

# ANNUAL REPORT ON THE DEATH PENALTY IN IRAN 2021



IRAN  
HUMAN  
RIGHTS

**ECPM**  
ensemble contre  
la peine de mort  
together against  
the death penalty

# ANNUAL REPORT ON THE DEATH PENALTY IN IRAN 2021

**Cover and back cover photos:**

Some of the people executed in 2021 in chronological order.

This report has been prepared by Iran Human Rights (IHRNGO) with the support of ECPM (Together Against the Death Penalty). Since 2012, IHRNGO<sup>1</sup> and ECPM<sup>2</sup> have been working together for the publication, international release and circulation of the annual reports on the death penalty in Iran.

Editor: L. Tarighi

Sub-editor: Paloma de la Cruz

Layout: Olivier Dechaud (ECPM)

Printing: Imprim'ad hoc

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1 <http://iranhr.net/en/>

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## GLOSSARY

<b>Baghy</b>	Armed rebellion against the Islamic ruler
<b>Diya</b>	Blood money
<b>Efsad-fil-arz</b>	Corruption on Earth
<b>Elme-qazi</b>	Knowledge of the judge
<b>Estizan</b>	Authorisation required by the Head of Judiciary for <i>qisas</i> executions
<b>Figh</b>	Islamic jurisprudence
<b>Hadd (pl. hudud)</b>	Fixed punishment for offences mandated by Sharia
<b>Lavat</b>	Sodomy
<b>Moharebeh</b>	Waging war against God
<b>Qadf</b>	False accusations of sodomy/fornication
<b>Qassameh</b>	Sworn oath
<b>Qisas</b>	Retribution-in-kind
<b>Sharia</b>	Islamic rule
<b>Ta'zir</b>	Punishment for offences at the discretion of the judge

## FOREWORD BY MOHAMMAD RASOULOF

PROMINENT AWARD-WINNING IRANIAN FILMMAKER



Organised and legalised killings is an apt description of the death penalty in Iran. By relying on religious-based laws, the ruling political power initially presented the death penalty as necessary, justified and ultimately, normal. A society routinely exposed to such organised violence has accepted the death penalty as a legal solution, and the death penalty has consequently become a tool of repression in the government's hands.

How can the death penalty ever be reduced to ultimate abolition if, on the one hand, it has been accepted as a legal deterrent and, on the other hand, the ruling and repressive political power will not tolerate legal reforms? No significant progress has been made in the abolition of the death penalty despite years of efforts by civil society and NGOs in Iran. NGOs who continue to fight for the abolition of the death penalty despite the means of amending the laws are being blocked and all their efforts are being repressed.

Under such circumstances, raising cultural awareness is a complementary move in the campaign for the abolition of the death penalty. It can be achieved by educating and raising public awareness and by focusing on the victims of the death penalty, which include

not only the people being executed but also their wider circle. It is also crucial to consider and focus on the chain of people involved in operating the death penalty.

Employees at the relevant agencies, as well as military forces, judicial officers, prosecutors, judges and many others who are directly or indirectly involved in the implementation of the death penalty, are not sufficiently aware of the important role they play in this system and see their role as insignificant and ineffective. They need to learn to accept personal responsibility as part of this chain. It is essential for this group to be directly or indirectly educated by abolitionists so that they may have the courage to engage in overt or covert disobedient action.

**Mohammad Rasoulof,  
Iran**

## PREFACE

The 14<sup>th</sup> Annual Report on the Death Penalty by Iran Human Rights (IHRNGO) and Together Against the Death Penalty (ECPM) provides an assessment and analysis of death penalty trends in 2021 in the Islamic Republic of Iran. It sets out the number of executions in 2021, the trend compared to previous years, the legislative framework and procedures, charges, geographic distribution and a monthly breakdown of executions. Lists of the female and juvenile offenders executed in 2021 are also included in the tables.

The report also looks at the abolitionist movement within Iran, including the forgiveness movement and its contribution to reducing the use of the death penalty, and provides analyses and recommendations on how the international community can contribute to limiting the scope of the death penalty in Iran.

The 2021 report is the result of extensive work from IHRNGO members and supporters who took part in reporting, documenting, collecting, analysing and writing its contents. We are especially grateful to IHRNGO sources inside Iran who, by reporting on unannounced and secret executions in the prisons of 26 different provinces, incur a significant risk. Due to the very difficult context, the lack of transparency and the obvious risks and limitations that human rights defenders face in the Islamic Republic of Iran, this report does not by any means give a complete picture of the use of the death penalty in Iran. There are reported executions which are not included in this report due to a lack of sufficient details or an inability to confirm cases through two different sources. Nevertheless, the report aims to provide the most complete and realistic figures possible in the present circumstances.<sup>3</sup> The current report does not include suspicious deaths of prisoners or those killed under torture.

ECPM supported the elaboration, editing process, publishing and distribution of this report in the framework of its international advocacy work against the death penalty. The problems of transparency on the data and information about the death penalty in Iran should be overcome by a strong distribution and dissemination strategy. The overall objectives of this report for

<sup>3</sup> See "Sources" section below.

IHRNGO and ECPM are to shed light on and publish the facts in order to change national and international views on the situation of the death penalty in Iran, the world's top executioner.<sup>4</sup>

## 2021 ANNUAL REPORT AT A GLANCE

- At least 333 people were executed in 2021, a 25% increase compared to 267 in 2020.
- 55 executions (16.5%) were announced by official sources, compared to an average of 33% in 2018–2020.
- 83.5% of all executions included in the 2021 report (278 executions in total) were not announced by the authorities.
- At least 183 executions (55% of all executions) were for murder charges.
- At least 126 executions (38%) were for drug-related charges, compared to 25 (10%) in 2020.
- None of the drug-related executions were reported by official sources.
- For the first time in more than 15 years, no public executions were reported.
- At least 2 juvenile offenders were among those executed.
- At least 17 women were executed, compared to 9 in 2020.
- At least 139 executions in 2021 and more than 3,758 executions since 2010 have been based on death sentences issued by the Revolutionary Courts.
- At least 705 prisoners sentenced to death for murder charges were forgiven by the families of the murder victims per *qisas* laws.

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<sup>4</sup> Per capita.

# INTRODUCTION

IHRNGO and ECPM's 14<sup>th</sup> Annual Report on the Death Penalty in Iran reveals an increase in the number of executions, an alarming rise in the implementation of death sentences for drug offences and an ongoing lack of transparency.

This report is being published as the Islamic Republic and Western governments negotiate to revive the nuclear deal, also called the Joint Comprehensive Plan of Action (JCPOA), without regard for Iran's human rights crisis. As this report reveals, not only has the number of executions significantly increased in the year of direct talks between Iranian authorities and the West, but the 2017 reforms to restrict the use of the death penalty have also been reversed in practice. The same pattern was observed during the first round of JCPOA negotiations in 2013–2015, when execution numbers reached their highest peak in more than two decades.

Commenting on the report, IHRNGO Director Mahmood Amiry-Moghaddam said: *"The Islamic Republic's dreadful human rights and death penalty records are not included in the JCPOA talks, and it seems that the Iranian authorities are under less scrutiny while the negotiations are ongoing."* He added: *"There will be no sustainable Joint Comprehensive Plan of Action unless the situation of human rights in general and the death penalty in particular, are central parts of the negotiations."* ECPM Director Raphaël Chenuil-Hazan said: *"In a recent Resolution, the European Parliament urged the EU to raise human rights violations in its bilateral relations with Iran.<sup>5</sup> Any negotiations between the West and Iran must include the death penalty on top of its agenda."*

According to the present report, at least 333 people were executed throughout the country in 2021, representing a 25% increase compared to the 2018–2020 figures. The execution rate accelerated after the election of Ebrahim Raeisi as president in June, and doubled in the second half of 2021 compared to the first half.

2021 marked the year when censorship and the lack of transparency in the Islamic Republic intensified, with 83.5% of executions not officially announced, compared to an average of around 67% over the last three years.

To airtight its censorship, parliament passed a draft bill targeting citizen journalists. If approved, citizen journalists documenting cruel

<sup>5</sup> European Parliament resolution of 17 February 2022 on the death penalty in Iran (2022/2541(RSP))

and inhuman punishments such as the death penalty can themselves be sentenced to death.<sup>6</sup> Commenting on the draft bill, Mahmood Amiry-Moghaddam said: *"A real parliament representing the people would work to abolish brutal punishments like the death penalty, instead of targeting brave individuals who inform the world of the cruel and inhuman punishments carried out in Iran at their own risk."* 2021 also marked the reversal of drug reforms. There was a fivefold increase in the number of drug-related executions compared to the last three years. The Amendment to the Anti-Narcotics Law – which was implemented partly due to pressure from the United Nations Office for Drugs and Crimes (UNODC) and European governments at the end of 2017, following an advocacy campaign led by many human rights organisations, including IHRNGO and ECPM – had led to a significant decrease in the number of drug-related executions. An average of 24 people were executed annually for drug-related offences between 2018 and 2020. In 2021, at least 126 people, including five women, were executed with little or no reaction so far from European governments or the UNODC. Furthermore, not a single drug-related execution was announced by official sources.

The execution of ethnic minorities also continued to rise in 2021. Data shows that Baluch prisoners accounted for 21% of all executions in 2021, although they only represent 2–6% of Iran's population. Moreover, the majority of prisoners executed for security-related charges belonged to the ethnic Arab, Baluch and Kurdish minorities. Commenting on the execution of ethnic minorities, ECPM Director Raphael Chenuil-Hazan said: *"We are alarmed at the disproportionate number of ethnic minority executions as evidenced in this report. This issue has been raised by human rights NGOs,<sup>7</sup> the United Nations Special Rapporteur on the Situation of Human Rights in the Islamic Republic of Iran and the European Parliament, but it still requires more attention by the international community."*

Like 2020, the majority of the prisoners executed in 2021 were charged with murder and sentenced to *qisas* (retribution-in-kind). At least 183 people, including 12 women and 2 juvenile offenders, were executed for murder charges in 2021. Iranian law considers *qisas* to be the right of the victim's family and places responsibility on the family as the plaintiff to decide whether the defendant should be executed or not. It also encourages them to personally carry

<sup>6</sup> <https://iranhr.net/en/articles/4766/>

<sup>7</sup> <https://www.ecpm.org/wp-content/uploads/URGENT-INTERNATIONAL-ACTION-NEEDED-TO-SECURE-RELEASE-OF-KURDISH-ACITVISTS-AND-OTHERS-ARTBITRARILY-DETAINED-IN-IRAN-2.pdf>

out the execution. In 2021, two women, Maryam Karimi and Zahra Esmaili, were hanged by their own children. Commenting on the *qisas* executions, Mahmood Amiry-Moghaddam said: “*The inhuman practice of qisas has little support among Iranians and is used as a tool by the authorities to spread fear and make ordinary citizens complicit in their brutality and violence.*”

In a survey conducted for IHRNGO and the World Coalition Against the Death Penalty (WCADP) measuring “Iranians’ attitudes toward the death penalty” in 2020, 79% of Iranians living inside Iran said they would not choose *qisas* (death penalty as retribution) if an immediate family member was murdered. This correlates with the data on cases where plaintiffs have chosen forgiveness and *diya* (blood money) instead of *qisas*. According to the present report, there were at least 705 cases of forgiveness, surpassing the number of *qisas* cases by nearly fourfold.<sup>8</sup>

Arman Abdolali, one of the juvenile offenders executed in 2021, had been taken to the gallows seven times in the months prior to his execution. Zahra Esmaili suffered a heart attack as she watched several men being executed in front of her as she awaited her turn. The authorities still hanged her lifeless body. Physical and psychological torture are systematically used in Iranian detention facilities, including as a method of extracting confessions that will become the basis of death sentences. The forced confessions of Jamshid Sharmahd and Habib Chaab, two dissident dual-nationals abducted from neighbouring countries, were aired on state television prior to trial. They are currently at risk of being sentenced to death. In 2021, there were multiple reports of suspicious deaths in Iranian prisons, including deaths that are believed to have been caused by torture or the denial of appropriate medical treatment. To date, not only has nobody been held accountable for these deaths, but the families of the victims have received threats instead of a response from authorities. Impunity and the lack of accountability are key contributing factors in the deteriorating human rights situation in Iran. Calls for accountability have been made by Iranian civil society and the international community alike. In reference to the appointment as president of Ebrahim Raisi, involved in the extrajudicial executions of several thousand political prisoners, Javaid Rehman, the UN Special Rapporteur on the Situation of Human Rights in the Islamic Republic of Iran, wrote in his latest report: “*The legal structure, including*

8 See the IHRNGO – ECPM Annual Report on the Death Penalty in Iran 2020, Annex 4: Survey: Iranian’s attitude towards the death penalty (Survey conducted by the Gamaan Institute for IHRNGO and the World Coalition Against the Death Penalty).

*the lack of independence of the judiciary, as well as obstacles for democratic participation in decision-making, together with the fact that many perpetrators who have committed serious violations remain in positions of power, mean that people have in effect no realistic possibility of achieving justice.”<sup>9</sup>*

In the absence of national mechanisms for accountability, IHRNGO and ECPM joined Justice for Iran (JFI) to establish an International People’s Tribunal (The Aban Tribunal, in reference to the month of “Aban” when the repression took place in Iran at the end of 2019) to investigate the atrocities committed during and in the aftermath of the nationwide November 2019 protests on behalf of the families of the victims. The Tribunal was held in November 2021 and February 2022 and heard testimonies from several hundred witnesses, including government officials. The Tribunal can be a step towards justice by revealing and documenting the facts and identifying the perpetrators. It can also be used as a model for addressing other atrocities and violations of international law by the Iranian authorities. Such initiatives must be followed up by effective action from the international community.

Finally, for the first time in several decades, no public executions were reported in Iran. While the halt in implementing executions publicly was due to the COVID-19 pandemic, IHRNGO and ECPM welcome this positive development and underline that it must continue. However, recent reports indicate that the Iranian authorities are planning to resume public executions. Strong condemnations by the international community and civil society in Iran can prevent this barbaric practice from returning to the streets.

On the launch of the 2021 Annual Report on the Death Penalty in Iran, IHRNGO and ECPM call for an immediate moratorium on the death penalty in Iran. Our organisations also call on the international community, in particular the UNODC and the European governments with diplomatic ties with the Islamic Republic, to play a more active role in promoting accountability and the abolition of the death penalty in Iran. Today, 146 States in the world have abolished the death penalty or observe a moratorium on executions. Of the 57 Member States of the Organisation of the Islamic Cooperation, 20 have abolished the death penalty in law and 14 observe a moratorium on executions.<sup>10</sup>

9 <https://www.ohchr.org/en/press-releases/2022/03/iran-fundamental-legal-and-institutional-reforms-needed-curb-impunity-says>

10 ECPM, The process of abolishing the death penalty in member states of the Organisation of Islamic Cooperation (OIC). 26 November 2020.

# SOURCES

There is a lack of transparency on case law and the numbers of sentences and executions. The number of executions presented in this report is based on official information and documented cases. It is a minimum, and the actual numbers are certainly higher, as the Iranian authorities do not announce all the executions implemented. Therefore, we distinguish between “official” and “unofficial” or “unannounced” executions. Official executions are those announced by the official websites of the Iranian judiciary, the Iranian police, the National Iranian Broadcasting Network, official or state-run news agencies and national or local newspapers. Unofficial or unannounced executions include cases that have not been announced by official sources but have been confirmed by IHRNGO through unofficial channels and communications. These include other human rights NGOs or IHRNGO’s sources within Iran. The sources of unofficial reports are often eyewitnesses, family members, lawyers and sources within prisons and within the Iranian judiciary (by way of unofficial communication). Only unofficial reports that have been confirmed by two independent sources have been included in this report.

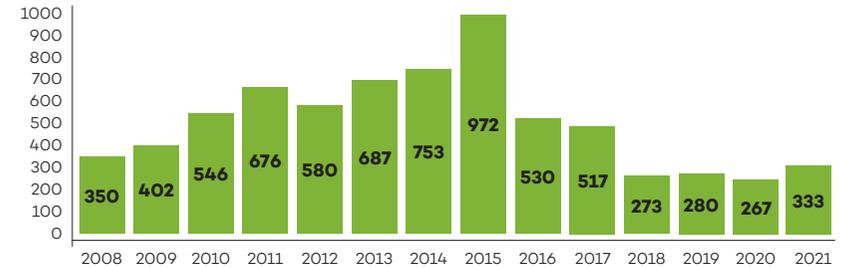
Over the last five years, an average of 34% of all executions had been announced by the official Iranian media. In 2021, only 16.5% of the executions were announced by official sources; the remaining 83.5% were confirmed by IHRNGO. Due to the lack of transparency in the Iranian judicial system and the pressure put on families, more than 40 execution reports received by IHRNGO could not be confirmed by two independent sources and have not been included in this report. It is important to emphasise that the charges cited in this report are those issued by the Iranian judiciary.

