenced Barzan Nasrollahzadeh to death after a single hearing on 21 August 2013 that is said to have lasted less than one hour. He is currently awaiting the outcome of an appeal to the Supreme Court.

In the category of *qesas*, the death penalty is provided for murder, which is treated as a private dispute between two civil parties. This means that in cases of murder, the family of the murder victim is entitled to ask that their relative's killer be put to death at any time after the *qesas* sentence has been confirmed by the Supreme Court and sent to the Office for the Implementation of Sentences. The family can also choose to forgive the culprit or accept payment of "blood money" (*diyeh*) instead. As a result, sentences of *qesas* are not open to pardon or amnesty by the Supreme Leader.

This legal arrangement is believed to have created opportunities for extortion and placed child offenders from poorer families who are unable to raise the amount of "blood money" demanded, at greater risk of execution. In many cases, families of murder victims have agreed to stay a condemned person's execution and pardon them in return for "blood money" after months and years of pleading; thereby exposing the condemned prisoner, including child offenders, to extremely prolonged periods on death row, amounting to cruel and inhuman treatment.

In recent years, there have been also an increasing number of reports about families of murder victims who have decided to stay an execution and pardon the condemned prisoner at the very last minute when they have already put the noose around the prisoner's neck and prepared to kick the chair from under his or her feet. These last-minute stays of executions have an effect akin to that of a mock execution, which has been considered to amount to torture and other cruel, inhumane and degrading treatment.

The Iranian authorities point to this phenomenon of last-minute stays of execution as a positive example of forgiveness without giving adequate consideration to its adverse impact on the mental health of convicted child offenders and other prisoners sentenced to death in the context of *qesas*.

SINA PAYMARD

Sina Paymard, a juvenile offender on death row, was taken to the gallows twice before the family of the victim agreed to pardon him. He was sentenced to death for the murder of an alleged drug dealer in 2004 when he was aged 16 and his death sentence was subsequently confirmed by Branch 33 of the Supreme Court. He was first scheduled for execution on 20 September 2006, two weeks after his 18th birthday, but as a last request as he was about to be hanged, he was allowed to play the *ney*, a type of flute, which so moved relatives of the murder victim who were present to witness his execution that they agreed to a last-minute reprieve in return for payment of the “blood money” (*dijeh*). His execution was then postponed for two months for the families of Sina Paymard and his alleged victim to agree the amount of *dijeh* to be paid. However, when Sina Paymard’s family were able to raise only US\$70,000 of the US\$160,000 demanded by the victim’s family, his execution was rescheduled for 18 July 2007. At the last moment, however, the Head of the Judiciary intervened to grant a stay of execution to enable the families more time to conclude a settlement, which they did with the help of financial donations human rights activists and others in Iran.

After the payment of the *dijeh* at the end of July 2007, Sina Paymard remained in custody pending the decision of a Criminal Court on the length of time he would still have to serve in prison. The Court ruled that he should be released, as he had already spent three and half years in prison. Sina Paymard was released on 24 December 2007.

AMNESTY INTERNATIONAL MAKES THE FOLLOWING RECOMMENDATIONS:

To Parliament

- Urgently revise the Islamic Penal Code to explicitly prohibit the use of the death penalty against persons convicted of crimes committed below eighteen years of age, in all cases and without reservation.
- Immediately pass legislation establishing a moratorium on all executions with a view to eventual abolition of the death penalty.
- Revise Iranian legislation to ensure that all persons sentenced to death can seek pardon or commutation of their sentence, irrespective of their financial status.

INADEQUATE REFORMS AND INCONSISTENT IMPLEMENTATION

In its last periodic review by the Committee in 2005, Iran highlighted its efforts to adopt a law prohibiting the death penalty in respect of children. Ten years later, Iran has still to take the legislative measures necessary to abolish the death penalty for child offenders.

In May 2013, Iran adopted a new Penal Code that introduced a range of measures that provide for the removal of children who commit “discretionary” (*ta’zir*) crimes from the criminal justice system to the care of social services or correctional centres for children.¹⁸ However, the new Penal Code failed to clarify adequately whether this exclusion of children held to have committed “discretionary” (*ta’zir*) crimes includes persons under 18 who are convicted of drugs-related crimes – offences that are considered *ta’zir* crimes and are

¹⁸ The Islamic Penal Code, Articles 88-90.

punishable by death under Iran's Anti-Narcotics Law.¹⁹ In an advisory opinion dated 31 May 2014, the Legal Office of the Judiciary held that children convicted of capital drug-related offences must be sentenced in accordance with the alternative measures set out in the new Penal Code.²⁰ However, it is unclear whether Revolutionary Courts, which have jurisdiction over drug-related offences, accept and are complying with this advisory opinion. Since the adoption of the new Penal Code, Amnesty International notes that at least two child offenders, **Osman Dahmardeh** and **Janat Mir**, have been executed after Revolutionary Courts convicted them on drugs-trafficking charges.

Iran's revised Penal Code also failed to prohibit the imposition of the death penalty on child offenders convicted of *hodoud* and *qesas* crimes. It did, however, include a provision - Article 91 - that gives judges discretion not to impose the death penalty for *hodoud* and *qesas* crimes when convicting defendants who were under 18 at the time of the crime if they determine that the child offender did not comprehend the nature of the crime or its consequences or that the defendant's mental growth and maturity is in doubt.

