

URGENT ACTION

TWO JUVENILES TO BE EXECUTED WITHIN DAYS

Two Iranian male juveniles are at risk of imminent execution in the capital, Tehran, for murders they were found guilty of having committed while under the age of 18. According to their lawyer, 21-year-old Behnoud Shojaee is due to be executed on 11 October, while 20-year-old Safar Angooti is due to be executed some time between 19 and 21 October.

Behnoud Shojaee was sentenced to *qesas* (retribution) by Branch 74 of the Criminal Court in Tehran on 2 October 2006, after he was found guilty of killing a boy called Omid the previous year, when he was 17. Behnoud Shojaee had no legal representation at his trial. According to the E'temad newspaper, this is the sixth time his execution has been scheduled.

Safar Angooti was convicted of murder when he was 17. According to E'temad, in April 2008 he stabbed a rival suitor who was talking to a girl he liked and was sentenced to death. Safar Angooti claimed that he had killed the man but not intentionally. He was previously due to be executed on 4 May 2009 but this was halted at the last minute.

On 4 October 2009, Mohammad Mostafaei, the defence lawyer for both Behnoud Shojaee and Safar Angooti, was informed of the dates when they will be executed. However, the E'temad report suggests that Safar Angooti may be executed on 19 October. Mohammad Mostafaei has written to the Head of the Judiciary asking him to order stays of execution in both cases.

Executions of those under 18 at the time of their alleged offence is strictly prohibited under international law.

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

- Urging the Iranian authorities to immediately halt the executions of Behnoud Shojaee and Safar Angooti;;
- Calling for their cases be reviewed urgently with a view to overturning their death sentences;
- Reminding the authorities that Iran is a state party to the International Covenant on Civil and Political Rights (ICCPR) and the Convention on the Rights of the Child (CRC), both of which prohibit the use of the death penalty against people convicted of crimes committed when they were under 18.

PLEASE SEND APPEALS BEFORE 11 OCTOBER 2009 TO:

Head of the Judiciary

Ayatollah Sadeq Larijani
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: Via website:
<http://www.dadiran.ir/tabid/81/Default.aspx>

First starred box: your given name;
second starred box: your family name;
third: your email address

Salutation: Your Excellency

Head of Tehran Judiciary

Ali Reza Avaei
Karimkhan Zand Avenue
Sana'i Avenue,
Corner of Ally 17, No 152,
Tehran, Islamic Republic of Iran
Email: avaei@Dadgostary-tehran.ir

Salutation: Dear Mr Avaei

And copies to:

Director, Human Rights Headquarters of Iran
Mohammad Javad Larijani
Howzeh Riassat-e Ghoveh Ghazaiyeh
Pasteur St, Vali Asr Ave., south of
Serah-e Jomhuri, Tehran 1316814737,
Islamic Republic of Iran

Fax: +98 21 3390 4986 (please keep trying)

Email: fsharafi@bia-judiciary.ir or int_aff@judiciary.ir (In the 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.

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ADDITIONAL INFORMATION

Behnoud Shojaee has previously been the subject of UA 114/08 (MDE 13/065/2008) and follow-ups.

Amnesty International has also campaigned previously for Safar Angooti, who was referred to in two press releases: <http://www.amnesty.org/en/for-media/press-releases/iran-stop-wednesday%E2%80%99s-execution-two-juvenile-offenders-20090505> and <http://www.amnesty.org/en/news-and-updates/news/delara-darabi-commemorated-actions-against-death-penalty-iran-20090508>.

In Iran a person convicted of murder has no right to seek pardon or commutation from the state, in violation of Article 6(4) of the ICCPR. The family of a murder victim have the right either to insist on execution, or to pardon the killer and receive financial compensation (*diyeh*).

The execution of juvenile offenders is prohibited under international law, as stated in Article 6(5) of the International Covenant on Civil and Political Rights (ICCPR) and the Convention on the Rights of the Child (CRC). Iran is a state party to both treaties and so has undertaken not to execute anyone for crimes committed when they were under 18.

In his letter to the Head of the Judiciary, Mohammad Mostafaei pointed out that when Iran ratified the Convention of the Rights of the Child, the Council of Guardian clarified that it regarded certain articles to be in contravention of Shari'a law and would not therefore be binding under the general reservation to the Convention entered by Iran. However, the Council of Guardians did not include Article 37 in its list, which states "No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Neither capital punishment nor life imprisonment without possibility of release shall be imposed for offences committed by persons below eighteen years of age." In practice, this article has been ignored by Iranian judges.

Iran has executed at least 44 alleged juvenile offenders since 1990, eight of them in 2008 and at least three in 2009.

For more information about executions of juvenile offenders in Iran, please see *Iran: The last executioner of children* (Index: MDE 13/059/2007), June 2007 (<http://web.amnesty.org/library/index/engmde130592007>).

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