Many of the trials leading to death sentences are unfair according to international standards. Furthermore, the use of torture to force confessions is widespread in Iran. Due to the lack of transparency in the Iranian judiciary, most of the charges mentioned in this report have not been confirmed by independent sources.

The figures presented in the report do not include extrajudicial killings inside or outside prisons.

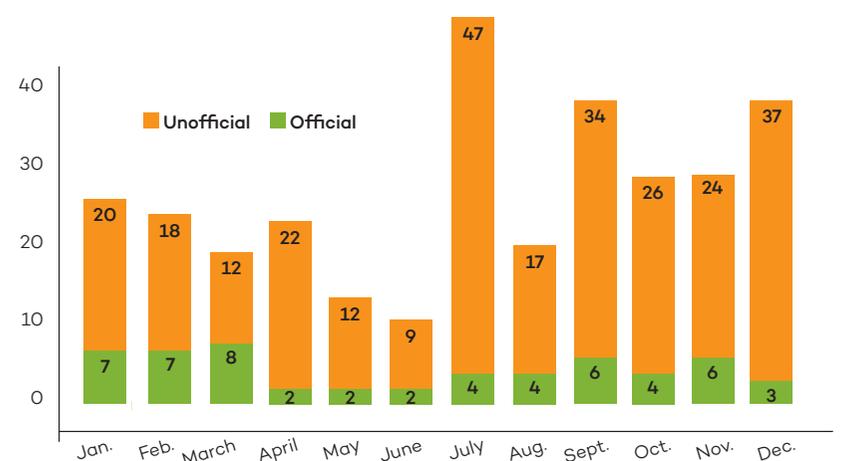
# FACTS AND FIGURES

## EXECUTION TRENDS IN THE LAST 14 YEARS



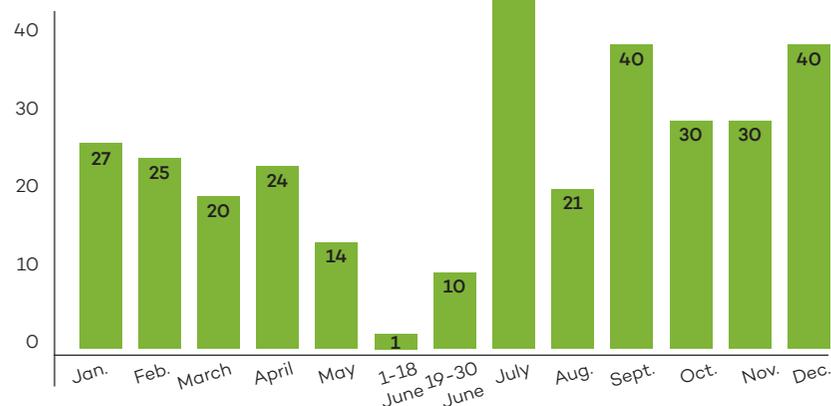
Since IHRNGO’s first annual report in 2008, Iranian authorities have executed at least 7,166 people, an average of more than 512 executions per year. The number of executions in 2021 is significantly higher than the numbers in 2018, 2019 and 2020.

## MONTHLY BREAKDOWN OF EXECUTIONS IN 2021



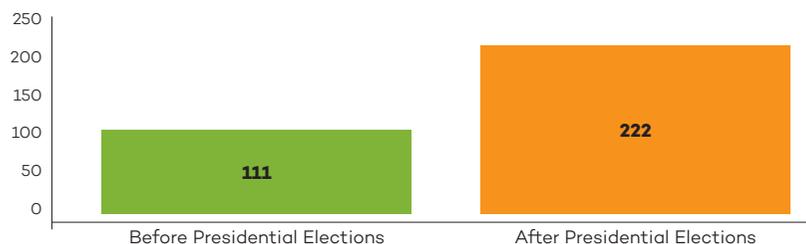
The monthly execution breakdown illustrates the high disparity between the numbers of officially announced and unannounced executions throughout the year. With 11 executions, June (the month of the presidential elections) had the lowest number of executions. With 51 executions, July was the bloodiest month in 2021, followed by September and December, with a monthly average of 40 executions each.

## CORRELATION BETWEEN THE NUMBER OF EXECUTIONS AND POLITICAL EVENTS



Although most of those executed are sentenced to death for non-political (criminal) charges, there is a meaningful correlation between the timing of the executions and political events. According to IHRNGO's execution trends recorded over the last two decades, execution rates typically go down in the weeks prior to the parliamentary and presidential elections, Nowruz holidays (21 March–3 April) and the month of Ramadan (which fell between 13 April and 12 May in 2021). However, execution rates rise immediately after the elections and when authorities anticipate the occurrence of protests.<sup>11</sup> In 2021, only one execution was recorded in the 18 days prior to the presidential elections, while at least 50 people were executed in the month following the elections.

## EXECUTIONS DOUBLED AFTER THE PRESIDENTIAL ELECTIONS



The number of executions in 2021 doubled in the six months following the presidential elections, compared to the preceding six months. A similar increase was observed after the presidential elections in 2013,<sup>12</sup> when Hassan Rouhani started his first presidential term and during the first round of JCPOA talks to reach

<sup>11</sup> <https://iranhr.net/en/articles/982/>

<sup>12</sup> Iran Human Rights | Article: 2013 Annual Report: Highest in 15 Years | (iranhr.net)

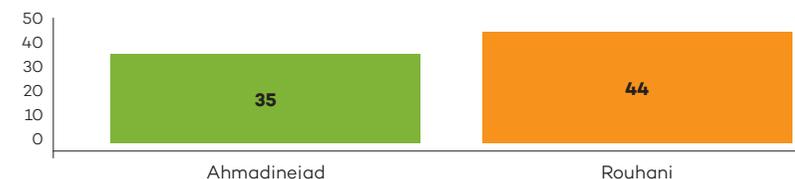
an agreement between the P5+1 countries and the Islamic Republic on its nuclear programme. The increase in the number of executions this year coincides with the new round of nuclear talks between the P5+1 group and the Islamic Republic.

## EXECUTIONS UNDER ROUHANI'S PRESIDENCY

August 2021 marked the end of the second and final term of Hassan Rouhani's presidency. Reports by IHRNGO reveal that at least **4,249** people were executed during Hassan Rouhani's eight years as president. This is significantly higher than the number of reported executions during the eight years of Ahmadinejad's presidency. In Rouhani's second year in office in 2015, Iranian authorities executed at least 972 prisoners, the highest number of annual executions in more than two decades. Although the president does not have a direct role in issuing or implementing executions, Hassan Rouhani never criticised or expressed concern about the sharp rise in the number of executions during his presidency.



The figures above show the reported execution numbers during Mahmoud Ahmadinejad's two terms in office (June 2005 to June 2013) compared with Hassan Rouhani's two terms (July 2013 to June 2021). The figures are based on reported numbers; the actual numbers are certainly higher. There are also larger margins of error for the numbers under the first term of Ahmadinejad's presidency (2005–2009).



A review of Rouhani's eight-year presidency shows that the average monthly number of executions was 44, compared to an average of 35 monthly executions during his predecessor Ahmadinejad's two previous terms. It should be noted that the 2017 Amendment to the Anti-Narcotics Laws also significantly reduced the monthly average execution count during Rouhani's presidency.

## EJEI, RESPONSIBLE FOR THE EXECUTION OF MORE THAN 1500 DRUG OFFENDERS, TAKES OVER FROM RAEISI AS HEAD OF JUDICIARY

According to Article 156 of the Iranian Constitution: “The Judiciary shall be an independent power that protects individual and social rights.” However, Article 157 of the Constitution undermines the impartiality and independence of the judiciary and states that “The Head of the Judiciary is directly appointed and supervised by the Supreme Leader,” who, under the Constitution, is the Head of State and holds the State’s highest political position.



Supreme Leader Ali Khamenei (left) and Gholamhossein Mohseni-Ejei, the Head of Judiciary appointed in 2021

On 1 July 2021, Supreme Leader Ali Khamenei promoted Gholamhossein Mohseni-Ejei (known as Ejei) to serve as the new Head of Judiciary. Ejei has held several key positions in the Islamic Republic’s security apparatus, including Minister of Intelligence (2005–2009), Attorney General of Iran (2009–2014), and Deputy Chief of Judiciary (2014–2021). In 2014, he was granted the power to make the final decision in death penalty cases of drug offenders. The following year, in 2015, at least 642 people were executed on drug-related charges, including the Ghezelhesar Prison mass executions,<sup>13</sup> on the direct orders of Ejei, setting the record for the highest annual drug executions since the early 1990s. Ejei is also one of the Islamic Republic officials who were sanctioned in 2010

<sup>13</sup> <https://iranhr.net/en/articles/1217/>

for their role in the suppression of the 2009 post-election protests by the United States<sup>14</sup> and the European Union.<sup>15</sup>

The Executive Order issued by then-United States President Barack Obama reads: “As the Minister of Intelligence at the time of the June 2009 election, Mohseni-Ejei has confirmed that he authorised confrontations with protesters and their arrests during his tenure as Minister of Intelligence. As a result, protesters were detained without formal charges brought against them and during this detention detainees were subjected to beatings, solitary confinement, and a denial of due process rights at the hands of intelligence officers under the direction of Mohseni-Ejei. In addition, political figures were coerced into making false confessions under unbearable interrogations, which included torture, abuse, blackmail, and the threatening of family members.”

Ejei replaced Ebrahim Raeisi, who was Head of Judiciary from 2019 until taking office as president in August 2021. Raeisi served on a four-person commission, known as the “death commission,” during the 1988 prison massacre of political prisoners. Based on an order by the founder and then Supreme Leader Ayatollah Khomeini, commissions were formed across the country and were responsible for the execution of several thousand political prisoners in the summer of 1988. The prisoners, many of whom had been tried and were serving their prison terms, went through very short interviews (often just one question) with the death commission, who ruled whether they should be executed or not. Raeisi, who is also on the United States sanctions list for his role in the massacre, served on the death commission responsible for the Tehran region, where the highest number of political prisoners were held. The 1988 extrajudicial prison massacre of political prisoners is considered by many distinguished lawyers and rights organisations as a crime against humanity.<sup>16</sup>

When questioned about his role in the massacre in the first news conference following his inauguration in June 2021, Raeisi responded: “Everything I’ve done in my time of holding office has been to defend human rights. If a legal expert, a judge or a prosecutor has defended the rights of people and the security of the society, he must be lauded and encouraged for preserving the security of people against assaults and threats. I am proud to have defended human rights in every position I have held so far.”<sup>17</sup>

<sup>14</sup> <https://www.treasury.gov/press-center/press-releases/pages/tg877.aspx>

<sup>15</sup> [https://www.europarl.europa.eu/doceo/document/E-7-2010-8192\\_EN.html](https://www.europarl.europa.eu/doceo/document/E-7-2010-8192_EN.html)

<sup>16</sup> <https://www.amnesty.org/download/Documents/MDE1394212018ENGLISH.PDF>

<sup>17</sup> <https://www.aljazeera.com/news/2021/6/21/irans-president-elect-raisi-addresses-links-with-mass-executions>

In his February 2022 report to the UN Human Rights Council (HRC) the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, Javaid Rehman urged the international community to call for accountability with respect to long-standing emblematic events that have been met with persistent impunity, including the enforced disappearances and the summary and arbitrary executions of 1988.<sup>18</sup>

18 <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G22/005/44/PDF/G2200544.pdf?OpenElement>

# LEGISLATIVE FRAMEWORK

## INTERNATIONAL TREATIES

The Islamic Republic of Iran has ratified three international human rights treaties that apply to the death penalty: the International Covenant on Civil and Political Rights (ICCPR) in 1975, the International Convention on the Rights of the Child (CRC) in 1994, and the Convention on the Rights of Persons with Disabilities (CRPD) in 2009.

The other applicable treaties which it has neither signed nor ratified include the International Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.

Since 2007, a resolution for a universal moratorium on the use of the death penalty has been put to a vote at the UN General Assembly (UNGA) every two years. Through this text, always adopted by a large majority of States, the UN reaffirms that the application of the death penalty violates human dignity and “calls upon all States that still maintain it to establish a moratorium on executions”. As the resolution is not legally binding, it cannot prevent a State from performing an execution or sanction that State. However, a firm call from the UN’s most senior political body carries considerable moral weight and is a precious asset in creating a world without the death penalty. Since the introduction of the resolution in 2007, the number of voters supporting the resolution has steadily increased to a new record of 123 in 2020.

Since 2007 however, Iran has voted against the Resolution. In December 2020, Iran voted against the Resolution once again.

TREATY DESCRIPTION	TREATY NAME	SIGNATURE DATE	RATIFICATION DATE, ACCESSION(A), SUCCESSION(D) DATE
International Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	CAT		
Optional Protocol of the International Convention against Torture	OP - CAT		
International Covenant on Civil and Political Rights	CCPR	04 Apr 1968	24 Jun 1975

Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty	CCPR-OP2-DP		
International Convention for the Protection of All Persons from Enforced Disappearance	CED		
Interstate communication procedure under the International Convention for the Protection of All Persons from Enforced Disappearance	CED, Art.32		
International Convention on the Elimination of All Forms of Discrimination against Women	CEDAW		
International Convention on the Elimination of All Forms of Racial Discrimination	CERD	08 Mar 1967	29 Aug 1968
International Covenant on Economic, Social and Cultural Rights	CESCR	04 Apr 1968	24 Jun 1975
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	CMW		
International Convention on the Rights of the Child	CRC	05 Sep 1991	13 Jul 1994
Optional Protocol to the International Convention on the Rights of the Child on the involvement of children in armed conflict	CRC-OP-AC	21 Sep 2010	
Optional Protocol to the International Convention on the Rights of the Child on the sale of children, child prostitution and child pornography	CRC-OP-SC		26 Sep 2007 (a)
International Convention on the Rights of Persons with Disabilities	CRPD		23 Oct 2009 (a)

## LIMITATION OF THE APPLICATION OF THE DEATH PENALTY TO THE MOST SERIOUS CRIMES

Article 6 of the ICCPR sets out the inherent right to life and emphasises that the death penalty may only be applied for “most serious crimes.” Article 6§2 of the ICCPR states: “In countries which have not abolished the death penalty, sentence of death may be

*imposed only for the most serious crimes in accordance with the law in force at the time of the commission of the crime and not contrary to the provisions of the present Covenant and to the Convention on the Prevention and Punishment of the Crime of Genocide. This penalty can only be carried out pursuant to a final judgement rendered by a competent court.”*

Article 6§5 of ICCPR clarifies: “Sentence of death shall not be imposed for crimes committed by persons below eighteen years of age and shall not be carried out on pregnant women.”

Article 6§6 states: “Nothing in this Article shall be invoked to delay or to prevent the abolition of capital punishment by any State Party to the present Covenant.”

Article 7 of the ICCPR bans “Torture and cruel, degrading and inhumane punishments”, and Article 14 provides fair trial and due process, and specifically mentions the importance of an impartial judicial system, access to a lawyer and a fair trial, and not compelling individuals to testify against themselves or to confess guilt.

In the General Comment on Article 6 of the ICCPR, the UN Human Rights Committee stated that “The term ‘the most serious crimes’ must be read restrictively and appertain only to crimes of extreme gravity, involving intentional killing. Crimes not resulting directly and intentionally in death, such as attempted murder, corruption and other economic and political crimes, armed robbery, piracy, abduction, drug and sexual offences, although serious in nature, can never serve as the basis, within the framework of Article 6, for the imposition of the death penalty. In the same vein, a limited degree of involvement or of complicity in the commission of even the most serious crimes, such as providing the physical means for the commission of murder, cannot justify the imposition of the death penalty. States parties are under an obligation to review their criminal laws so as to ensure that the death penalty is not imposed for crimes which do not qualify as the most serious crimes. They should also revoke death sentences issued for crimes not qualifying as the most serious crimes and pursue the necessary legal procedures to re-sentence those convicted for such crimes.”

The UN Human Rights Committee also stated that “Under no circumstances can the death penalty ever be applied as a sanction against conduct whose very criminalization violates the Covenant, including adultery, homosexuality, apostasy, establishing political opposition groups, or offending a head of state. States parties that retain the death penalty for such offences commit a violation of their obligations under Article 6 read alone and in conjunction with

Article 2, paragraph 2 of the Covenant, as well as of other provisions of the Covenant.”