Between May 2013 and January 2015, some branches of Iran's Supreme Court granted the requests of several child offenders' lawyers for judicial review (*e'adeyeh-e dadresi*) based on Article 91 of the revised Penal Code, and remitted cases back to court of first instance for retrial. Other Supreme Court branches, however, refused to accept that Article 91 provided valid grounds for judicial review or retrial. This inconsistency in the jurisprudence led some lawyers in 2014 to apply to the General Board of the Supreme Court for a "pilot judgement"; on 2 December, 2014, the General Board ruled that all persons on death row for crimes committed when they were under 18 are entitled to submit applications for judicial review of their cases to the Supreme Court.²¹

This is a positive and welcome development but it remains to be seen how fully it will be implemented in practice and whether it will prevent further executions of child offenders.

In particular, it is unclear whether child offenders convicted of security-related crimes will be permitted to seek judicial review. The case of Saman Nasseem, cited above, suggests that this may not be permitted.

¹⁹ Iran's Anti-Narcotics Law applies the death penalty for making, trafficking or possessing more than 30g of specified synthetic, non-medical psychotropic drugs and for recruiting or hiring people to commit any of the crimes under the law, or organizing, running, financially supporting, or investing in such crimes where they are punishable with life imprisonment. It also provides for a mandatory death sentence for the "heads of the gangs or networks", although there is no definition given of a gang or network. For more information see, Amnesty International, *Addicted to Death: Executions for Drugs Offences in Iran* (MDE 13/090/2011), 15 December 2011, at: <http://www.amnesty.org/en/library/info/MDE13/090/2011> (accessed 30 January 2015).

²⁰ Legal Office of the Judiciary, Advisory Opinion No. 357/93/7, 31 May 2014, at: <http://edarehoquqy.ir/Default.aspx?tabid=4988&articleType=ArticleView&articleId=87698> (accessed 23 February 2015).

²¹ "The Judgement of the Supreme Court on [the availability of] Judicial Review for under 18 people sentenced to *qesas*", Iranian Students' News Agency, 21 January 2015, at: <http://www.isna.ir/fa/news/93110100386/رای-دیوان-عالی-درباره-اعاده-درباره-عالی-دیوان-رای> (accessed 30 January 2015).

Further, families of child offenders on death row who have low literacy skills or limited resources may either not be informed of or be able to afford pursuing this new means of legal recourse.

Also, trial judges have wide discretion to determine the mental maturity of those they convict as child offenders. In doing so, they may seek expert opinion from the Legal Medicine Organization of Iran or use other means that they consider appropriate. Some judges appear to exercise this discretion without seeking expert opinion although they lack adequate knowledge and expertise on issues of child psychology, as reflected in the case of Fatemeh Salbehi, described below.

FATEMEH SALBEHI

Fatemeh Salbehi was sentenced to death in May 2014 by Branch 4 of the Criminal Court in Fars Province after it convicted her of the murder of her husband, whom she had married when she was 15. She was 17 at the time of the crime for which she was convicted. Prior to the marriage, she had not met her husband, a distant relative almost twice her age. She said that it was a forced marriage that her parents forced her into after she had divorced her first abusive husband, who she was also forced to marry.

Fatemeh Salbehi was initially sentenced to death in May 2010 by Branch 5 of the Criminal Court in Fars Province. This sentence was upheld by Branch 14 of the Supreme Court in August 2010. Following the adoption of the new Penal Code in May 2013, Fatemeh Salbehi's lawyer submitted a "judicial review" request that was granted by the same branch of the Supreme Court in September 2013. Her case was subsequently sent to Branch 4 of the Criminal Court in Fars Province to be retried in light of Article 91 of the revised Penal Code.

Fatemeh Salbehi's retrial lasted around three hours. The judges asked her if she had understood the nature of the crime at the time she was alleged to have committed it; whether she had studied religious textbooks in school and prayed and read the Quran; and whether she understood that killing another human being is "religiously forbidden" (*haram*). The court then re-sentenced Fatemeh Salbehi to death in May 2014 based on her responses to these questions, after concluding that she was mentally mature and understood the nature of her alleged crime at the time it was committed.

The court rejected a defence request to refer Fatemeh Salbehi for examination by the Legal Medicine Organization of Iran (LMOI), relying instead on a May 2009 LMOI finding that she was "not insane". Fatemeh Salbehi is currently awaiting the outcome of her second appeal to the Supreme Court.

PENDING THE ADOPTION OF A LAW ABOLISHING THE USE OF THE DEATH PENALTY AGAINST CHILD OFFENDERS, AMNESTY INTERNATIONAL MAKES THE FOLLOWING RECOMMENDATIONS:

To the Head of the Judiciary:

- Immediately establish a moratorium on all executions of those convicted of crimes committed before they were 18;
- Take all legal measures necessary to ensure that all child offenders sentenced to death are granted a judicial review of their cases, in accordance with Article 91 of the Penal Code, and that their death sentences are commuted if their convictions are upheld;
- Ensure that all persons involved in the administration of juvenile justice, including trial judges,

receive appropriate training on Article 91 in a manner consistent with Iran's obligations under the CRC.

UNFAIR TRIALS

In Iran, serious failings in the justice system commonly result in unfair trials, including in cases where alleged child offenders and other defendants face the death penalty. These failings include: lack of access to legal counsel and to a lawyer of one's choice; torture and other ill-treatment in pre-trial detention; allowing confessions extracted under duress to be used in trial proceedings; the use of detention centres outside the official prison system; denial of the right to call defence witnesses; failing to give adequate time to the defence to present its case; and imprisoning defence lawyers if they protest against unfair proceedings.

Under Iran's current Code of Criminal Procedure, defendants only have the right to a lawyer after investigations are complete and they have been formally charged. This allows prolonged periods of incommunicado detention as well as interrogation without the presence of lawyers, both of which facilitate the use of torture or other ill-treatment to obtain confessions.

