

PUBLIC

AI Index: MDE 13/008/2007

26 January 2007

Further Information on UA 220/05 (MDE 13/047/2005, 24 August 2005) and follow-up (MDE 13/122/2006, 26 October 2006) – Fear of imminent execution

IRAN **Mostafa (surname unknown) (m), aged 17 or 18, student**
Sina Paymard (spelling corrected) (m), aged 18, musician

Child offender Sina Paymard, who had been in imminent danger of execution since 20 September 2006, has reportedly had a stay of execution ordered by the Head of the Judiciary.

Sina Paymard, a musician, was sentenced to death for murdering another youth during a fight over drugs in 2004, when he was 16. The Supreme Court upheld the death sentence, and he was scheduled to hang on 20 September, two weeks after his 18th birthday. In Iran, family members of murder victims are asked just before the execution is carried out if they wish to forgo their right to retribution and forgive the murderer. On the gallows Sina Paymard's last request was to play the *ney* (a Middle Eastern flute) for the last time. The family of the victim were so moved by his playing that they granted him a last minute reprieve. His execution was postponed for two months, while it was referred to conciliation in order to allow both families to negotiate over the payment of *diyeh* (blood money). The victim's family demanded 150 million toumans (over \$US160,000), which Sina Paymard's family could not pay, and Sina Paymard remained at risk of execution.

In November 2006 his lawyer also asked for a review of his case, after submitting new evidence that the court had not properly considered evidence that Sina Paymard suffered from a mental disorder.

There is no further information on Mostafa, who was also sentenced to death for murder.

BACKGROUND INFORMATION

At least 177 people were executed in Iran in 2006, including one minor and at least three others who were under 18 at the time of the offences of which they were convicted.

Two young men, Majid Segound and a 20-year-old associate, were executed on 13 May 2006, in the city of Khorramabad, the capital of Lorestan province. They had reportedly been sentenced to death for the rape and murder of a 12-year-old boy, and were tried in an extraordinary session. Majid Segound was 17 years old at the time of his execution. In 2005 Amnesty International recorded eight executions of child offenders in Iran, including two who were under 18 at the time they were executed.

At least 22 other child offenders reportedly remain on death row in Iran. Amnesty International is campaigning on many of them.

On 14 January 2006, judges in a Tehran criminal court cleared 19 year old Mahabad Fatehi, known as Nazanin Fatehi, of pre-meditated murder following a trial session held on 10 January, but ordered her to pay diyeh (blood money) to the family of the man she killed in self-defence in March 2005. She had been sentenced to death for murder in January 2006, but following international protests, including by a Canadian-Iranian beauty queen Nazanin Afshin-Jam, her death sentence was quashed by the Supreme Court in May 2006 and her case sent for retrial.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Persian, Arabic, English or your own language:

- welcoming the stay of execution of Sina Paymard;
- asking for further details of the case against Mostafa, another child offender facing execution;
- acknowledging that governments have a right and responsibility to bring to justice those suspected of criminal offences, but pointing out that the death penalty is the ultimate cruel, inhuman and degrading punishment;
- urging the authorities to commute the death sentences of all child offenders sentenced to death in Iran, including Sina Paymard and Mostafa;
- calling on the authorities to pass, as a matter of urgency, legislation abolishing the death penalty for all offences committed by those under 18, in accordance with Iran's obligations as a state party to the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child.

APPEALS TO:

Leader of the Islamic Republic

His Excellency Ayatollah Sayed 'Ali Khamenei, The Office of the Supreme Leader
Shoahada Street, Qom, Islamic Republic of Iran

Email: info@leader.ir

istiftaa@wilayah.org

Fax: +98 251 774 2228 (mark "FAO the Office of His Excellency, Ayatollah al Udhma Khamenei")

Salutation: Your Excellency

Head of the Judiciary

His Excellency Ayatollah Mahmoud Hashemi Shahroudi
Ministry of Justice, Park-e Shahr, Tehran, Islamic Republic of Iran

Salutation: Your Excellency

Minister of Intelligence

Gholam Hossein Mohseni Ejeie

Ministry of Intelligence, Second Negarestan Street, Pasdaran Avenue, Tehran, Islamic Republic of Iran

Email: iranprobe@iranprobe.com

Salutation: Your Excellency

COPIES TO:

President

His Excellency Mahmoud Ahmadinejad

The Presidency, Palestine Avenue, Azerbaijan Intersection, Tehran, Islamic Republic of Iran

Fax: +981 6 674 790 (via foreign ministry - mark "Please forward to H.E. Mahmoud Ahmadinejad ")

Email: dr-ahmadinejad@president.ir

(via website) www.president.ir/email

Salutation: Your Excellency

Speaker of Parliament

His Excellency Gholamali Haddad Adel

Majles-e Shoura-ye Eslami

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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 9 March 2007.