In a yearly supplement to his quinquennial report on capital punishment, the UN Secretary General reaffirmed this position: “States parties to the Covenant that have not yet abolished the death penalty may only impose it for the “most serious crimes”. The Human Rights Committee has expressed the view that this means crimes of particular gravity involving intentional killing. States should remove from national laws any application of the death penalty to crimes not involving intentional killing, such as drug-related offences or terrorism-related crimes not involving intentional killing. The death penalty should especially not be imposed as a sanction for forms of non-violent conduct such as apostasy, blasphemy, adultery and consensual same-sex relations.”

Although Iran did not make any reservation while ratifying the ICCPR, the death penalty is still imposed for crimes that do not meet the threshold of “the most serious crimes” despite what has been stated in the Addendum following the Universal Periodic Review (UPR): “It should be noted that the deprivation of life has been considered as a punishment only for the most serious crimes in accordance with Article 6 of the International Covenant on Civil and Political Rights.”

## PROHIBITION OF SEVERAL METHODS OF EXECUTION

The HRC also highlighted that State parties that have not abolished the death penalty must respect Article 7 of the Covenant, which bars certain methods of execution, including public executions.

## PROHIBITION OF THE DEATH PENALTY FOR CHILDREN AND PREGNANT WOMEN<sup>19</sup>

Article 6§5 of ICCPR states: “Sentence of death shall not be imposed for crimes committed by persons below eighteen years of age and shall not be carried out on pregnant women.”

Article 37a of the CRC 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.”

<sup>19</sup> [https://www.unodc.org/pdf/criminal\\_justice/Safeguards\\_Guaranteeing\\_Protection\\_of\\_the\\_Rights\\_of\\_those\\_Facing\\_the\\_Death\\_Penalty.pdf](https://www.unodc.org/pdf/criminal_justice/Safeguards_Guaranteeing_Protection_of_the_Rights_of_those_Facing_the_Death_Penalty.pdf)

However, upon ratification, Iran made the following reservation: “If the text of the Convention is or becomes incompatible with the domestic laws and Islamic standards at any time or in any case, the Government of the Islamic Republic shall not abide by it.”

## IRANIAN LAW

Chapter III of the Constitution of the Islamic Republic of Iran contains provisions related to the rights of the people. Article 22 states: “The dignity, life, property, rights, domicile, and occupations of people may not be violated, unless sanctioned by law.”

Codified laws relating to the death penalty can be found in the 2013 Islamic Penal Code (IPC) and the Anti-Narcotics Law and its 2017 Amendment. While murder, drug possession and trafficking, rape/sexual assault, *moharebeh*, *efsad-fil-arz* and *baghy* are the most common charges resulting in the death penalty in Iran, the IPC sanctions the death penalty for a wide range of crimes. The number of offences is amongst the highest in the world.

However, there are also uncoded laws relating to the death penalty. Article 220 of the IPC states that Article 167 of the Constitution can be invoked by the judge to pronounce *hudud* punishments that the law has not addressed: “The judge is bound to endeavour to judge each case on the basis of the codified law.” In the absence of such laws, the judge has to deliver judgment on the basis of authoritative Islamic sources and authentic *fatwa* that can carry the mandatory death penalty. The judge cannot refrain from admitting and examining cases and delivering judgement based on the lack or deficiency of the law in the matter, or its brevity or contradictory nature.

It is important to note that the majority of charges punishable by death in the Islamic Republic cannot be considered as “most serious crimes” and do not meet the aforementioned ICCPR standards.

## ISLAMIC PENAL CODE & CAPITAL OFFENCES

The current IPC came into force in 2013. Section Two sets out four types of punishments, three of which are applicable to the death penalty: *hadd*, *qisas* and *ta'zir*.

**Hadd (pl. hudud)** are fixed punishments for which *Sharia* or Islamic law has fixed the measure, degree and method. They can be divided into three subcategories:

- **Sexual offences:** incest, rape, *zena* (adultery), *lavat* (sodomy or consensual homosexual penetrative sex), *tafkhiz* (intercrural sex) where the “active party” is non-Muslim and the “passive party” is Muslim.
- **Offences against the State and religion:** *efsad-fil-arz* (corruption on earth), *moharebeh* (enmity against God), *baghy* (armed rebellion), *sabol-nabi* (insulting the prophet) and *ertedad* (apostasy).
- **Repeat offences on the fourth occasion:** theft, adultery, sodomy, *mosahegheh* (lesbian sex), intercrural sex, pimping, insulting the prophet, alcohol consumption, *qadf* (false accusation of sodomy or adultery), *moharebeh*, *efsad-fil-arz* and *baghy*.

**Qisas:** retribution-in-kind for “intentional murder”, which due to a lack of grading and disregard for intent or circumstances, includes both intentional and unintentional killings.

**Ta’zir:** Punishment for offences at the discretion of the judge. This currently applies to drug-related offences for the purpose of this report.

## SEXUAL OFFENCES

### INCEST, SEX BETWEEN A NON-MUSLIM MAN AND MUSLIM WOMAN, AND RAPE

According to Article 224 of the IPC: “A death sentence shall be imposed on the male party in cases of incest, fornication with their stepmother, fornication of a non-Muslim man with a Muslim woman and fornication by force or reluctance. The punishment for the female party shall be decided by other provisions concerning fornication.”

### ADULTERY

*Zena* (adultery) between married parties is punishable by stoning. The IPC has retained the punishment of stoning for those charged with adultery (Article 225), but the courts have been provided with the option to impose the death sentence by alternative means upon approval from the Head of Judiciary “If it is not possible to perform stoning.”

### SAME-SEX RELATIONS

#### LAVAT

Article 233 of the IPC defines *lavat* (sodomy) and Article 234 sets out its punishments. In male homosexual relations, the law distinguishes between what it describes as the “active party” and “passive party.” The death penalty is imposed on the “active party” if he is married or commits rape, but the “passive party” receives the death penalty

regardless of their marital status. According to Note 1 of Article 234, a non-Muslim “active party” in a sexual act with a Muslim party shall also receive the death penalty.

#### TAFKHIZ

*Tafkhiz* (intercrural sex) is defined in Article 235 and according to Article 236, the punishment for both parties is 100 lashes. However, the Note to the Article stipulates that the “active party” shall receive the death penalty if he is non-Muslim and the “passive party” is Muslim.

#### MOSAHEGHEH

Defined in Article 238, in cases of *mosahegheh* (lesbian sex), no distinction is made in punishments set for the “active” or “passive” parties, their religion, marital status or consent (Article 240). Article 239 sets out the punishment for *mosahegheh* as 100 lashes. However, as it is a *hadd* crime, it is punishable by death on the fourth occasion if “offenders” are sentenced and receive the lashing punishments on the first three occasions. This has not been specifically stated in law, but can be inferred from the provisions of Article 136 of the IPC on “Repeat Offences” (see below).

In June 2019, when asked by a journalist why homosexuals are executed based on their sexual orientation, then Iranian Foreign Minister Mohammad Javad Zarif responded: “Our society has moral principles. And we live according to these principles. These are moral principles concerning the behaviour of people in general. And that means that the law is respected, and the law is obeyed.” According to some human rights activists, many people have been executed based on charges of homosexuality since the 1979 Islamic revolution.<sup>20</sup>

## OFFENCES AGAINST THE STATE AND RELIGION

### MOHAREBEH

Article 279 of the IPC defines *moharebeh* (a person who wages war against God) as someone who takes up arms in specific cases. This includes “bandits, robbers and smugglers” who take up arms (Article 281 of the IPC).

Article 282 of the IPC sanctions the death penalty in cases of *moharebeh*. However, power is granted to judges to impose the alternative punishments of crucifixion, amputation of the right hand

<sup>20</sup> [https://bridges.monash.edu/articles/report/State-Sanctioned\\_Killing\\_of\\_Sexual\\_Minorities\\_Looking\\_Beyond\\_the\\_Death\\_Penalty/14069318](https://bridges.monash.edu/articles/report/State-Sanctioned_Killing_of_Sexual_Minorities_Looking_Beyond_the_Death_Penalty/14069318)

and left foot or domestic exile away from the defendant's hometown. Under the previous IPC, which was in force until 2013, the charge of moharebeh was frequently used against political dissidents and people with connections to opposition groups abroad, regardless of whether they had personally used violence or not. The current IPC has provided for their punishment under the vague charges of *efsad-fil-arz* and *baghy*.

### EF SAD-FIL-ARZ

Article 286 of the IPC defines *efsad-fil-arz* (corruption on earth) as the crime committed by a person "on an extensive level against the physical integrity of others, the domestic or external security, spreads lies, disrupts the national economic system, undertakes arson and destruction, disseminates poisonous, microbiological and dangerous substances, establishes corruption and prostitution centres or assists in establishing them."

However, this article does not provide concrete definitions for the term "crime" and the scope of "extensive" for its purpose, giving judges more power to interpret the law at their own discretion.

### BAGHY

Article 287 of the IPC defines members of any group that stages armed rebellion against the Islamic Republic of Iran as "*baaghy*" (one who carries out *baghy* or armed rebellion), and states that its members shall be sentenced to death on charges of *baghy* if using weapons.

### OTHER RELIGIOUS "OFFENCES"

Article 262 sanctions the death sentence for cursing the Prophet of Islam or any of the other great prophets, and for accusing the infallible imams and the Prophet Mohammad's daughter, Fatima Zahra, of sodomy or adultery. Apostasy, sorcery, witchcraft and other such issues have not been explicitly specified in the current IPC, although apostasy has been specifically referred to in Article 26. Under sharia law, the punishment for apostasy is death, which a judge can impose by invoking Article 167 of the Constitution.

### QISAS

*Qisas* means retribution-in-kind for a crime committed. A *qisas* death sentence takes away the offender's life in retribution for having committed murder. However, the law provides immunity from *qisas* for the following individuals:

- Father and paternal grandfather of the victim (Article 301)
- A man who kills his wife and her lover in the act of adultery (Article 302)
- Muslims, followers of recognised religions, and "protected persons" who kill followers of unrecognised religions or "unprotected persons" (Article 310)
- A person who kills someone who has committed a *hadd* offence punishable by death (Article 302)
- A person who kills a rapist (Article 302)

The law thus indirectly encourages arbitrary killings by private individuals. Experts believe, for instance, that Articles 301 and 302 might be contributing to the increased number of honour killings in Iran. The law also discriminates against followers of "unrecognised" religions. Article 301 states: "*Qisas shall be established [...] if the victim is sane and has the same religion as the culprit. Note: If the victim is Muslim, the non-Muslim status of the culprit shall not prevent qisas.*" This includes in particular members of the Baha'i faith, which is not recognised as a religion according to Iranian law. If a Baha'i is murdered, the family does not receive *diyya* (blood money) and the offender is exempted from *qisas*. In 2013, there were two reported Baha'i murder cases. Saeedollah Aqdasi was murdered in his house in Miandoab (Northwestern Iran) on 23 April 2013, and Ataollah Rezvani was shot in Bandar Abbas (Southern Iran) on 24 August 2013; neither of these cases has been properly investigated.

### REPEAT OFFENCES

Article 136 stipulates that repeat offenders who commit an offence punishable by *hadd*, and who are punished on the first three occasions, shall be sentenced to death on the fourth occasion. This article has failed to provide a complete list of *hudud* offences and only specifies the death sentence for theft on the fourth occasion in Article 278. Nevertheless, Articles 220–288 have defined *hudud* offences as: incest and adultery, *lavat*, *tafkhiz*, *mosahegheh*, pimping, *sabol-nabi*, theft, alcohol consumption, *qadf* (false accusations of *lavat* or adultery), *moharebeh*, *efsad-fil-arz* and *baghy*.

### JUVENILE OFFENDERS

The 2013 IPC retained the death penalty for juvenile offenders. Although Articles 89–95 suggest corrective measures and alternative

punishments for children and juveniles, Article 91 is very clear that the offences punishable by *hudud* or *qisas* are exceptions to this rule. It is important to note that almost all juvenile offenders executed in the past ten years were sentenced to death based on *qisas* and *hudud* laws.

Article 91 states: *“For offences punishable by hadd or qisas, mature persons younger than 18 shall be sentenced to the punishments stipulated in this chapter (Articles 89-95) if they do not understand the nature of the offence committed or its prohibition or if there are doubts about their maturity or development of their reasoning.”*

The Article grants discretion to the judge to decide whether a juvenile offender understood the nature of the offences, whether they were mature at the time of committing the offence and whether they should be sentenced to death. The Note to Article 91 authorises but does not require the court to seek the opinion of the Forensic Medical Organisation or to use any other means to reach a verdict.

Moreover, while Article 146 states that immature persons lack criminal responsibility, Article 147 repeats the provisions of the previous law and the Civil Code regarding maturity and the age of criminal responsibility. Girls are considered mature at the age of 9 lunar years and boys at the age of 15 lunar years. A girl older than 8.7 years and a boy older than 14.6 years can therefore be sentenced to death.

In the framework of the Universal Periodic Review (UPR), Iranian authorities wrote in their reply to the recommendations: *“Conforming to the recent amendments made in the laws of Iran, the maximum punishment for children shall not exceed five years of detention in correctional facilities. The deprivation of life as a punishment shall be proposed but not enforced in case the culprit with the age of criminal responsibility has not perceived the nature of the crime and therefore lacks mental maturity and perfection, based on the expert assessment and judgement of the competent court.”*<sup>21</sup>

The juvenile offenders executed in 2021 were kept in prison or correctional facilities until they reached the age of 18 before being executed.

## THE ANTI-NARCOTICS LAW

Iran’s Anti-Narcotics Law was drafted in 1988, with amendments in 1997, 2011 and 2017. The 1997 and 2011 amendments were aimed at counteracting Iran’s growing drug problem by expanding the scope of the law and introducing harsher sentences. The 2011 Amendment introduced the death penalty for the possession of as little as 30

<sup>21</sup> <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G20/044/46/PDF/G2004446.pdf?OpenElement>

grams of heroin and included new categories of drugs. Altogether, the Anti-Narcotics Law, including the 1997 and 2011 Amendments, imposed the death penalty for 17 drug-related offences, including: a fourth conviction for offences in several instances; planting opium poppies, coca plants or cannabis seeds with the intent to produce drugs; smuggling more than 5 kilograms of opium or cannabis into Iran; buying, possessing, carrying or hiding more than 5 kilograms of opium and the other aforementioned drugs (punishable upon a third conviction); smuggling into Iran, dealing, producing, distributing and exporting more than 30 grams of heroin, morphine, cocaine or their derivatives.

The 2017 Amendment introduced a mechanism to limit the use of the death penalty and commute the sentences of those on death row to life imprisonment. The Amendment increased the minimum amounts of illegal drugs that would subject convicted producers and distributors to a death sentence, raising the level of synthetic substances, such as heroin, cocaine and amphetamines, from 30 grams to 2 kilograms and that of natural substances, such as opium and cannabis, from 5 kilograms to 50 kilograms (Article 45(d)). The punishment for those already sentenced to death or life imprisonment for drug-related offences would be commuted to a maximum of 30 years imprisonment and a fine. It restricted the death penalty for those convicted of carrying (not only using) weapons, acting as the ringleader, providing financial support, or using minors below the age of 18 or the mentally ill in a drug crime, and to those previously sentenced to death, life imprisonment, or imprisonment for more than 15 years for related crimes. A complete analysis of the 2017 amendments to the Anti-Narcotics Law is available in the 2017 *Annual Report on the Death Penalty in Iran*.<sup>22</sup>

The 2017 Amendment created hope that there will eventually be a complete halt in drug-related executions. And while it did lead to a decline in male drug executions and a complete drop in female executions until 2021, the outcome was not guaranteed. In 2021, drug executions were at a four-year record high and increased fivefold compared to 2020, and five women were executed for drug-related offences.

<sup>22</sup> <https://iranhr.net/en/reports/19/>

# PROCEDURES

The ICCPR, which Iran has ratified, promotes the rule of law and underlines equal legal rights for all individuals regardless of sex, ethnicity, opinion or belief, and bans many forms of discrimination. Article 14 specifically underlines the importance of an impartial judicial system, access to a lawyer and a fair trial, and not compelling individuals to testify against themselves or to confess guilt. However, the lack of due process is probably the biggest obstacle to significant improvements in the human rights situation, and the situation of the death penalty in particular. Perhaps the lack of an impartial judiciary and inequality before the law are the most important structural reasons for the lack of due process in Iran. The Head of Judiciary is directly selected by the country's highest political authority, the Supreme Leader, and must report to him. The Chief of the Supreme Court and all judges are selected by the Head of Judiciary based on their ideological affiliation and political background, making the judiciary a political wing that is neither impartial nor independent. Citizens are not equal before the law; men have more rights than women, Muslims have more rights than non-Muslims, and *Shia* Muslims have more rights than *Sunni* Muslims.