RASOUL HOLOUMI

Rasoul Holoumi, now aged 22, was sentenced to death in October 2010 under "retribution-in-kind" (*qesas*) by Branch 17 of the Criminal Court in Khuzestan Province. The court convicted him of killing another boy in a fight involving others in 2009, when he was aged 17. The court convicted him on the basis of testimony by others involved in the fight that he threw a hard object at the head of the victim. According to the court documents, Rasoul Holoumi initially admitted causing the fatal head injuries, but retracted his confession weeks later.

The authorities denied Rasoul Holoumi access to a lawyer during the investigation phase and did not allow him adequate time and facilities to prepare his defence. His death sentence was confirmed by the Supreme Court later in 2010.

Rasoul Holoumi was scheduled to be executed on 4 May 2014 but the execution was stopped after the family of the victim agreed to forgo their request for *qesas* if Rasoul Holoumi's family transferred the deeds of their house and farm to them and paid them 3.5 billion rials (135,323\$) as *diyah* (blood money).

In 2014, Rasoul Holoumi's lawyer filed a request with the Supreme Court for a "judicial review" of the case under Article 91 of the Islamic Penal Code. In xx 2014, the Supreme Court granted the request for judicial review and remitted the case back to Branch 16 of the Criminal Court in Khuzestan Province for retrial.

4. CHILDREN WITNESSING PUBLIC EXECUTIONS (ARTICLES 19 AND 37)

Iranian laws do not explicitly provide for public executions as a form of punishment; however, trial judges have discretion to determine whether a death sentence should be implemented in public. Amnesty International recorded at least 44 public executions in Iran in 2013 and 29 in 2014; in those cases, officials used construction cranes as gallows, so that the victims were raised up for spectators to see as they hanged by the neck from a rope attached to the crane. Most victims of public executions were convicted of crimes such as rape, armed robbery, aggravated murder, and drugs-related offences. Public executions – including multiple executions – are sometimes carried out in the main squares of cities or at the location where the crimes of which they were convicted were carried out. In January 2008, the then Head of the Judiciary, Ayatollah Mahmoud Hashemi-Shahrudi, issued a decree prohibiting executions in public without the prior approval of the Head of the Judiciary and, even then, allowing them only in cases of “societal needs.” The decree also banned publication of any images of executions in the media. In an interview at the time, the Spokesperson of the Judiciary stated: “The capital punishment, which is based on the country’s legislation and is applicable to a very limited number of crimes, should not be publicized in a manner that causes the society, in particular children and adolescents, mental disturbance”.²²

This decree was of short duration. In July 2008, the authorities resumed public executions and images of execution appeared in the media again. The images often show a large gathering of spectators, including young children, raising concern as to the negative impact on the mental well-being of children who witness public executions. Some reports suggest that children have lost their lives as a result of being exposed to public executions. For example, in September 2013, local media in the city of Kermanshah, Western Iran, reported that Mehran Yousofi, a boy of eight, had hanged himself when playing with his friends after seeing images of a public execution.²³ In November 2013, media also reported that Mohammad Ashoubi, aged 7, died from strangulation when he hanged himself while attempting to reconstruct a public execution scene by placing a noose made from laundry rope around his neck and standing on his car toy.²⁴ In September 2014, media reported that Ali Akbar Younesi, aged 12, had died from hanging when using his father’s belt to replicate an execution scene that he had witnessed two weeks earlier on 10 September in the city of Hamedan, Western Iran.²⁵

²² Ebtekar News, *Public executions are banned*, 31 January 2008, available at: <http://ebtekarnews.com/Ebtekar/News.aspx?NID=27494> (accessed on 3 February 2015)

²³ Tabyan, *Execution; the new game of children*, 19 November 2013, available at: <http://tebyan.net/newindex.aspx?pid=263116> (accessed on 3 February 2015)

²⁴ Bahar News, *“Execution game” took the life of a seven-year old child*, 12 November 2013, available at: <http://baharnews.ir/vdchmvmni.23nzvdf2.html> (accessed on 3 February 2015)

²⁵ Alef, *Public execution caused the death of a boy*, 24 September 2014, available at: <http://www.alef.ir/vdcjx8e8vuqexhz.fsfu.html?242941> (accessed on 3 February 2015)

- 18 Iran: Still executing child offenders
Submission to the UN Committee on the Rights of the Child for the 71 pre-sessional working group (8 June 2015 - 12 June 2015)

By allowing children to witness public executions, Iran may be in breach of Articles 19 and 37 of the CRC which place an obligation on state parties to protect children from all forms of physical or mental violence, and ensure that no child is subjected to cruel, inhuman or degrading treatment.

PENDING THE ADOPTION OF A LAW ABOLISHING THE USE OF THE DEATH PENALTY, AMNESTY INTERNATIONAL MAKES THE FOLLOWING RECOMMENDATIONS:

To the Head of the Judiciary:

- Immediately reintroduce a moratorium on all public executions and ensure full compliance with the moratorium.