In this section, we will briefly address the typical legal procedures from arrest to death sentence. Due to the arbitrary nature of the judicial system, not all the procedures are necessarily followed in every death penalty case. A broader and deeper discussion on the legal procedures and due process in Iran is beyond the scope of this report and can be found elsewhere.<sup>23</sup>

## FROM ARREST TO PROOF OF GUILT ACCESS TO LAWYER

Article 35 of the Iranian Constitution grants defendants access to legal representation. The 2013 Code of Criminal Procedure (CCP) and its 2015 amendments address, among others, a suspect's right to access a lawyer in the pre-trial phase.<sup>24</sup> Article 48 of the CCP states: *"When a suspect is arrested, they can request the presence of a lawyer. The lawyer, observing the secret nature of the investigation and the negotiations between the parties, should meet with the suspect. At*

23 <https://fpc.org.uk/publications/ihrdueprocess/>

24 <https://iranhrdc.org/amendments-to-the-islamic-republic-of-irans-code-of-criminal-procedure-part-1/>

*the end of the meeting, which should not last more than one hour, the lawyer may submit their written notes to be included in the case file."* However, a note added in the final draft limits the suspect's rights to choose a lawyer. The amended note states: *"In cases of crimes against internal or external security, and in cases involving organised crime, where Article 302 of this code is applicable, during the investigation phase, the parties to the dispute are to select their attorneys from a list approved by the Head of Judiciary. The names of the approved attorneys will be announced by the Head of Judiciary."*

The note effectively states that in serious criminal cases and those involving security charges, during the pre-trial investigation phase, defendants may only select lawyers from a list approved by the Head of Judiciary. In June 2018, the judiciary announced a list of 20 lawyers approved to defend citizens with security cases.<sup>25</sup>

Following objections from lawyers,<sup>26</sup> the Iranian Parliament's Judiciary Committee tried to propose a bill to change the law. The proposed bill removes the phrase *"to select their lawyers from a list approved by the Head of Judiciary."* However, it imposes new limitations, including the possibility of limiting the right to access legal counsel for 20 days (which can be extended by order of the judge for an indefinite period) for defendants subject to Article 302 of the CCP. Several lawyers expressed their concern regarding this limitation. Some of these concerns are published in interviews with the IHRNGO bi-weekly Farsi law journal, *Hoghoghe-ma* ("Our Rights").<sup>27</sup> However, regardless of the charges, none of the people sentenced to death about whom IHRNGO has acquired information have had access to a lawyer in the initial (pre-trial) phase after their arrest.

In February 2022, a resolution passed in the European Parliament expressed *"grave concerns over detainees' inability to access legal representation during interrogations."*<sup>28</sup>

## TORTURE IN DETENTION

Article 38 of the Iranian Constitution bans all forms of torture and forced confessions. However, reports gathered by IHRNGO and other human rights organisations indicate that torture is widely used against suspects after their arrest and in the pre-trial phase in order to extract a confession. All death row prisoners that IHRNGO has been in contact with have testified that they were subjected to torture in

25 <https://www.rferl.org/a/lowering-the-bar-tehran-white-list-excludes-most-lawyers-from-politically-charged-cases/29276192.html>

26 <https://iranhr.net/media/files/HoghoheMa-No79.pdf>

27 <https://iranhr.net/media/files/101.pdf> and <https://iranhr.net/media/files/160.pdf>

28 [https://www.europarl.europa.eu/doceo/document/TA-9-2022-0050\\_EN.html](https://www.europarl.europa.eu/doceo/document/TA-9-2022-0050_EN.html)

order to extract a confession to the crime for which they were charged. This is not limited to those with political or security-related charges. Almost all prisoners arrested for drug-related offences have been kept in solitary confinement and subjected to physical torture in the investigation phase following their arrest, while being denied access to a lawyer. In many cases, confessions extracted in detention have been the only evidence available for the judge to base his verdict on. Torture is also used in other criminal cases involving rape or murder where there is not enough evidence against the suspect. IHRNGO dedicated an issue of its legal biweekly magazine *Hoghooghe-ma* to the subject of torture.<sup>29</sup>

In December 2021, a resolution was passed by the UN General Assembly's 76<sup>th</sup> session condemning Iran for its human rights abuses, including the use of torture. Afterwards, Kazem Gharibabadi, Secretary of Iranian Judiciary's High Council for Human Rights, denied the human rights breaches and said: "Anyone who claims to have been tortured should take their case to the authorities." In response, thousands of Iranians took to Twitter using #مدش\_مجنکشد ("I was tortured") to testify about their own or their loved one's experiences of torture at the hands of Islamic Republic authorities.<sup>30</sup> In February 2022, a resolution passed in the European Parliament deplored "the systematic use of torture in Iranian prisons" and called for the "immediate cessation of all forms of torture and ill-treatment of all detainees."<sup>31</sup>

## COURTS AND TRIALS

Of the death penalty charges most commonly carried out, the security-related charges of *moharebeh*, *efsad-fil-arz*, *baghy*, and drug-related offences fall under the jurisdiction of the Revolutionary Courts, while other charges such as murder and rape are tried by the Criminal Courts.

## REVOLUTIONARY COURTS

Established in 1979 on the orders of Ayatollah Khomeini to try former officials of the Pahlavi government, Iran's Revolutionary Courts have continued to operate and are responsible for issuing heavy

29 <https://iranhr.net/media/files/140.pdf>

30 <https://twitter.com/IHRights/status/1471861037993451527?s=20&t=xiExlDOso4-blC48FubjhA>

31 [https://www.europarl.europa.eu/doceo/document/TA-9-2022-0050\\_EN.html](https://www.europarl.europa.eu/doceo/document/TA-9-2022-0050_EN.html)

sentences to human rights defenders, journalists, dissidents and all those criticising the authorities. Additionally, they are responsible for the vast majority of all death sentences issued in the last 43 years.<sup>32</sup> The Revolutionary Courts are not transparent, and its judges are known for greater abuse of their legal powers than any other judges.<sup>33</sup> Revolutionary Court judges routinely deny lawyers access to individuals who are subjected to extensive interrogations under severe conditions. Then-UN Special Rapporteur on the Situation of Human Rights in the Islamic Republic of Iran, Ahmed Shaheed, interviewed 133 people facing trial in the country for a 2014 report focused on Iran's judicial system. According to the report:

- 45% of those interviewed reported that they were not permitted to present a defence
- In 43% of cases, trials lasted only minutes
- 70% of interviewees reported that coerced information or confessions had been used by the judge or made up at least part of the evidence presented by the prosecution
- Some 65% of interviewees reported that the judge displayed signs of bias, such as by reproaching or interrogating defendants and limiting their ability to speak and present a defence.<sup>34</sup>

A resolution presented at the European Parliament in 2020 set out that Iranian courts regularly fail to ensure fair trials, with the denial of access to legal counsel and of visits by representatives from consulates, the UN or humanitarian organisations. They also allow the use of confessions obtained under torture as evidence. Furthermore, there are no independent mechanisms for ensuring accountability within the judiciary, and serious concerns remain over the politicisation of judges, particularly those presiding over Revolutionary Courts.<sup>35</sup>

In a series of interviews with *Hoghooghe-ma*,<sup>36</sup> several prominent Iranian lawyers and jurists in the country questioned the constitutionality of Iran's Revolutionary Courts and called for their dissolution.<sup>37</sup>

All cases regarded as security-related, such as cases involving political and civil activists and those allegedly involved in corruption and drug-related charges, are processed by the Revolutionary Courts.

32 <https://www.theglobepost.com/2018/02/22/iran-revolutionary-courts/>

33 <https://www.theguardian.com/world/2014/jul/31/six-judges-iran-crackdown-journalists-activists>

34 <https://undocs.org/A/HRC/25/61>

35 [https://www.europarl.europa.eu/doceo/document/TA-9-2019-0112\\_EN.pdf](https://www.europarl.europa.eu/doceo/document/TA-9-2019-0112_EN.pdf)

36 <https://iranhr.net/media/files/93.pdf>

37 <https://iranhr.net/fa/journals/57/>

## METHODS OF PROVING GUILT

Confessions are the most common way of proving guilt in death penalty cases. As mentioned above, confessions are often extracted under torture. In security-related charges predominantly used against political dissidents, televised confessions are aired even before a final judgement is determined.<sup>38</sup> Eyewitness testimony is another way of proving guilt, but the witnesses may only be two men, as a woman's testimony is valued as half of a man's.

Witness testimonies are also used to prove guilt in the absence of a confession. In addition, according to the IPC, when there is no confession or witness testimony in a case, the judge can make a decision based on his exclusive opinion, without any reference to laws and codes.<sup>39</sup> This is known as *elm-e-qazi* or "knowledge of the judge."<sup>40</sup>

The law requires that rulings based on a judge's "knowledge" derive from evidence, including circumstantial evidence, and not merely personal belief that the defendant is guilty of the crime.<sup>41</sup> However, there have been cases where *elm-e-qazi* has been arbitrarily applied. For instance, in December 2007, Makwan Moloudzadeh was executed for sodomy charges based on the "knowledge of the judge."<sup>42</sup>

*Qassameh*, or a sworn oath, is another way to prove guilt of a crime (murder or injury) in Islamic jurisprudence (*fiqh*) which is practiced in Iran.<sup>43</sup> Where there is insufficient evidence in cases of *qisas*, but the judge still has doubts either because he believes the defendant to be guilty or due to circumstantial evidence, he can declare *los*, insufficient evidence of guilt. In such an event, the victim or victim's next of kin have the right to *qassameh*. *Qassameh* is based on swearing an oath on the Quran by a certain number of the victim's family. In murder cases, 50 male members of the victim's family are required to make a *qassameh*. It is important to note that the people who swear in *qassameh* ceremonies are not required to be and are not usually direct witnesses to the crime.

In 2021, at least two people were executed after being sentenced to *qisas* based on *qassameh* ceremonies. Ali Mardan Boland Gerami was executed in Yasuj Central Prison for the alleged murder of his

wife on 8 September 2021.<sup>44</sup> Twenty-two days later, 48-year-old Mashallah Sabzi was executed in Kermanshah Central Prison on September 30.<sup>45</sup> You can read about their cases on pages 54 and 55. In 2018 and 2021, IHRNGO dedicated two issues of its legal magazine, *Hoghogh-e-ma*, to *qassameh*, interviewing lawyers and religious scholars on the topic.<sup>46</sup> Since then, there has been increasing debate around the issue of *qassameh* in Iran<sup>47</sup> and in the Farsi media outside the country.<sup>48</sup>

## FORCED TELEVISED CONFESSIONS

Since its inception in 1979, the Islamic Republic has used "televised confessions" as a propaganda tool aimed at creating fear and justifying the heavy sentences handed down to its political opponents and activists. Such confessions are extracted after physical and/or psychological torture, lengthy solitary confinement, threats or promises of reduction in the gravity of a sentence (see reports for previous years' cases).<sup>49</sup> The confessions are often aired following public protests to a sentence or prior to the execution as a means of reducing public backlash. According to a June 2020 report by human rights groups JFI and FIDH, "*Iranian state television has broadcast the suspected coerced confessions of at least 355 people over the last decade as a means to both suppress dissent and frighten activists in the Islamic Republic on behalf of security services.*"<sup>50</sup>

Forced televised confessions are often aired before legal proceedings have even commenced. This is a clear violation of the defendants' right to a fair trial and to be presumed innocent until proven guilty. This was the case for Ruhollah Zam, a dissident journalist kidnapped from Iraq, whose forced confessions were aired days after his transfer to Iran. In another aired confession, Islamic Republic of Iran Broadcasting (IRIB) reporters crossed boundaries and acted as interrogators. In July 2020, IRIB's Ali Rezvani is seen interrogating a visibly exhausted and dishevelled Zam, who was executed on 12 December 2020.<sup>51</sup>

38 <https://eaworldview.com/2016/07/iran-daily-terrorist-confessions-on-state-tv/>

39 <https://fpc.org.uk/publications/ihrdueprocess/>

40 A. Asghari, S.A. Ashgar Mosavi Rokni, "Changes in Personal Knowledge of the Judge with Emphasis on Islamic Punishment Law", *International Journal of Social Sciences and Education*, Volume 5, Issue 2, 2015 <https://docs.google.com/viewer?url=http%3A%2F%2Fijse.com%2Fsites%2Fdefault%2Ffiles%2Fissues%2F2015%2Fv5i2%2FPaper-22.pdf>

41 New Islamic Penal Code, Article 211

42 <https://iranhr.net/en/articles/57/>

43 New Islamic Penal Code, Articles 313 and 336

44 <https://iranhr.net/en/articles/4879/>

45 <https://iranhr.net/en/articles/4908/>

46 Issue 75, 15 March 2018: [https://iranhr.net/media/files/No\\_75.pdf](https://iranhr.net/media/files/No_75.pdf) and Issue 155, 15 September 2021: <https://iranhr.net/media/files/155.pdf>

47 Tabnak, September 15, 2018

48 <http://www.bbc.com/persian/iran-43185108>

49 <https://iranhr.net/en/reports/#/>

50 <https://apnews.com/article/2f5e336cb7f96c2829a98a522f705855>

51 <https://iranhr.net/en/articles/4527/>

Also kidnapped from neighbouring countries and currently on trial for security charges, dissidents Jamshid Sharmahd and Habib Chaab's forced confessions were likewise aired several times before their legal proceedings had reached the trial stage.

Once the defendant has been found guilty, the forced confessions are used as a propaganda tool to justify the death sentence; as recent cases have demonstrated, they are also aired immediately prior to the execution as a justification.

This was the case for protester Navid Afkari, whose forced confessions were aired on 5 September 2020, less than a week prior to his execution on 12 September 2020.<sup>52</sup> Kurdish political prisoner Heydar Ghorbani's forced confessions had already been aired several times since his arrest in 2016. They were aired again on 18 December 2021, and Heydar was executed the next morning in Sanandaj Central Prison.<sup>53</sup>

On 30 January 2020, 13 human rights groups, including IHRNGO and ECPM, urged the European Union to adopt restrictive measures against IRIB and its officials for producing and broadcasting forced confessions, which are often used in court as incriminating evidence. The rights groups signing the statement said that their concern is *"Compounded and rendered more urgent by the fact that in the framework of the widespread waves of crackdowns and mass violations of human rights in Iran observed during recent unrests and uprisings in November 2019, many detainees identified by the authorities as alleged leaders face the risk of forced televised confessions, and the content is being used against them for harsh sentences, even risking the possibility of facing the death penalty."* According to this statement, since the November 2019 nationwide protests, IRIB has already broadcasted at least 22 forced televised confessions obtained from detainees.<sup>54</sup>

The IRIB's English and French channel, Press TV, was *"The producer and broadcaster of the largest number of forced confessions and defamatory programmes against Iranian activists and civil society,"* with at least 70 having been documented by JFI over the past decade.<sup>55</sup>

52 <https://iranhr.net/en/articles/4427/>

53 <https://iranhr.net/en/articles/5025/>

54 <https://iranhrdc.org/thirteen-human-rights-organizations-ask-the-european-council-to-take-restrictive-measures-against-the-irib-and-individuals-involved-in-obtaining-forced-confessions/>

55 <https://www.barrons.com/news/iran-must-end-forced-confessions-of-prisoners-on-tv-rights-groups-01593072307?tesla=y>

## PROCEDURES OF THE DEATH PENALTY

After being sentenced to death, prisoners remain on death row in prison. It might take weeks, months and sometimes years for the death sentence to be carried out following the final verdict. All death sentences must be approved by the Supreme Court, whose Chief is appointed by the Head of Judiciary. In addition, the Head of Judiciary must *estizan* (authorise) all *qisas* executions prior to implementation. According to Iranian law, the defendant's lawyer must be informed of the scheduled execution 48 hours prior to its implementation. However, this is not always the case in practice, especially in political and security-related cases. Prisoners are transferred to solitary confinement several days prior to their execution, where their hands are cuffed. The prisoner is normally granted a last visit with their family the day before the scheduled execution. IHRNGO has published a short report based on witness interviews about death row conditions and the prisoners' last hours.<sup>56</sup> Juvenile offender Arman Abdolali, who was taken to the gallows seven times prior to his execution on 24 November 2021, also provided an account of the torture of being transferred to solitary confinement in preparation for the gallows, which you can read on pages 38 and 39.

## METHODS OF EXECUTION

The Iranian Penal Code prescribes several execution methods, including hanging, firing squads, crucifixion and stoning. Hanging has been the main method of execution and was the only method used from 2008 until 2020, when Hedayat Abdullahpour, a Kurdish political prisoner, was executed by firing squad in Oshnavieh Prison.<sup>57</sup> Furthermore, a directive issued by the Head of Judiciary in June 2019 gives a detailed description of how death sentences by hanging, stoning and crucifixion should be implemented.<sup>58</sup>

The majority of executions are carried out within prisons. In some facilities, there are dedicated rooms for executions, while in others, executions take place in the prison yard.

In murder cases where the defendant is sentenced to *qisas*, the plaintiff (the victim's family or next of kin) must be present at the scene of the execution. Since Iranian law considers *qisas* to be the right of the victim's family, they are encouraged to carry out the actual execution themselves. IHRNGO has received several reports

56 <https://iranhr.net/en/articles/3512/>

57 <https://iranhr.net/en/articles/4294/>

58 <https://rc.majlis.ir/fa/law/show/1152670>

where the victim's family members have physically carried out the execution. In 2021, two women's executions were carried out by their own children (see pages 76 and 77). According to law, in death sentences, the presiding judge is required to be present at the execution. In *qisas* cases, the judge as well as the plaintiff or his representative must be present.

Cranes are used in public executions. The prisoners are either pulled up or the object they are standing on is removed from beneath their feet. In this case, the prisoners die of suffocation and strangulation, and it often takes several minutes until death occurs. As discussed later, the Human Rights Committee observed that public executions are contrary to the provisions of the ICCPR and that failure to respect Article 7 would inevitably render the execution arbitrary in nature and thus also in violation of Article 6 of the ICCPR.

The number of public executions dropped dramatically after the onset of the COVID-19 pandemic; no public executions were recorded in 2021.

Furthermore, no stoning punishments have been reported since 2010. This is mainly due to increasing international pressure, which started in the early 2000s and reached its peak following the campaign to save Sakineh Ashtiani in 2010.<sup>59</sup>

<sup>59</sup> <https://www.theguardian.com/world/sakineh-mohammadi-ashtiani>

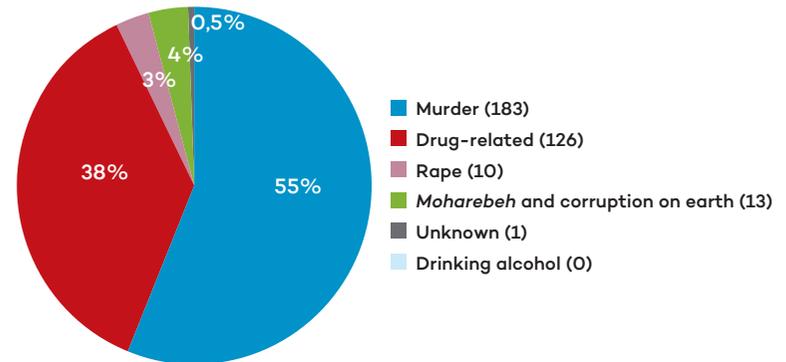
## EXECUTIONS IN PRACTICE

This section provides an overview and analysis of the use of the death penalty in 2021, including its distribution according to charges, courts, geography and implementation. It will present some examples of 2021 execution cases for each charge. The “At Risk of Death Penalty” section on page 87 provides current cases of those facing execution in Iran.

### CHARGES

While multiple offences are punishable by death, the charges leading to the most executions in recent years have been murder, drug-related offences, *moharebeh*, *efsad-fil-arz*, *baghy* and rape/sexual assault. It is important to note the systematic denial of legal due process, along with unfair trials, use of torture and duress, forced confessions and lack of a transparent and independent judiciary in Iran. As a result, the charges in each case are the official account and charges by Iranian authorities and have not been confirmed by independent sources.

### EXECUTIONS IN 2021 BASED ON CHARGES



The chart above shows the distribution of each charge used for executions in 2021. For the fifth year in a row, murder charges accounted for the majority of executions.

Murder charges accounted for the majority of all executions in 2021, with 55% of those executed having been sentenced to *qisas*, which is a decrease compared to 79% in 2020. 38% of executions were for drug-related charges, an increase from 9.4% in 2020. The security

charges of *moharebeh*, *efsad-fil-arz* and *baghy* accounted for 4% of all executions, and 3% of executions were for rape and sexual assault. There is no information about the charges against one of those confirmed to have been executed.

Of the charges leading to execution in 2021, murder and rape/sexual assault cases were heard before the Criminal Courts, while the drug-related and security charges of *moharebeh*, *efsad-fil-arz* and *baghy* fell within the Revolutionary Courts' jurisdiction.

In the following section, we will provide a more detailed description of executions based on the charges and a selection of stories.

## EXECUTIONS FOR *MOHAREBEH*, *EF SAD-FIL-ARZ* AND *BAGHY* IN 2021

Due to their vague definitions, the charges of *moharebeh* (enmity against God), *efsad-fil-arz* (corruption on earth) and *baghy* (armed rebellion) are used for a wide range of offences. Additionally, as they are within the Revolutionary Courts' jurisdiction, there is considerable subjectivity in the case judgements.

*Efsad-fil-arz* has been used by Revolutionary Court judges, particularly in cases where a death sentence would otherwise be difficult to justify based on other charges and irrefutable evidence. The executions and death row cases in 2021 will paint a clearer picture of the charges' application in practice.

In 2021, at least 13 people were executed on charges of *moharebeh*, *efsad-fil-arz* and *baghy*, compared to 15 in 2020 and 9 in 2019.

### FACTS ABOUT THE *MOHAREBEH*, *EF SAD-FIL-ARZ* AND *BAGHY* EXECUTIONS IN 2021:

- 13 people were executed on charges of *moharebeh*, *efsad-fil-arz* and *baghy*
- 3 executions were announced by official sources
- 5 people charged with armed robbery were executed
- 8 people charged with links to dissident groups were executed
- 9 people were ethnic minorities

As you will see from the cases below, of those executed in 2021 and those currently at risk of execution, the majority are ethnic minorities. Of the 13 people executed on security-related charges in 2021, four were Arabs, four were Baluch and one was Kurdish.

## EXECUTED ON CHARGES OF *MOHAREBEH*, *EF SAD-FIL-ARZ* AND *BAGHY*

### JASSEM HEIDARI, ALI KHOSRAJI, HOSSEIN SEILAVI AND NASSER KHAFAJIAN: AHVAZI ARAB POLITICAL PRISONERS TORTURED TO EXTRACT FORCED CONFESSIONS (*BAGHY*)



Jassem Heidari, Ali Khosraji, Hossein Seilavi and Nasser Khafajian were four Ahvazi Arab political prisoners who were all sentenced to death on charges of *baghy* (armed rebellion) by the Revolutionary Court. According to IHRNGO sources, all four men were subjected to the most severe torture upon arrest, and the torture continued even after their transfer to prison. Their torture-induced confessions were used as evidence in unfair trials that sentenced them to the death penalty. Jassem, Ali, Hossein and Nasser were all executed in Sepidar Prison in Ahvaz on 28 February 2021.<sup>60</sup>

### HEYDAR GHORBANI: KURDISH POLITICAL PRISONER EXECUTED AMID ONGOING JUDICIAL REVIEW (*BAGHY*)

Heydar Ghorbani, 48, was a Kurdish political prisoner who was arrested in 2016 and sentenced to death on charges of *baghy* by the Revolutionary Court, as the fifth defendant of a five-person case. According to court documents accessed by IHRNGO, none of the other four defendants were arrested. *Baghy* requires that the

<sup>60</sup> <https://iranhr.net/en/articles/4651/>

accused be a member of an armed group and use a weapon against the State, but according to his lawyer, “Heydar had not confessed to either, even under torture, and there was no evidence in the case other than claims made by intelligence agencies.”



His lawyer filed two judicial review claims according to Article 477 of the CCP. Heydar Ghorbani was executed on 19 December 2021 without notice to his family and lawyer, and his body was secretly buried. His execution was carried out while his case was still under consideration at the Supreme Court according to Article 477 of the CCP.<sup>61</sup> Heydar’s forced confessions were aired on national television the

night prior to his execution.<sup>62</sup> His execution was widely condemned, including by UN human rights experts.<sup>63</sup> His cause of death was cited as “unknown” on the death certificate, despite the Islamic Republic’s official media reporting his execution, which they confirmed quoting judicial officials.<sup>64</sup>

## EXECUTIONS FOR RAPE AND SEXUAL ASSAULT

Rape and sexual assault are among the charges which, according to the IPC, are punishable by the death penalty. In 2021, at least 10 people were executed for rape charges (12 in 2020 and 16 in 2019). As with other charges, there are reports of torture and forced confessions being used on defendants.

### FACTS ABOUT RAPE EXECUTIONS IN 2021:

- 10 people were executed on rape charges
- 6 executions were announced by official sources and 4 were unannounced
- A man was hanged 3 times 11 months after arrest

<sup>61</sup> <https://iranhr.net/en/articles/5025/>

<sup>62</sup> [https://twitter.com/jilamostajer/status/1472464744414121984?s=20&t=oy6EGISJcweevQhz\\_kmrcA](https://twitter.com/jilamostajer/status/1472464744414121984?s=20&t=oy6EGISJcweevQhz_kmrcA)

<sup>63</sup> <https://news.un.org/en/story/2021/12/1108652>

<sup>64</sup> <https://iranhr.net/en/articles/5046/>

## EXECUTED ON RAPE CHARGES

### BEHZAD ADL: HANGED 3 TIMES AFTER CONFESSING UNDER TORTURE



25-year-old Behzad Adl was arrested on 21 June 2020 and subjected to torture, including electric shocks, to extract false confessions. He later denied all the charges in court but was sentenced to, amongst others, three death sentences on the charge of “*adultery by force and reluctance*” by Branch 101 of the Shiraz Criminal Court. The judgement was upheld by the Supreme Court within just 18 days.

Two of the complainants in the case had been willing to forgive him prior to his execution. Yet, on 15 May 2021, Behzad was pulled up on the noose three times and his body left hanging for two hours.<sup>65</sup> The process from arrest to execution took just 11 months.

## EXECUTIONS FOR DRUG-RELATED CHARGES

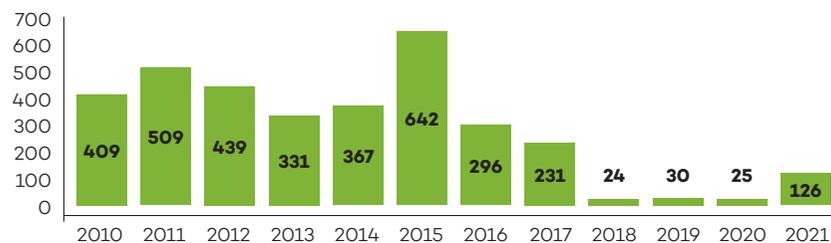
According to reports gathered by IHRNGO, at least 126 people were executed for drug-related offences in 2021. This represents a fivefold increase in the number of drug-related executions compared with the previous three years. Although none of the executions were announced by the official media, all were confirmed by IHRNGO sources.

### FACTS ABOUT DRUG-RELATED EXECUTIONS IN 2021:

- At least 126 people were executed
- None of the drug-related executions were announced by official sources
- Executions took place in 15 different provinces
- Ethnic minorities, particularly the Baluch, are overrepresented, with 55 executions (43.65%)
- 5 women were executed on drug-related charges

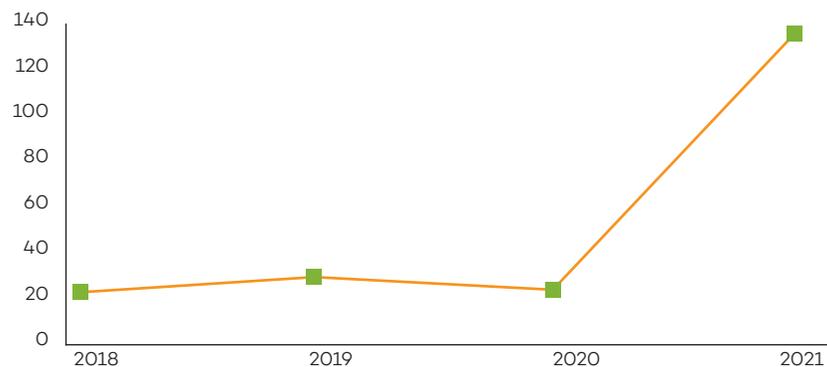
<sup>65</sup> <https://iranhr.net/en/articles/4740/>

## DRUG-RELATED EXECUTIONS 2010–2021



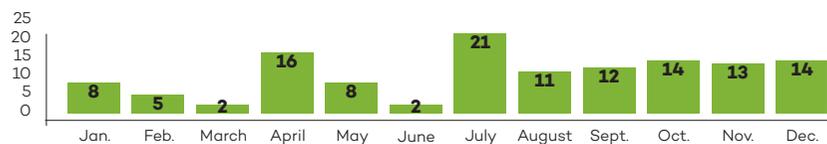
According to IHRNGO reports, an annual average of at least 403 people were executed for drug-related offences between 2010 and 2017. The diagram shows the reduction in the number of drug-related executions observed in the three years following the enforcement of the Amendment to the Anti-Narcotics Law at the end of 2017, followed by a significant rise in 2021.

## DRUG-RELATED EXECUTIONS 2018–2021



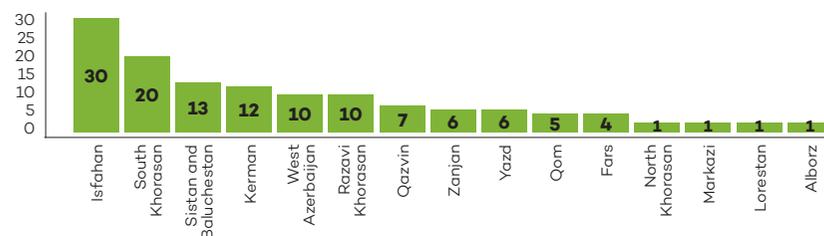
Drug-related executions increased by fivefold in 2021, compared to the last three years' average. This dramatic increase has been met with little international reaction.

## MONTHLY EXECUTIONS FOR DRUG-RELATED CHARGES 2021



Executions for drug-related offences were carried out over all 12 months of the year. The peak was in July, the month after the presidential elections, and the number of executions in the second half of the year were twice as high as in the first half.

## GEOGRAPHIC DISTRIBUTION OF DRUG-RELATED EXECUTIONS IN 2021



In 2021, drug-related executions were carried out across 15 different provinces.

## EXECUTED FOR DRUG-RELATED CHARGES

Along with security charges, drug-related charges fall under the jurisdiction of the Revolutionary Courts which, as mentioned above, systematically deny defendants their right to due process and a fair trial. Of the 126 drug-related executions recorded by IHRNGO, Baluch ethnic minorities were overrepresented, at 43.65% (55) in 2021. Many of the Baluch prisoners were executed in prisons outside Sistan and Baluchestan province. Another pattern has been the sentencing and execution of family members together, as highlighted below. You can read about all the other cases on the IHRNGO website.<sup>66</sup>

### ABDULLAH AND YOUNES TOTAZEHI: AN UNCLE AND NEPHEW



Abdullah Totazehi and his nephew, Younes Totazehi were driving through Birjand when they were ambushed by anti-narcotics forces on a side road in 2019. In the clash that ensued, the third passenger, Abdolghias Totazehi was killed and Abdullah and

Younes were arrested. They were sentenced to death for drug offences and executed in Birjand Central Prison on 19 May 2021.<sup>67</sup>

### AMIR AND AKBAR JALILIFAR: TWO BROTHERS

Brothers Amir and Akbar Jalilifar were arrested and sentenced to death for drug-related charges in 2016 and spent four years on death row. Akbar was a father. The two brothers were executed in Isfahan Central Prison on the morning of 11 July 2021.<sup>68</sup>

### AMIR AND SOHRAB HEYDARI: TWO COUSINS

Cousins Amir and Sohrab Heydari were arrested and sentenced to death for drug offences in 2016 and spent four years behind bars in Yazd Central Prison. They were executed at the prison on the morning of 25 July 2021.<sup>69</sup>

66 <https://iranhr.net/en/articles/#/20/24/1>

67 <https://iranhr.net/en/articles/4748/>

68 <https://iranhr.net/en/articles/4804/>

69 <https://iranhr.net/en/articles/4823/>

### HOSSEIN AND RAMIN DADZADEH: FATHER AND SON

Hossein Dadzadeh and his son, Ramin were arrested on drug-related charges in 2015. They were sentenced to death and executed in Yazd Central Prison five years later, on 3 October 2021.<sup>70</sup>

### ALI NEHTANI



30-year-old Ali Nehtani was a trainee bus driver on the Zahedan-Mashhad route when he was arrested on drug charges in 2019 and sentenced to death by the Revolutionary Court. He was executed in Qaen Prison (Qaen, South Khorasan) on 15 December 2021.<sup>71</sup>

## FOUR YEARS AFTER THE REFORM TO THE ANTI-NARCOTICS LAW AIMED AT THE REDUCTION OF EXECUTIONS: AN ALARMING REVERSAL IN 2021

The last Amendment to Iran's Anti-Narcotics Law came into force on 14 November 2017, leading to a significant drop in the number of drug-related executions from an annual average of 360 executions to an average of 27 executions in the following three years. However, this trend has now reversed, and the number of drug-related executions in 2021 was more than five times higher than in 2020.