5. APPENDIX 1 – REPORTED JUVENILE EXECUTIONS 2005-2014

No	Name	Age at time of alleged offence	Age at time of execution	Date	Location	Charge/Comment
2005						
1	Iman Farrokhi	17	22	19/01/2005	Tehran	Iman Farrokhi was sentenced to death under <i>qesas</i> (retribution-in-kind) for allegedly stabbing a man to death when he was hiking in the mountains outside Tehran in October 2000. In November 2002, Iman Farrokhi was also sentenced to three years in prison for carrying an illegal weapon and theft, and 80 lashes for the consumption of alcohol. The death sentence was upheld by Branch 4 of the Supreme Court in 2004 and carried out on 19 January 2005, the same day that the Committee on the Rights of the Child examined Iran's report.
2	Ali Safarpour Rajabi	16	20	13/07/2005	Lorestan	Ali Safarpour Rajabi was executed for allegedly killing Hamid Enshadi, a police officer, in Poldokhtar, Lorestan province western Iran. He was 16 years old at the time of the arrest and 17 years old when sentenced to death.
3	Mahmoud Asghari	15 or 16	16 or 17	19/07/2005	Mashhad	A member of Iran's Arab minority, Mahmoud Asghari was publicly hanged in a square in Mashhad, north-eastern Iran, after he was convicted, together with Ayaz Marhoni, of having "anal sex by force" (<i>lavat be onf</i>) with a 13-year old boy. The true nature of the alleged crime is disputed. Some sources have said that Ayaz Marhoni and Mahmoud Asghari were a couple who were executed for engaging in consensual sexual acts with each other, and possibly with the 13-year-old boy. They

						<p>were flogged 228 times before their execution for drinking alcohol, theft and causing public disorder.</p> <p>Photographs of the two boys being transported to their execution and of the execution itself were publicized around the world, and prompted international condemnation. One photo shows them crying while being interviewed by journalists en route to their hanging. Another shows them dangling from the crane. Witnesses said it took around 20 minutes for Ayaz Marhoni and Mahmoud Asgari to die, and a large crowd appears to have watched the execution.</p>
4	Ayaz Marhoni	16 or 17	17 or 18	19/07/2005	Mashhad	<p>A member of Iran's Arab minority, Ayaz Marhoni was publicly hanged in a square in Mashhad, north-eastern Iran, after he was convicted, together with Mahmoud Asghari, of having "anal sex by force" (<i>lavat be onf</i>) with a 13-year old boy. The true nature of the alleged crime is disputed. Some sources have said that Ayaz Marhoni and Mahmoud Asgari were a couple who were executed for engaging in consensual sexual acts with each other, and possibly with the 13-year-old boy. They were flogged 228 times before their execution for drinking alcohol, theft and causing public disorder.</p> <p>Photographs of the two boys being transported to their execution and of the execution itself were publicized around the world, and prompted international condemnation. One photo shows them crying while being interviewed by journalists en route to their hanging. Another shows them dangling from the crane. Witnesses said it took around 20 minutes for Ayaz Marhoni and Mahmoud Asgari to die, and a large crowd appears to have watched the execution.</p>
5	Farshid Farighi	14	21	01/08/2005	Bandar Abbas	<p>Farshid Farighi, aged 21, was hanged in the southern city of Bandar Abbas. He was convicted of stabbing to death five men, reported to be taxi drivers, in separate incidents. The first of the killings was in 1998 when Farshid Farighi was 14 years old. He was reportedly arrested in 2000</p>

						when he was 16. He was flogged before he was executed.
6	Name unknown	N/A	17	23/08/2005	Bandar Abbas	At least one 17-year-old youth (name unknown) was among four men under the age of 23, named only as AP, BK, HK and HJ, who were executed in public on 23 August in Bandar Abbas, according to Kayhan newspaper. Kayhan reported that HK and HJ had been convicted of kidnapping and rape, and that AP and BK had been convicted of rape and theft, and were flogged before they were executed.
7	Name unknown	17	22	12/09/2005	Fars	A 22-year-old man (name unknown) from a village named as Doust Iran Nodan was reported to have been hanged at dawn in public in Fars province. He had reportedly been sentenced to death for rape in 2000.
8	Rostam Tajik	16	20	10/12/2005	Esfahan	Rostam Tajik, a 20-year-old Afghan national, was executed in public in Esfahan on 10 December 2005. The previous day the UN Special Rapporteur on extrajudicial, summary or arbitrary executions had called on the Iranian authorities not to proceed with the execution. Rostam Tajik had been sentenced to death by Branch 9 of the General Court of Esfahan for the murder of a woman, Nafiseh Rafi'i, in May 2001 when he was 16 years old.
2006						
9	Majid Segound (Sagvand)	17	17	13/05/2006	Lorestan	Majid Segound was 17 when he was executed in public in Khorramabad, capital of Lorestan province, along with an unnamed 20-year-old man. According to Iranian press reports, the two had abducted, raped and murdered a 12-year-old boy, Kamran, in April 2006. Majid Segound and the unnamed man reportedly confessed to the crime during interrogation. The two were tried in an extraordinary session - an accelerated process - and were executed just one month after the murder.
10	Sattar	17	18	00/09/2006	Khorasan	Sattar had reportedly been sentenced to death by a court in Tehran on 26 January 2005, when he was 17, for the murder of a man named Mahmoud in Islamshahr,

						southern Tehran. The killing allegedly took place during a fight several months earlier.
11	Morteza M	16	18	07/11/2006	Yzad / Meybod	Morteza M was reported to have been publicly hanged in Yazd on 7 November 2006. According to reports, he was 18 at the time of execution and had been sentenced to death under <i>qesas</i> (retribution-in-kind) for the murder of his friend two years earlier.
12	Naser Batmani	17	22	na/12/2006	Sanandaj	Naser Batmani, aged 22, was hanged in Sanandaj Prison, Kordestan Province in late December 2006 for a murder allegedly committed when he was 17 years old, according to the Kurdistan Human Rights Organization. He was executed after serving a five-year prison sentence.
2007						
13	Mohammad Mousawi	16	19	22/04/2007	Shiraz	Mohammad Mousavi was reportedly hanged on 22 April 2007 in Shiraz when he was aged 19. His family are said not to have been notified of his execution. According to reports, Mohammad Mousavi was sentenced to death under <i>qesas</i> (retribution-in-kind) for a murder committed when he was 16.
14	Sa'id Qanabar Zahi	17	18	27/05/2007	Zahedan	<p>A member of Iran's Baluchi minority, Sa'id Qanabar Zah was sentenced to death at the age of 17 along with six other Baluchi men in March 2007. Information provided to Amnesty International suggests that the seven may have been arrested because of their family ties to those suspected of involvement in blowing up a bus carrying members of Iran's Revolutionary Guards Corps on 14 February 2007 in Zahedan, in which at least 14 people were killed.</p> <p>Unconfirmed reports suggest Sa'id Qanabar Zahi and the six others were tortured to "confess" including by having bones in their hands and feet broken, by being "branded" with a red-hot iron, and by having an electric drill applied to their limbs, shredding their muscles.</p>