Iranian authorities introduced the 2017 Amendment to the Anti-Narcotics Law mainly due to international pressure. Crucially, European states funding the UN Office on Drugs and Crime (UNODC) projects to combat illegal drugs in Iran were unwilling to fund any further projects due to the high number of drug-related executions.

There is grave concern that the decline in the number of drug-related executions observed in 2018–2020 might be permanently reversed if the international community does not react. Voices within Iran's security apparatus have already called for more executions of drug offenders. In November 2021, The Police Commander of Greater Tehran, Hossein Rahimi, criticised the 2017 changes to the Anti-Narcotics Law in a statement, asserting

70 <https://iranhr.net/en/articles/4915/>

71 <https://iranhr.net/en/articles/5020/>

that, “removing the death penalty from drug charges has made offenders more brazen.”<sup>72</sup>

The authorities’ need to instil fear in society in order to prevent further dissent is the most likely reason for the sharp increase in the number of drug-related executions. Drug offenders are predominantly from the most marginalised groups in society, and the international community’s silence makes the political cost of their execution very low. The 2017 Amendment’s major shortcoming is its failure to address due process and fair trial issues, providing a loophole for authorities to carry out drug-related executions when they desire. All drug-related offences are processed by the Revolutionary Courts. Reports collected by IHRNGO demonstrate that those arrested for drug-related offences are systematically subjected to torture in the weeks following their arrest. They often do not have access to a lawyer while in detention, and by the time a lawyer gains access to their case, they have already “confessed” to the crime.<sup>73</sup> Revolutionary Court trials are also typically very short, with lawyers often not even given a chance to present a defence for their clients.

### KHEZR GHAVIDEL: DEATH SENTENCE OVERTURNED 10 MONTHS POST-EXECUTION



Kheyr Ghavidel was arrested in Urmia on charges of carrying methamphetamine with two other people in 2013. Sentenced to death by the Revolutionary Court, his case was still pending a decision at the Supreme Court when he was executed in Urmia Central Prison on 10 September 2020.<sup>74</sup> Ten months later, in June 2021, the Supreme Court overturned his death sentence and

commuted his co-defendants’ sentences to 30 years’ imprisonment. Kheyr’s family was told to file complaints, as they would be entitled to receive *diya* (blood money). They told IHRNGO that “even if they paid us billions of tomans, it still wouldn’t make up for what was taken from us.”<sup>75</sup>

72 <https://bit.ly/3L2Y0lz>

73 <https://www.hrw.org/news/2015/12/16/iran-bid-end-drug-offence-executions>

74 <https://iranhr.net/en/articles/4422/>

75 <https://iranhr.net/en/articles/4793/>

## EXECUTIONS FOR MURDER CHARGES: QISAS

As murder is specifically punished under *qisas* laws, the IPC does not explicitly state that convicted murderers are subject to the death penalty but rather to *qisas*, or “retribution-in-kind”. The law effectively puts the responsibility for executions for murder in the hands of the victim’s family or next of kin. *Qisas* death sentences are also imposed for juvenile offenders as, according to *Sharia*, the age of criminal responsibility for girls is 9 and for boys 15 lunar years. Furthermore, the death penalty is generally subject to discriminatory application based on gender, ethnicity and religion.<sup>76,77</sup>

In addition to the inequality of citizens before the law, there are countless reports of violations of due process in *qisas* cases. Examples include the use of torture to extract confessions and summary trials without sufficient time to conduct independent investigations of the evidence.

In 2021, murder charges were the most common charge and *qisas* executions accounted for the most common execution category.

### FACTS ABOUT QISAS EXECUTIONS IN 2021:

- 183 executions were carried out for murder charges based on the *qisas* law (211 in 2020)
- 40 *qisas* executions were announced by official sources (21%)
- 39 *qisas* executions were carried out in one prison (Rajai Shahr Prison)
- 2 juvenile offenders were executed (under 18 years of age at the time of offence)
- 12 of those executed for murder charges were women (only 2 were announced by the authorities)

The 183 *qisas* executions in 2021 include a variety of cases, the majority of which involve defendants being denied their rights to due process and a fair trial. The execution of juveniles and women can be found in “Execution Categories” on page 71.

### ALI MOTAYYERI: EXECUTED WHILE ON HUNGER STRIKE WITH SEWN LIPS

Ali Motayyeri was arrested in 2018 on charges of attacking an Islamic Revolutionary Guard Corps (IRGC) base in Sheiban. Nine months later, Branch One of the Ahvaz Criminal Court sentenced Ali to *qisas* (retribution-in-kind) and *efsad-fil-arz* (corruption on earth) for the alleged murder of two IRGC members.

76 IHR and ECPM, *Annual Report on the Death Penalty in Iran - 2013*, p. 11

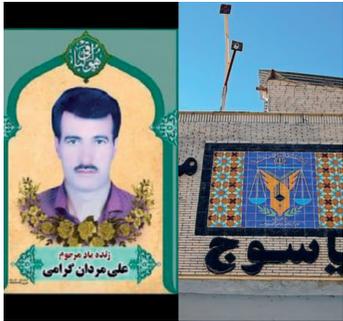
<https://www.ecpm.org/wp-content/uploads/RAPPORT-IRAN-2013-Eng.pdf>

77 See from page 71 of this report.



His sentence was later upheld by Branch 33 of the Supreme Court. Ali went on a hunger strike with several other prisoners on 23 January 2021. He had sewn his lips in protest to his unfair death sentence and treatment in prison. Five days into the hunger strike, Ali was executed on the morning of 28 January.<sup>78</sup>

### ALI MARDAN BOLAND GERAMI: EXECUTED BASED ON QASSAMEH CEREMONY



Ali Mardan Boland Gerami was arrested for the alleged murder of his wife four years prior to his execution. His wife had died in her sleep and, after being transferred to the hospital, the forensic pathologist determined that the cause of death was internal bleeding which had occurred an hour earlier. According to the medical report, there was a 50% chance that the bleeding was caused by being

beaten, but there was no sign of trauma on her body. The judge determined that there was *los*, insufficient evidence of guilt, but nevertheless believed Ali to be guilty. A *qassameh* ceremony was consequently arranged where 50 male members of Ali's wife's family, none of whom were witnesses, swore an oath proclaiming Ali's guilt and Ali was sentenced to *qisas*. The case was sent to a court of equal standing by the Supreme Court following a request for a retrial, which found him guilty again, and the ruling was upheld by the Supreme Court. He was executed in Yasuj Central Prison on 8 September 2021.<sup>79</sup>

### MASHALLAH SABZI: QASSAMEH-BASED SENTENCE AFTER REFUSING TO CONFESS UNDER TORTURE

48-year-old Mashallah Sabzi was also sentenced to *qisas* based on a *qassameh* ceremony. Arrested 11 years prior to his execution, he spent 45 days under torture in police custody to force a self-incriminating confession.

78 <https://iranhr.net/en/articles/4599/>  
79 <https://iranhr.net/en/articles/4879/>



Without evidence, witnesses or a confession, a *qassameh* ceremony was conducted based on the sworn oath of 50 men who were not witnesses and who, according to Mashallah's voice recordings released later, were not even members of the victim's family. Mashallah maintained his innocence until his execution. When his family visited the prison on 28 September 2021, they were told that Mashallah's execution would not be carried out until their last visit had taken place. But he was executed in Kermanshah Central Prison on 30 September 2021 without his family being notified.<sup>80</sup>

### JAVAD GHALIJAYI: A SHOOTING ACCIDENT THAT LED TO QISAS



Javad Ghalijayi was a Baluch businessman from the Shirabad region of Zahedan. He unintentionally shot his friend during a shooting accident two years prior to his execution. He was sentenced to *qisas* despite the incident being accidental and was executed on the morning of 4 November 2021.<sup>81</sup>

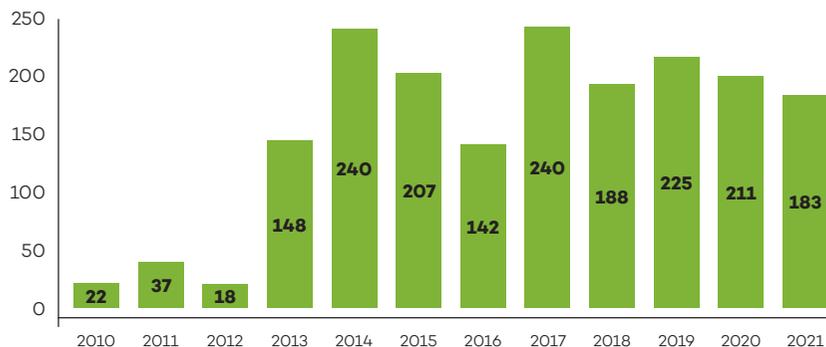
### BAHA-ODDIN AND DAVOOD GHASEMZADEH: A DISABLED MAN AND HIS BROTHER

Brothers Baha-oddin and Davood Ghasemzadeh were arrested in 2009 on charges of "murdering two people during a tribal conflict" in Salmas (Western Azerbaijan province). They were sentenced to *qisas* and left on death row for over ten years. Davood Ghasemzadeh was paralysed from the waist down due to a spinal cord injury. He was nevertheless taken to the gallows and executed along with his brother and another prisoner named Anvar Abdollahi on 4 July 2021 in Urmia Central Prison.<sup>82</sup>

80 <https://iranhr.net/en/articles/4908/>  
81 <https://iranhr.net/en/articles/4964/>  
82 <https://iranhr.net/en/articles/4792/>

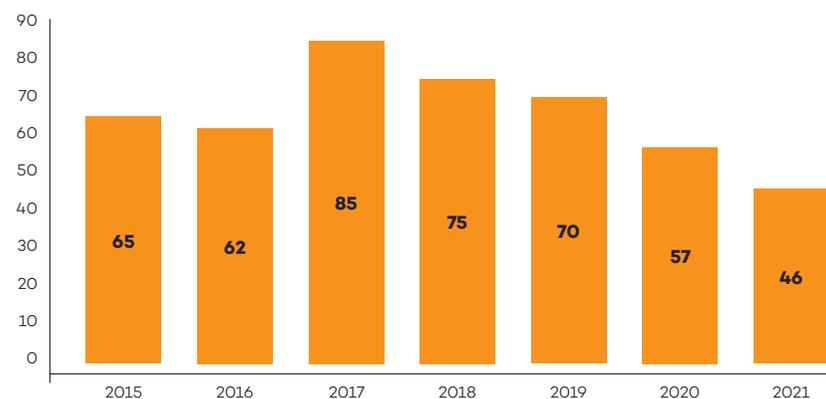
## QISAS EXECUTIONS SINCE 2010

According to data gathered by IHRNGO, at least 1,861 *qisas* executions were carried out between 2010 and 2021. The diagram below shows the trend of *qisas* executions during this period.



The number of *qisas* executions, which was relatively low between 2010 and 2012, increased dramatically in 2013 and has remained at a high level since. This coincides with growing international criticism of Iran's drug-related executions. In 2021, at least 183 people were subjected to *qisas* executions.

## RAJAI SHAHR PRISON: THE QISAS CAPITAL



The diagram above shows the number of *qisas* death sentences carried out in Alborz/Tehran prisons since 2015. The majority of *qisas* executions are carried out in Rajai Shahr Prison, situated in Alborz Province. 39 out of 46 *qisas* executions in Alborz province took place in Rajai Shahr Prison.

The detailed geographical distribution of *qisas* executions will be provided under the "Forgiveness Movement" section of this report. However, reports from the last seven years demonstrate that each year, a significant portion of all *qisas* executions were carried out in one single prison in the Alborz/Tehran area. In addition, Rajai Shahr Prison (previously known as Gohardasht Prison) has been the site of the execution of many political prisoners, particularly those belonging to banned Kurdish political parties. In 2021, at least 39 *qisas* sentences were carried out in Rajai Shahr prison, which accounts for 25% of all *qisas* executions in Iran.

## BLOOD MONEY (DIYA) OR FORGIVENESS INSTEAD OF DEATH PENALTY IN QISAS CASES

According to the IPC, murder is punished by *qisas*, where the victim's next of kin can demand a retribution death sentence. But they can also demand *diya* (blood money) instead of retribution or can simply grant forgiveness. The Head of Judiciary sets an annual indicative amount for *diya* based on inflation and other considerations, but the victim's family can choose their own amount. They can demand a lower or higher amount than the judiciary's indicative number; crucially, no upper limit is set. This year's *diya*, which was determined in March 2022, was set at 600 million tomans (€20,000) for a Muslim man and 300 million tomans for a Muslim woman.



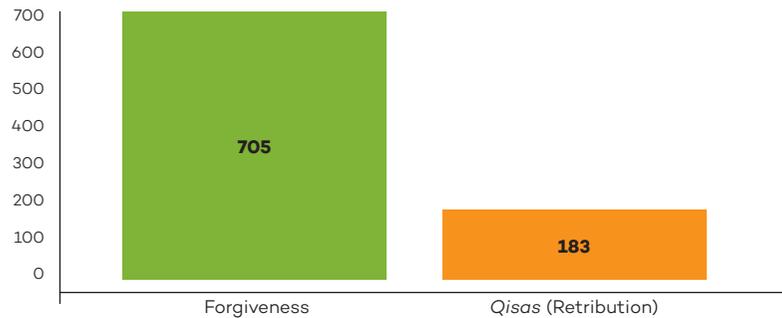
As for the execution numbers, not all forgiveness cases are reported by the Iranian media. Based on reports by the Iranian media and, to a lesser extent, through its own network inside Iran, IHRNGO has identified 705 forgiveness cases in 2021, compared to 662 cases in 2020, 374 in 2019, 272 in 2018, and 221 in 2017. Evidently, there is a growing trend for forgiveness.

IHRNGO has collected forgiveness reports since 2015. According to the reports gathered over the past seven years, the families of murder victims who chose forgiveness or *diya* outnumber those who chose the death penalty.<sup>83</sup>

For the sake of simplicity, we will use the term forgiveness in the following section, regardless of whether there was a demand for *diya* or not.

As in the previous five years, forgiveness cases outnumbered those of implemented *qisas* executions in 2021. The actual numbers for both forgiveness and *qisas* death sentences are believed to be higher. Reports indicate that the number of forgiveness cases might be several times higher than the numbers presented in this report.

The increasing trend of forgiveness in Iran correlates with a survey conducted in September 2020 which found that the majority of people prefer alternative punishments to the *qisas* death penalty for murder victims.<sup>84</sup> Iranian authorities assert that *qisas* is the right of the plaintiff (the victim's family/next of kin) and that most *qisas* executions take place upon the plaintiff's request. However, when questioned about their preferred punishment if an immediate family member was murdered, only 21.5% of respondents chose *qisas*, while more than 50% preferred alternative punishments such as imprisonment.

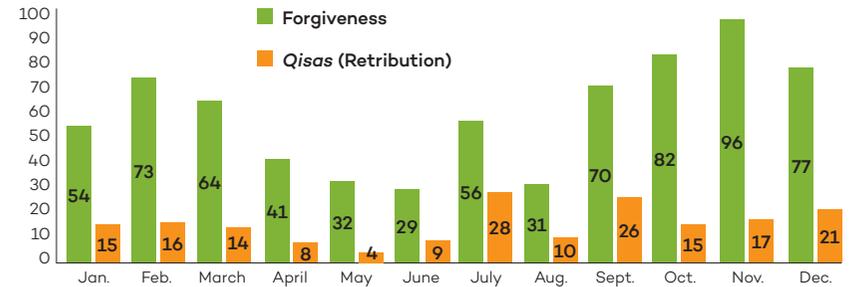


A comparison of the number of implemented *qisas* death sentences and forgiveness cases in 2021.