15	Mohammad Pezhman	Under 18	N/A	29/05/2007	Boshehr	Sentenced to death by Bushehr Criminal Court for rape. The death sentence was upheld by Iran's Supreme Court.
16	Amir Asgari	Under 18	N/A	10/10/2007	Tehran	Sentenced to death for a crime he allegedly committed before reaching the age of 18.
17	Hossein Gharabaghloo	16	19	17/10/2007	Tehran	Hossein Gharabaghloo was sentenced to death under <i>qesas</i> (retribution-in-kind) by Branch 71 of Tehran General Court for allegedly stabbing his friend Mahmoud to death during a fight on 1 December 2004 in Robat-e Karim, near Tehran. The death sentence was upheld by Branch 31 of the Supreme Court on 13 December 2006.
18	Babak Rahimi	17	22	17/10/2007	Tehran / Evin	Babak Rahimi was sentenced to death under <i>qesas</i> (retribution-in-kind) for the alleged murder by suffocation of his roommate on 12 January 2002.
19	Name unknown (1)	Under 18	N/A	N.A/10/2007	N/A	The Afghanistan Independent Human Rights Commission (AIRHC) reported in early October 2007 that two Afghan children had recently been executed. Amnesty International does not have further information.
20	Name unknown (2)					
21	Mohamad Reza Turk	16	18	15/11/2007	Hamedan	Mohammad Reza Turk from Hamedan was executed for a murder allegedly committed in November 2005, when he was aged 16.
22	Makwan Moloudzadeh	13	21	04/12/2007	Dizelabad Prison, Kermanshah	<p>A member of Iran's Kurdish minority, Makwan Moloudzadeh was sentenced to death by Branch One of the Criminal Court of Kermanshah on 7 June 2007, for having "anal sex by force" (<i>lavaf</i>) with a 13 year old. The death sentence was upheld by Iran's Supreme Court in August 2007.</p> <p>Makwan Moloudzadeh retracted his "confession" to having had a sexual relationship with a 13-year-old boy in 1999 in court, saying the "confession" had been extracted under torture during his interrogations.</p> <p>According to the media interviews given by Makwan Moloudzadeh's relatives and lawyer at the time, the authorities paraded Makwan Moloudzadeh through the streets of Paveh riding on a donkey with his head shaved shortly after his arrest on 1 October</p>

						2006 and prior to his trial and conviction. No investigation of Makwan Moloudzadeh's allegations of torture is known to have been conducted by the trial court or other Iranian authorities.
23	Amir Hoshang Fazlollahzadeh	16	NA	31/12/2007	Gilan	Sentenced to a death for a crime allegedly committed when he was aged 16.
2008						
24	Javad Shoja'i	16	24	26/02/2008	Esfahan	Javad Shojaei was executed in a prison yard in the central city of Isfahan. He was sentenced to death under <i>qesas</i> (retribution-in-kind) for an alleged murder in the year 2000 when he was only 16 years old. His sentence was upheld by the Supreme Court.
25	Mohammad Hassanzadeh	15	16 or 17	10/06/2008	Sannadaj	Mohammad Hassanzadeh was hanged in Sanandaj prison following his conviction for the murder, when aged about 15, of a 10-year old boy.
26	Rahman Shahidi	Under 18		22/07/2008	Boshehr	Sentenced to death by Bushehr Criminal Court for rape. Both death sentences were upheld by Iran's Supreme Court.
27	Hassan Mozafari					
28	Behnam Zare'	15	19	26/08/2008	Fars	Behnam Zare' was sentenced to death under <i>qesas</i> (retribution-in-kind) by Branch 5 of Fars Criminal Court after being convicted of murder. The sentence was subsequently upheld by the Supreme Court and confirmed by the head of the judiciary. Neither his parents nor his lawyer were notified in advance of his execution, even though a 48-hour notification period is required under Iranian law.
29	Reza Hejazi	15	20	19/08/2008	Esfahan	Reza Hejazi was among a group of people allegedly involved in a fight with a man on 18 September 2004, which resulted in the man being fatally stabbed. Reza Hejazi was arrested and tried for murder, and on 14 November 2005 he was sentenced to death