83 <https://iranwire.com/en/features/4581>

84 <https://iranhr.net/en/articles/4458/>

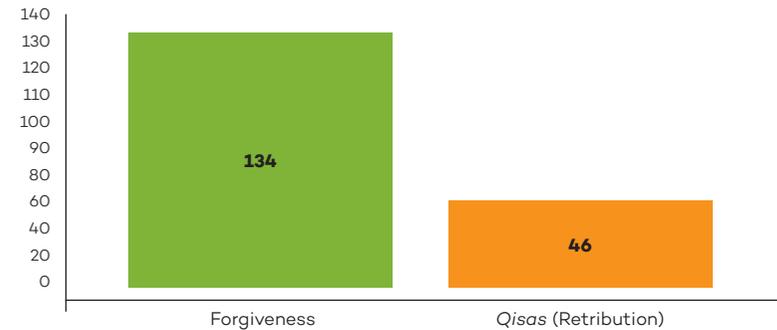
### QISAS (RETRIBUTION) AND FORGIVENESS: MONTHLY BREAKDOWN



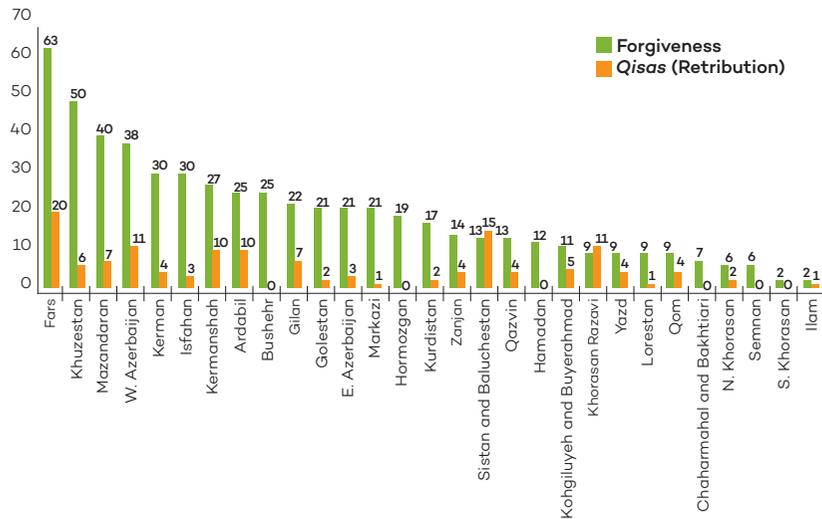
The diagram above shows the monthly breakdown of implemented *qisas* death sentences compared to forgiveness cases. Forgiveness cases outnumber those of *qisas* executions throughout the year.

### QISAS AND FORGIVENESS: GEOGRAPHIC DISTRIBUTION

In 2021, IHRNGO recorded forgiveness cases in all 31 provinces in Iran. In comparison, *qisas* death sentences were reported in 27 of the provinces. In most provinces, the number of forgiveness cases were higher than *qisas* executions.



Prisons in the Tehran and Karaj (Alborz) region were the sites of the highest number of both forgiveness and *qisas* cases in 2021.

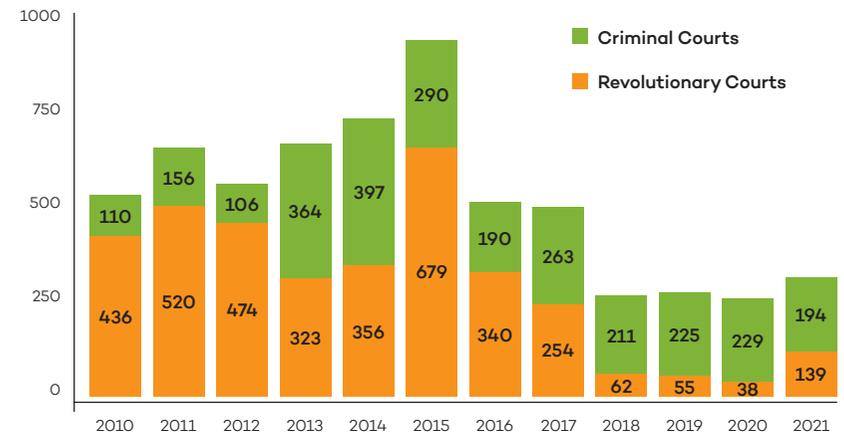


The number of implemented *qisas* executions were higher than forgiveness cases in only two provinces; the forgiveness numbers were higher than *qisas* executions in the rest of the provinces.

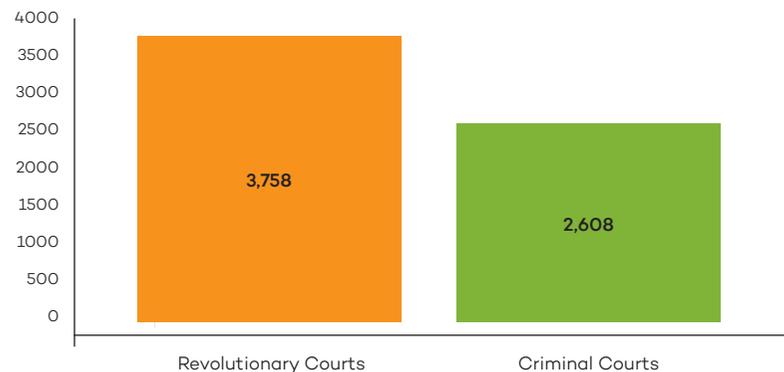
## SHARE OF THE REVOLUTIONARY AND CRIMINAL COURTS IN 2021 EXECUTIONS

As mentioned in the previous section, rape and murder (*qisas*) cases fall within the jurisdiction of the Criminal Courts, while *moharebeh*, *efsad-fil-arz*, *baghy* and drug-related charges fall under the jurisdiction of the Revolutionary Courts.

After the enforcement of the 2017 amendments to the Anti-Narcotics law, the number of implemented death sentences issued by the Revolutionary Courts has seen a significant decrease. However, in 2021 these numbers increased due to a rise in drug-related executions. The following diagrams show the share of the Revolutionary Courts and the Criminal Courts in the implemented executions of the last 12 years.



At least 139 of the 333 executions in 2021 (42%) were based on death sentences issued by the Revolutionary Courts. Numbers for the previous 12 years are presented in the diagram above. This is a significantly higher percentage than 2020, when they represented 14% (38) of the executions. The increase is due to the rise in the number of drug-related executions.



The diagram above is based on IHRNGO reports since 2010 and shows that 3,758 of the 6,365 executions (59%) in the last 12 years were based on death sentences issued by the Revolutionary Courts.

The Revolutionary Courts are infamous for the summary executions of political opponents in the 1980s, in the decade following the establishment of the Islamic Republic.<sup>85</sup> However, data collected by IHRNGO shows that the Revolutionary Courts have been responsible for the majority of death sentences leading to executions in the ensuing decades as well.

85 Inside Iran's Revolutionary Courts, BBC News, 2015, <http://www.bbc.com/news/magazine-34550377>

## PUBLIC EXECUTIONS

Over the past four decades, Iran has been one of the few countries to carry out executions publicly. Public executions have been repeatedly criticised by the international community and domestic civil society in Iran. Both the UN Secretary General and the Special Rapporteur on the Human Rights Situation in the Islamic Republic of Iran have expressed concerns about the continued practice of public executions. During Iran's second UPR,<sup>86</sup> the government rejected recommendations aimed at ending public executions.<sup>87</sup> Criticism against the Islamic Republic's practice of public executions has also been emphasised in the reports of the Special Rapporteur.<sup>88</sup>

### NO PUBLIC EXECUTIONS IN 2021 FOR THE FIRST TIME IN OVER A DECADE

The last recorded public execution was carried out on 11 June 2020, when a man was publicly hanged in the Iranian north-western city of Firuraq, West Azerbaijan province. While the execution of the man who was sentenced to *qisas* for killing his mother-in-law and brother-in-law was reported by domestic media, his name was withheld.<sup>89</sup>

This was the only public execution reported in 2020, and the lowest number of public executions in any year since 2006, when IHRNGO started its systematic monitoring of executions in Iran. We have no indication that the decline in the number of public executions in 2020 was the result of policy change, but rather a consequence of the COVID-19 pandemic restrictions.<sup>90</sup>

No public executions were reported in 2021, indicating that this trend might also continue beyond the pandemic. However, there are voices within the Islamic Republic calling for a resumption of public executions.

86 <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/107/16/PDF/G1510716.pdf?OpenElement>

87 <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/040/69/PDF/G1504069.pdf?OpenElement>

88 See for instance: <http://undocs.org/A/73/398>

89 <https://iranhr.net/en/articles/4288/>

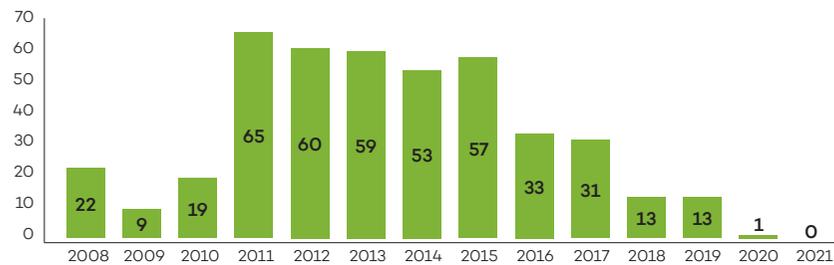
90 <https://iranhr.net/en/articles/4230/>



A tweet by Ali Motahari, former member of Parliament (2008-2020), calling for the public execution of “the human-faced animals” who committed murder led to reactions in the domestic Iranian media. Known as a “conservative reformist”, Ali Motahari was referring to the murder of a woman by her husband and the murder of a policeman which had received media attention.<sup>91</sup>

At the end of March 2022, quoting the Foulad Shahr Court Chief, state media reported that two men identified as 38-year-old Mohammad Ghaedi and 25-year-old Sadegh Mahmoudi and branded as “*thugs*”, were sentenced to *qisas*, to be carried out publicly at the location of the crime, for the alleged killing of a security officer in Lenjan in the month of Aban (22 October–21 November 2021). According to Chief Masoud Masoudifar, the crime had been “*especially and quickly investigated*” and the death sentence issued “*in the shortest possible time*.”<sup>92</sup> According to a survey commissioned by IHRNGO and the World Coalition Against the Death Penalty in 2020, more than 86% of the 20,000 participants living in Iran said that they are opposed to public executions.<sup>93</sup>

## PUBLIC EXECUTIONS SINCE 2008



The diagram above shows public executions since 2008. The number of public executions in 2020 was significantly lower due to COVID-19 pandemic restrictions, and no public executions were recorded in 2021.

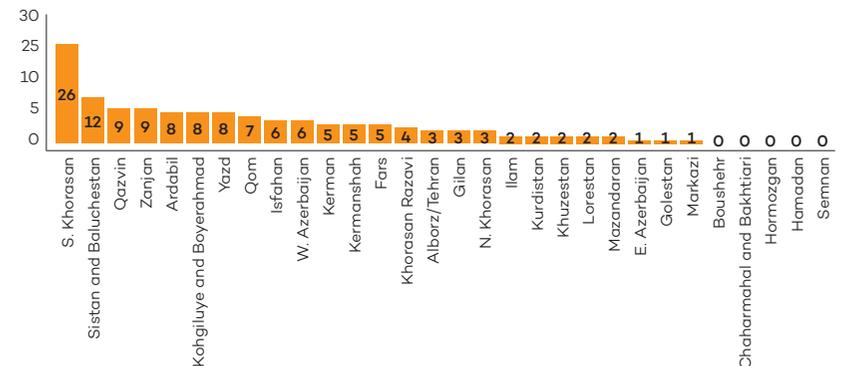
91 <https://donya-e-eqtesad.com/بخش-سایت-خوان-62/3841441-واکنش-تند-جبه-د-عوت-علی-مطهری-به-ا-عام-سر-یع-قاتلان-غزل-مامور-پلیس>  
 92 <https://iranhr.net/en/articles/5151/>  
 93 <https://iranhr.net/en/articles/4458/>

In 2008, a judicial moratorium on public executions was adopted by Iranian authorities. Consequently, the number of public executions in 2008–2010 were relatively lower than the previous years. However, the number of public executions increased dramatically after 2010, reaching an annual average of 50 to 60 between 2011 and 2015. The number of public executions decreased to 33 in 2016, 31 in 2017 and 13 in 2018 and 2019.

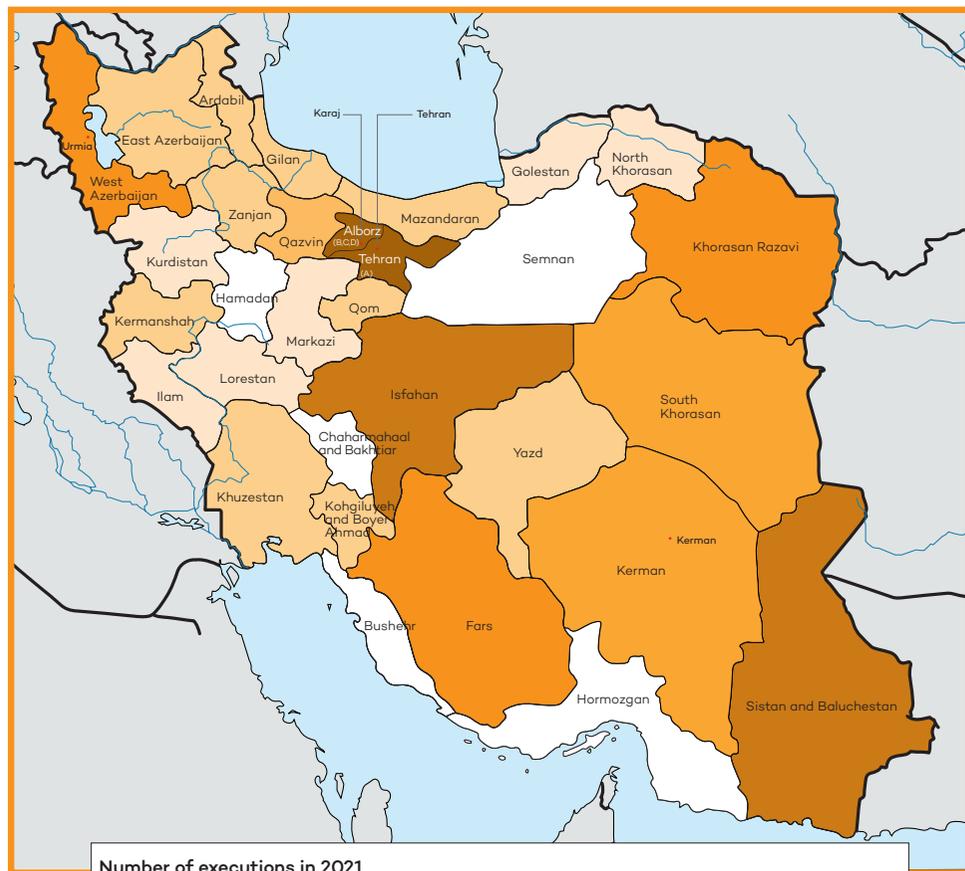
## GEOGRAPHIC DISTRIBUTION OF EXECUTIONS

Executions were carried out in 26 Iranian provinces in 2021. The following maps show the geographic distribution of the executions. Map 2 lays out the total number of executions while Map 3 shows the number of executions per capita for each province. As in previous years, the prisons of Alborz/Tehran provinces were the sites of the highest number of executions, followed by Isfahan and Sistan and Baluchestan provinces. As mentioned above, 83.5% of the executions included in the 2021 report were either carried out secretly or not announced by official Iranian sources. In the following sections, we will provide more details about unannounced and secret executions.

## NUMBER OF EXECUTION PER MILLION POPULATION IN EACH PROVINCE 2021



## GEOGRAPHIC DISTRIBUTION OF ALL EXECUTIONS BY NUMBER



**Number of executions in 2021**

0	< 5	5-10	11-15	16-20	21-30	31-40	41-100	> 100
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**Main prisons**  
**(A)** - Evin Prison **(B)** - Qezel Hezar Prison **(C)** - Gohardasht Prison *a.k.a. Rajaishahr*  
**(D)** - Central Prison of Karaj *a.k.a. Nedamatgah*

**Main locations** Qom = Province • Tehran = city

## NUMBER OF EXECUTIONS PER CAPITA



**Number of executions per million people**

0	1-4	5-8	9-12	13-17	> 18
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**Main prisons**  
**(A)** - Evin Prison **(B)** - Qezel Hezar Prison **(C)** - Gohardasht Prison *a.k.a. Rajaishahr*  
**(D)** - Central Prison of Karaj *a.k.a. Nedamatgah*

**Main locations** Qom = Province • Tehran = city

In 2021, Iran carried out four executions per million inhabitants.<sup>94</sup> South Khorasan province had the highest execution rate, with 26 executions per million inhabitants, followed by Sistan and Baluchestan, with 12 executions per million inhabitants. Numbers for all provinces are provided in Annex 1 at the end of this report.