						<p>under <i>qesas</i> (retribution-in-kind) by Branch 106 of the Esfahan General Court. The sentence was approved by Branch 28 of the Supreme Court in Mashhad on 6 June 2006.</p> <p>Reza Hejazi's execution was carried out without a 48-hour notification to his lawyer. On 18 August, Reza Hejazi's family learned that he had been transferred to solitary confinement in advance of the implementation of his sentence, and they informed Reza Hejazi's lawyer accordingly.</p> <p>On 19 August 2008, the lawyer reached Esfahan prison at 4.30am, and attempted to find out when the execution was to be carried out. Prison guards informed him that executions normally took place between 7 and 8 am. It is understood that after attempting for several hours to secure a stay of execution, at around 10am the lawyer was told by the judicial official supervising executions that Reza Hejazi's execution had been halted. He set off back to his office in the capital, Tehran, a five-hour journey away. While he was travelling, he was informed that Reza Hejazi had been hanged at 11am.</p>
30	Gholamreza H.	17	19	29/10/2008	Esfahan	<p>Gholamreza H., an Afghan national, was sentenced to death under <i>qesas</i> (retribution-in-kind) by Branch 17 of the Criminal Court in Esfahan after being found guilty of stabbing to death another Afghan boy, Shir-Agha Hoseini, on 29 November 2006. He is reported to have confessed to the killing, stating that the victim had been harassing his sister and insulting his honour, and that he had bought a knife, and arranged to meet the boy to stab him.</p>
31	Ahmad Zare	17	N/A	30/12/2008	Sanandaj	<p>Sentenced to death under <i>qesas</i> (retribution-in-kind) for the alleged killing of a man in a village on the outskirts of Sanandaj, Kordestan province.</p>

2009						
32	Mola Gol Hassan	Under 18	21	21/01/2009	Tehran	Sentenced to death under <i>qesas</i> (retribution-in-kind) for allegedly killing a woman named Fakhroddin, while trying to steal money from her.
33	Delara Darabi	17	22	01/05/2009	Gilan	<p>Delara Darabi was sentenced to death under <i>qesas</i> (retribution-in-kind) after being convicted of the murder of her father's 58-year-old female cousin Mahin in September 2003. Delara Darabi initially confessed to the murder, but later retracted her statement. She said that her boyfriend, Amir Hossein Sotoudeh, was the murderer and that she had admitted responsibility to protect him from execution, claiming that he had told her that as she was 17 she could not be executed.</p> <p>Delara Darabi was initially sentenced to death under <i>qesas</i> (retribution-in-kind) by Branch 10 of the General Court in Rasht on 27 February 2005. In January 2006, the Supreme Court found "deficiencies" in the case and returned it to a children's court in Rasht for retrial.</p> <p>Following two trial sessions in January and June 2006, Delara Darabi was sentenced to death for a second time by Branch 107 of the General Court in Rasht. Amir Hossein Sotoudeh was sentenced to 10 years' imprisonment for complicity in the murder. Both received sentences of three years' imprisonment and 50 lashes for robbery, and 20 lashes for an "illicit relationship". Delara Darabi's death sentence was confirmed by the Supreme Court on 16 January 2007.</p>
34	Ali Jafari	17	N/A	20/05/2009	N/A	Sentenced to death under <i>qesas</i> (retribution-in-kind) for the alleged murder of a man reported as J. M.
35	Behnoud	17	21	11/10/2009	Tehran	Behnoud Shojaee was sentenced to death under <i>qesas</i> (retribution-in-kind) after

	Shojaee					Branch 74 of the Criminal Court in Tehran convicted him of stabbing a boy in the chest with a piece of broken glass during a fight in August 2005, involving the victim, Behnoud Shojaee and his friend. During his trial, Behnoud Shojaee accepted that he stabbed the victim in the chest but said that he did so only once and after the victim threatened him with a knife. Behnoud Shojaee's death sentence was upheld by Iran's Supreme Court. Its implementation was postponed several times as a result of international pressure.
36	Mosleh Zamani	17	N/A	17/12/2009	Kermanshah	Mosleh Zamani was hanged at Dizel Abad Prison in Kermanshah province, along with four other unidentified prisoners.
2010						
37	Mohammad A.	17	20	17/07/2010	N/A	Mohammad A. was executed for crimes he allegedly committed when he was 17. Born on 9 January 1989, he was three months short of 18 at the time of his alleged crime on 5 April 2007.
2011						
38	A.N.	17	N/A	20/04/2011	Bandar Abbas	On 20 April 2011, two juvenile offenders – identified only as “A.N” and “H.B” - were among three individuals hanged in public in Bandar Abbas, southern Iran, after being convicted of charges of rape and murder. They were 17 at the time of the alleged crimes.
39	H.B.	17	N/A	20/04/2011	Bandar Abbas	On 20 April 2011, two juvenile offenders – identified only as “A.N” and “H.B” - were among three individuals hanged in public in southern Iran, after being convicted of charges of rape and murder. They were 17 at the time of the alleged crimes.

40	Ali Reza Molla Soltani	17	17	21/09/2011	Karaj	<p>A 17-year old convicted of killing an athlete known as “Iran’s strongest man” was publicly hanged in the city of Karaj, near Tehran on 21 September 2011. Alireza Molla-Soltani was sentenced to death under <i>qesas</i> (retribution-in-kind) in August 2011 for stabbing Ruhollah Dadashi, a popular athlete during a driving dispute on 17 July 2011. The 17-year old said he panicked and stabbed Ruhollah Dadashi in self-defence after the athlete attacked him in the dark, according to local media reports. An official commenting afterwards said that Alireza Molla-Soltani was over 18 according to the Islamic calendar which has a shorter year and that there was no reason for the execution not to be carried out.</p> <p>Alireza Molla-Soltani was arrested a day after Ruhollah Dadashi reportedly punched Alireza Molla-Soltani in the mouth and slammed him against the car while the two were arguing. Shortly after Alireza Molla-Soltani was arrested, a state prosecutor called for “a speedy resolution” of the case. A court in Karaj convicted him of “intentional murder” and on 20 August 2011 sentenced him to death by hanging in public. Iran’s Supreme Court upheld the death sentence on 11 September.</p>
41	Mohammad Norouzi	17	20	18/09/2011	Tehran	<p>Mohammad Norouzi was executed on 18 September apparently on drug related offences. Reports indicated that he was an Afghan national.</p>
42	Vahid Moslemi	17	19	18/09/2011	Tehran	<p>Vahid Moslemi was executed on 18 September apparently on drug related offences. Reports indicated that he was an Afghan national.</p>
43	Ehsan	17	N/A	21/10/2011	Marvdasht	<p>“Ehsan” was executed in public after he was convicted of “having anal sex by force” (<i>lavat</i>) with an 11 year old boy. “Ehsan” was arrested at the age of 17 after a man brought a complaint against him and two other youths, alleging that the three had</p>

						attempted to rape him.
44	Amir Shirmohammadi	17	21	16/10/2011	Esfahan	An Afghan national, Amir Shirmohammadi was executed on drug-trafficking charges, allegedly committed at the age of 17. There are reports that the authorities intentionally registered him as 33 years old to avoid criticism. His family was apparently placed under pressure to remain quiet and hold his funeral under strict monitoring by intelligence officials.
2012						
45	Amir. A	14	24	18/04/2012	Esfahan	Amir. A was executed on 18 April in the Central prison of Esfahan after spending 9 years in prison. He was arrested on 21 April 2003 and was accused of stabbing a man to death almost a year earlier on 14 April 2002. Media reports indicated that he admitted to stabbing the man following an argument. He was sentenced to death under <i>qesas</i> (retribution-in-kind) by Branch 102 of the General and Criminal Court in Esfahan.
46	Shahruz	17	21	24/10/2012	Karaj	According to reports, Shahruz as was arrested in 2008 when he was 17 on charges of kidnapping and sexually assaulting a number of teenage boys.
47	Samad	16	24	24/10/2012	Karaj	Samad was sentenced to death under <i>qesas</i> (retribution-in-kind) by Branch 71 of the Criminal Court in Tehran after being found guilty of stabbing to death a man named "Rahim" in 2004. His death sentence was upheld by Iran's Supreme Court.
48	Bahram Ahmadi	17	20	27/12/2012	Karaj	Bahram Ahmadi was arrested in Sanandaj, Kordestan Province on 19 September 2009 by men believed to belong to the Ministry of Intelligence. The men did not show him

						<p>an arrest warrant. He was 17 at the time of arrest. Following his arrest, he was held in Ministry of Intelligence detention centres in the cities of Sanandaj, Hamedan and Tehran for 17 months. According to another prisoner who had seen Bahram Ahmadi during his detention in Sanandaj, his interrogators tortured him including by subjecting him to electroshocks and floggings and deprived him of food for long periods of time. The interrogators also allegedly threatened him with the arrest of his family members in order to make him “confess” to “having connections with extremists and enemy groups”.</p> <p>Bahram Ahmadi was not allowed access to a lawyer and his family during his detention and was permitted only a few phone calls to his family.</p> <p>On 12 February 2011, Branch 28 of the Revolutionary Court in Tehran sentenced him to death on the charge of “enmity against God” (<i>moharebeh</i>) through “having connections with Salafist groups”. He was also convicted of the charge of “spreading propaganda against the system”.</p> <p>His execution was carried out on 27 December 2012 in circumstances shrouded by secrecy.</p>
2013						
49	Said Afshar	15	25	03/07/2013	Karaj	Said Afshar was sentenced to death under <i>qesas</i> (retribution-in-kind) for allegedly committing murder when aged 15. He was executed at the age of 25, 10 years after his arrest and imprisonment in Raja’i Shahr prison.
50	Abdolhamid Sekhavatian	Under 18	28	21/08/2013	Jahrom	Abdolhamid Sekhavatian’s execution was carried out in public in Jahrom, Fars province in 2013. According to reports, he was sentenced to death under <i>qesas</i>

						(retribution-in-kind) by Branch 102 of the Criminal Court in Jahrom for allegedly stabbing and causing the death of an individual named "Firuz Sh." when he was under the age of 18. His death sentence was upheld by the Supreme Court and was carried out in public following the permission of the Head of the Judiciary.
51	Arman Mohammadi	12	18	20/08/2013	Kermanshah	He was arrested at the age of 12 and was sentenced to death under <i>qesas</i> (retribution-in-kind) on the charge of "murder". His execution was carried out after six years once he reached the age of 18.
52	Unknown	14	18	18/09/2013	Kazerun	Sentenced to death under <i>qesas</i> (retribution-in-kind) on the charge of "murder". The sentence was upheld by the Supreme Court and was implemented after reaching the age of 18. He was 14 years old at the time of the alleged crime.
53	Unknown	Under 18	NA	22/10/2013	Eslamabad Gharb	Sentenced to death for allegedly committing murder when under the age of 18.
54	Abdul Wahab Rigi	17	20	26/10/2013	Zahedan	<p>A member of Iran's Baluchi minority, Abdul Wahab Rigi was executed in October 2013, along with 15 other Baluchi men. According to press reports, Zahedan's Prosecutor Mohammad Marzieh confirmed that the executions were carried out in direct retaliation for an overnight ambush that led to the killing of 14 border guards in a mountainous region outside Saravan, on the south-eastern border with Pakistan. It is not clear what connection if any Abdul Wahab Rigi and the other 15 men had to the attack.</p> <p>Abdul Wahab Rigi was arrested by Ministry of Intelligence officials in Sistan and Baluchestan Province in 2010 when he was 17 years old. He was tried and sentenced</p>

						to death by a Revolutionary Court for the charge of «enmity against God» (<i>moharebeh</i>). According to the Human Rights News Agency, Abdul Wahab Rigi did not receive a fair trial and was not allowed access to a lawyer.
55	Mehrollah Rigi	17	20	26/10/2013	Zahedan	<p>A member of Iran's Baluchi minority, Mehrollah Rigi was executed in October 2013, along with 15 other Baluchi men. According to press reports, Zahedan's Prosecutor Mohammad Marzieh confirmed that the executions were carried out in direct retaliation for an overnight ambush on that led to the killing of 14 border guards in a mountainous region outside Saravan, on the south-eastern border with Pakistan. It is not clear what connection if any Abdul Wahab Rigi and the other 15 men had to the attack.</p> <p>Mehrollah Rigi was arrested by Ministry of Intelligence officials in Sistan and Baluchestan Province in 2010 when he was 17 years old. He was tried and sentenced to death by a Revolutionary Court for the charge of «enmity against God» (<i>moharebeh</i>). According to the Human Rights News Agency, Abdul Wahab Rigi did not receive a fair trial and was not allowed access to a lawyer.</p>
56	Ahmad Seif Panahi	16	24	07/11/2013	Sanandaj	Ahmad Seif Panahi was sentenced to death under <i>qesas</i> (retribution-in-kind) after being convicted of the charge of "murder". He was accused of stabbing an individual to death during a street fight.
57	Ahmad Jenkihoo	15	19	07/11/2013	Bandar Abbas	
58	Abdolaziz Ra'isi	17	24	17/12/2013	Zahedan	Abdolaziz Ra'isi spent 7 years in prison before he was executed in Zahedan prison for a crime he allegedly committed at the

						age of 17.
59	Iraj Nasiri	15	20	19/12/2013	Orumieh	A member of Iran's Kurdish minority, Iraj Nasiri was executed in 2013 on the charge of "murder". He was 15 at the time of the alleged crime.
2014						
60	Hassan Gholami	14	21	02/03/2014	Shiraz	Hassan Gholami was sentenced to death under <i>qesas</i> (retribution-in-kind) for allegedly killing a man when he was only 14. He was executed at the age of 21, seven years after the committed crime. Reports indicated that the authorities had not informed his family members before his execution.
61	Hassan Zolfaqari	17	23	02/03/2014	Zahedan	Hassan Zolfaghari was executed at the age of 23 after being imprisoned for six years. He had been sentenced to death under <i>qesas</i> (retribution-in-kind) apparently on the charge of "murder". He was 17 at the time of the alleged crime.
62	Reza Ganjlu	16	20	04/03/2014	Karaj	Reza Ganjlu was executed in Raja'i Shahr Prison in Karaj near Tehran at the age of 20. He had been sentenced to death under <i>qesas</i> (retribution-in-kind) apparently on the charge of "murder". He was 16 at the time of the alleged crime.
63	Ahmad Rahimi	17	21	17/04/2014	Bandar Abbas	Ahmad Rahimi was executed in Bandar Abbas Prison. He had been sentenced to death apparently on the charge of "murder". Reports said that he was 17 at the time of the alleged crime.
64	Ali Fouladi	16	22	17/04/2014	Bandar Abbas	Ali Fouladi was executed in Bandar Abbas Prison. He had been sentenced to death apparently on the charge of "murder". According to reports, he was 16 at the time of the alleged crime.

65	Ebrahim Hajati	16	20	21/04/2014	Mashhad	Ebrahim Hajati was executed in Vakil Abad Prison in Khorasan province. He had been sentenced to death under <i>qesas</i> (retribution-in-kind) for allegedly killing a man during a fight. He was 16 at the time of the alleged crime.
66	Amir Sardaha'i	17	NA	10/06/2014	Tabriz	Amir Sardaha'i was executed in Tabriz. He had been sentenced to death apparently on the charge of "murder". He was 17 at the time of the alleged crime.
67	Osman Dah Mardeh	17	NA	09/08/2014	Zahedan	Osman Dah Mardeh was executed in Zahedan's Central Prison along with his mother. He had been sentenced to death on drug related offences. He was 17 at the time of the crimes he was accused of.
68	Hadi Veisi	15	18	25/08/2014	Kermanshah	Hadi Veisi was executed in Kermanshah Prison. He had been sentenced to death under <i>qesas</i> (retribution-in-kind) for allegedly killing one of his classmates. He was 15 at the time of the alleged crime.
69	Fardin Ja'farian	14	18	18/10/2014	Tabriz	Fardin Ja'farian was executed in the Central Prison of Tabriz. He had been sentenced to death under <i>qesas</i> (retribution-in-kind) on the charge of "murder". He was 14 at the time of the alleged crime.
70	Rahim Norollahzadeh	14	19	30/11/2014	Tabriz	Rahim Norollahzadeh was executed in the Central Prison of Tabriz. He had been sentenced to death under <i>qesas</i> (retribution-in-kind) on the charge of "murder". He was 14 at the time of the alleged crime.
71	Mehras Rezaei	17	21	26/02/2014	Mazandaran	Mehras Rezaei was sentenced to death under <i>qesas</i> (retribution-in-kind) for allegedly killing his cousin during the course of a fight when he was 17.
72	Janat Mir	Under 18	NA	00/04/2014	Esfahan	Janat Mir, an Afghan national, was executed in Esfahan apparently in March 2014 on drug-related charges. He was under the age of 18 at the time of the alleged crimes. Reports indicated that he

						was not allowed access to a lawyer and that the authorities did not give his body back to his family to be returned to Afghanistan for burial.
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6. APPENDIX 2 – PICTURES OF CHILDREN WITNESSING A PUBLIC EXECUTION





38 Iran: Still executing child offenders
Submission to the UN Committee on the Rights of the Child for the 71 pre-sessional working group (8 June 2015 - 12 June 2015)

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