<sup>94</sup> Based on amar.org.ir, retrieved 18 February 2018

## SECRET AND UNANNOUNCED EXECUTIONS

Approximately 83.5% (278) of all executions included in the 2021 report were not announced by the authorities. Some of the executions were carried out secretly, without the family or the lawyer being informed, and some have simply not been announced by the official media. The actual numbers are believed to be much higher. This increase could be explained by the surge in the number of drug-related executions, which for the most part have not been officially announced since the 2017 Amendment to the Anti-Narcotics Law. The lack of transparency was addressed by the UN Secretary General in his 2021 report, in which he urged “States to systematically and publicly provide full, accurate and disaggregated data on death sentences.”<sup>95</sup>

### FACTS ABOUT SECRET AND UNANNOUNCED EXECUTIONS IN 2021:

- At least 278 executions (83.5% of all executions) were not announced by official Iranian sources
- None of the 126 drug-related executions were announced by official sources
- Drug offences accounted for 45% of unannounced executions
- Murder charges accounted for 52% of unannounced executions
- Isfahan had the highest number of unannounced executions

### DOCUMENTATION OF UNANNOUNCED EXECUTIONS

Only unofficial reports with a sufficient amount of information have been included in this report. IHRNGO’s network within the country receives information about many executions which are not announced by domestic media or officials. Confirming these reports is a challenging task, as the media is either directly controlled or under strong scrutiny by the authorities. Reporting human rights violations to human rights organisations is also regarded as a crime, and those involved face criminal prosecution. Despite this, every year IHRNGO manages to confirm several hundred cases of executions that are not announced by the authorities. In many of these cases, information on executions has been verified by two or more independent sources. In some cases, IHRNGO receives photographs that can document the execution. Often, photographs with information about the executed person are sent to IHRNGO.

95 A/HRC/48/29, Report of the United Nations Secretary General, <https://www.ohchr.org/en/hr-bodies/hrc/regular-sessions/session48/list-reports>



Photographs of some of the people whose executions were not announced by official sources, but whose execution was documented by IHRNGO.

Death or funeral notices are also used as documentation to support reports of unannounced executions received by IHRNGO. More than 40 executions reported to IHRNGO were not included in the 2021 figures due to lack of sufficient documentation or confirmation by two independent sources.

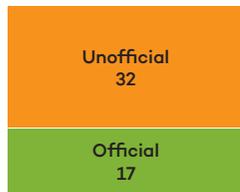


Death notices showing some of the people whose executions were not announced by official sources, but whose execution was documented by IHRNGO.

## GEOGRAPHIC DISTRIBUTION OF ANNOUNCED AND UNANNOUNCED/SECRET EXECUTIONS

As in previous years, the majority of executions took place in the large prisons in the Alborz/Tehran provinces.<sup>96</sup>

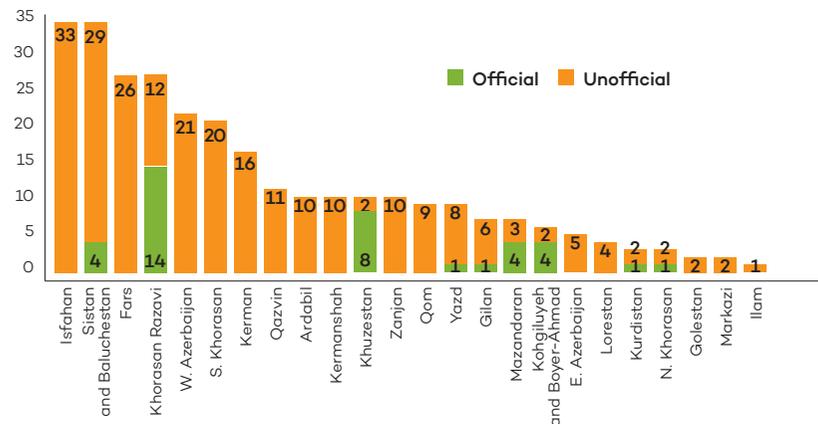
### EXECUTIONS IN THE ALBORZ/TEHRAN AREAS



The adjacent diagram shows the unofficial/unannounced (orange) and official (green) executions in two prisons located in Karaj, Alborz province: Rajai Shahr Prison and Karaj Central Penitentiary. Intended for prisoners from Tehran and Alborz, they now house prisoners from all over the country. *Qisas* for murder charges held the highest number of executions. Forty of the 49 Tehran/Alborz

executions were carried out in Rajai Shahr Prison in 2021. Five executions were reported to have been carried out at Karaj Central Prison. The exact location of the other four Alborz/Tehran executions are unknown.

### GEOGRAPHIC DISTRIBUTION OF EXECUTIONS IN THE REST OF COUNTRY



The diagram above shows the geographical distribution of the unofficial/unannounced (orange) and official (green) executions in other parts of Iran, excluding the Alborz/Tehran provinces. The prisons in the provinces of Isfahan (central) and Sistan and Baluchestan (southeast) had the highest number of recorded executions. This was followed by Fars, Khorasan Razavi and West Azerbaijan.

<sup>96</sup> Further details are provided in the following section.

## EXECUTION CATEGORIES

### JUVENILES

#### JUVENILE EXECUTIONS: TRENDS AND LEGISLATIVE REFORMS

One of the last remaining countries to sentence juvenile offenders to death, Iran executes more juvenile offenders than any other country in the world. In violation of the International Convention on the Rights of the Child (CRC), which Iran has ratified, Iranian authorities executed at least two juvenile offenders in 2021. According to IHRNGO's reports, at least 65 juvenile offenders were executed between 2010 and 2021 in Iran.<sup>97</sup> According to UN experts, there are currently at least 85 juveniles on death row in Iranian prisons.<sup>98</sup> However, the actual number is likely to be significantly higher, as there is no information about juvenile offenders in many Iranian prisons.

The international pressure on Iran on this matter increased between 2000 and 2010. As a consequence of the criticism from the international community and domestic civil society, Iran made changes to the 2013 IPC. However, these changes regarding juvenile offenders have not led to a decrease in the number of juvenile executions. The 2013 IPC explicitly defines the "age of criminal responsibility" for children as the age of maturity under *Sharia* law, meaning that girls over 9 lunar years of age and boys over 15 lunar years of age are eligible for execution if convicted of "crimes against God" (such as apostasy) or "retribution crimes" (such as murder). Article 91 of the IPC states that juvenile offenders under the age of 18 who commit *hudud* or *qisas* offences may not be sentenced to death if the judge determines the offender lacked "adequate mental maturity and the ability to reason" based on forensic evidence.<sup>99</sup> The article thus allows judges to assess a juvenile offender's mental maturity at the time of the offence and, potentially, to impose an alternative punishment to the death penalty on the basis of the outcome. In 2014, Iran's Supreme Court confirmed that all juvenile offenders on death row could apply for retrial.

However, Article 91 is vaguely worded and inconsistently and arbitrarily applied. Between 2016 and 2021, IHRNGO has identified 21 cases, including three in 2021, where the death sentences of juvenile offenders were commuted based on Article 91. In the

<sup>97</sup> Iran Human Rights Execution Counter: <https://iranhr.net/en/>

<sup>98</sup> <https://news.un.org/en/story/2021/11/1106512>

<sup>99</sup> <https://undocs.org/A/68/377>. See also Iran Penal Code (2013), Art. 91

same period, according to IHRNGO's reports, at least 26 juvenile offenders were executed, and several remain at risk of execution. It seems that Article 91 has not led to a decrease in the number of juvenile executions. The Iranian authorities must change the law, unconditionally removing all death sentences for all offences committed by children under 18 years of age.

According to the report of the UN Secretary-General on the situation of human rights in the Islamic Republic of Iran, published in February 2020 pursuant to General Assembly resolution 74/167: "United Nations human rights mechanisms have highlighted significant deficiencies with Article 91 of the Penal Code and its application." The report emphasises concerns about "The discretion left to judges in applying Article 91, including whether to request a forensic specialist assessment of the maturity of the accused and when to do so, sometimes requesting it years after the alleged offence, and to use any other method deemed appropriate to assess the mental development of the accused." The Secretary-General also expressed his worries about the vague term "mental development" in the IPC by stating that it "Does not define what constitutes the non-realization of the nature of the crime, nor does it define or provide the criteria for assessing 'mental development', which increases the risk of arbitrary decision-making."<sup>100</sup>

In his August 2021 report, the UN Secretary-General urged the Islamic Republic to halt the execution of juvenile offenders and "introduce an immediate moratorium on its use and to prohibit the execution of child offenders in all circumstances and commute their sentences."

International human rights mechanisms have also repeatedly called on Iran to put an end to the execution of juvenile offenders. When Michelle Bachelet, the UN High Commissioner for Human Rights, criticised the Islamic Republic's use of the death penalty in June 2021, stating that "over 80 child offenders are on death row," her statement was dismissed by Islamic Republic officials. The Deputy for International Affairs at Iran's High Council for Human Rights told the AFP news agency that the Islamic Republic only executes juvenile offenders "three to four times a year" and that such uses of the death penalty "are not a symbol of violations of human rights."<sup>101</sup> He also called the criticism "unfair."<sup>102</sup> Stating that 85 juvenile offenders were on death row in Iran, a resolution passed in the European Parliament in February 2022 called on Iran to "urgently amend Article 91 of the

100 <https://undocs.org/en/A/HRC/43/20>

101 <https://www.france24.com/en/live-news/20210630-iran-says-executing-child-offenders-not-a-rights-violation>

102 <https://iranhr.net/en/articles/4786/>

*Islamic Penal Code of Iran to explicitly prohibit the use of the death penalty for crimes committed by persons below 18 years of age, in all circumstances and without any discretion for judges to impose the death penalty or life imprisonment without the possibility of release.*<sup>103</sup>

In his 2022 annual report, Javid Rehman, the UN Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, called on the Islamic Republic to "Urgently amend legislation to prohibit the execution of persons who committed a crime while under the age of 18 years, and urgently amend legislation to commute all death sentences for child offenders on death row."<sup>104</sup>

## FACTS ABOUT JUVENILE EXECUTIONS IN 2021:

- At least 2 juvenile offenders were executed
- Both were charged with murder and sentenced to *qisas*
- A juvenile offender had committed murder in self defence against rape
- A juvenile offender was taken to the gallows seven times prior to execution
- Reports on the execution of 2 other juvenile offenders were not included in this report due to lack of sufficient documentation
- The death sentences of 3 juvenile offenders were commuted based on Article 91

## JUVENILE OFFENDERS EXECUTED IN 2021

### SAJAD SANJARI: SELF-DEFENCE AGAINST RAPE BY AN OLDER BOY



Born on 19 July 1995, Sajad Sanjari was just 15 years old at the time of the fatal stabbing that resulted in his execution at 26. His relatives told IHRNGO that Sajad had stabbed a boy who was a year older than him in self-defence against rape.<sup>105</sup> He was sent to the Forensic Medical Examiner twice and deemed to have reached full mental maturity, with the judgement based on his "pubic hair

103 [https://www.europarl.europa.eu/doceo/document/TA-9-2022-0050\\_EN.html](https://www.europarl.europa.eu/doceo/document/TA-9-2022-0050_EN.html)

104 <https://undocs.org/A/HRC/49/75>

105 <https://iranhr.net/en/articles/4848/>

development.”<sup>106</sup> Sajad was sentenced to *qisas* and held in the Kermanshah Correctional Centre until 2016, when he was transferred to Kermanshah Central Prison. His execution was halted after international outcry in January 2016. Sajad was secretly executed at the prison on 2 August 2021, with his family only informed afterwards when called to collect his body. IHRNGO published the video of his funeral.<sup>107</sup>

### ARMAN ABDOLALI: TORTURED AND TAKEN TO THE GALLOW'S SEVEN TIMES PRIOR TO EXECUTION



Born on 9 March 1996, Arman Abdolali was 17 years old at the time of the alleged murder of his girlfriend in 2013. He was held in solitary confinement for 74 days, where he was forced to confess under torture. He was

sentenced to *qisas* based on confessions without a body ever being found and without any evidence against him. Days prior to his execution, Arman’s lawyer found out that the victim had been issued a leave of absence by her university and that her insurance policy had been renewed. The lawyer used these findings as evidence to request a retrial. Arman’s retrial was held before Branch 5 of the Criminal Court, where he denied the murder and stated that he did not know where her body was and that she might be alive. His case was later referred to the Tehran Criminal Court, which found him guilty of murder. The sentence was upheld by the Supreme Court in February 2021. Arman’s father later told IHRNGO that two witnesses and key facts had been ignored by the court. He was transferred to the gallows six times from 11 October 2021 until his execution, treatment that is equivalent to torture. In an interview on 2 November, Arman said: “Usually they transfer you for execution a day or two before the scheduled date. You’re cut off from everyone. You think that you won’t be alive in a day or two, or even in a few hours. Even today, I think I’m supposed to be transferred for execution again and

106 <https://www.amnesty.org.uk/press-releases/iran-man-originally-arrested-aged-15-secretly-executed>

107 <https://iranhr.net/fa/articles/4848/>

*I don’t know if I’ll be executed tomorrow or not. I’ve been transferred to solitary confinement in preparation for my execution five times. And once two years ago, they even took me to the gallows, but officials were able to gain an extension from Ghazaleh’s [the alleged victim’s] parents moments before the execution was carried out. Every time I’m transferred for execution, I think it will be my last time.”<sup>108</sup>*

Arman was executed in Rajai Shahr Prison on 24 November 2021 despite appeals by the international community, including UN Human Rights Experts.<sup>109</sup> In his 2022 report, the UN Special Rapporteur said he was “alarmed at the mental anguish – amounting to torture – caused by the practice of repeated transfers of child offenders to solitary confinement in preparation for their execution, only for the execution to be postponed at the last minute.”<sup>110</sup>

TABLE 1: LIST OF JUVENILE OFFENDERS EXECUTED IN 2021

	DATE	NAME	AGE*	CHARGE	LOCATION	SOURCE	COMMENT
1	2 August 2021	Sajad Sanjari	15	Murder	Kermanshah	IHRNGO	Unofficial
2	24 November 2021	Arman Abdolali	17	Murder	Rajai Shahr Prison, Karaj	IHRNGO	Official

\* Age at the time of committing the alleged offence

### WOMEN EXECUTED IN 2021

Iran is the world’s top executioner of women. Of the 16 women reported to have been executed globally in 2020,<sup>111</sup> nine were executed in Iran. That number almost doubled in 2021, with at least 17 women executed, only two of which were reported by official sources. As mentioned above, there was a complete drop in the execution of women on drug-related charges after the 2017 Amendment to the Anti-Narcotics Law, until 2021, when five women were executed on the charges, consistent with the rise in overall drug-related executions.

108 <https://iranhr.net/en/articles/4987/>

109 <https://iranhr.net/en/articles/4986/>

110 <https://undocs.org/A/HRC/49/75>

111 <https://www.amnesty.org/en/wp-content/uploads/2021/05/ACT5037602021ENGLISH.pdf>

On World Day Against the Death Penalty, IHRNGO published a 12-year analysis of “Women and the Death Penalty in Iran”, which provides broader social and legal context and background and can be found in Annex 4.<sup>112</sup> It is worth noting that women do not have the right to divorce, which is reflected in the number of domestic violence cases in 2021. Two of the cases featured below also expose the brutality of *qisas* laws, as the women’s executions were physically carried out by their own children.

### FACTS ABOUT WOMEN EXECUTED IN 2021:

- At least 17 women were executed in 2021
- 12 were sentenced to *qisas* for murder
- 5 were executed on drug-related charges for the first time since 2017
- The identities of 8 of the women are unknown
- Of the 12 *qisas* cases, 8 were convicted of killing their husbands and 1 of committing murder with her husband; the details of 3 cases are unknown
- 5 *qisas* cases were confirmed domestic violence cases
- 2 executions (both domestic violence cases) were personally carried out by the women’s own children
- 2 of the executions were announced by official sources
- At least 172 women were executed between 2010 and 2021

### ZAHRA ESMALI: DIED OF HEART ATTACK PRIOR TO EXECUTION BUT STILL HANGED BY SON AND MOTHER-IN-LAW



Zahra Esmali was in an abusive marriage that also extended to her children. On 16 July 2017, she shot her husband who worked in law enforcement. Her children were arrested as her co-conspirators. She was convicted of murder and her children, who stood accused of assisting an armed crime, denied any wrongdoing, stating that they were asleep in their rooms at the time.

While Zahra’s daughter was sentenced to five years imprisonment, her son was cleared and released. On 17 February 2021, IHRNGO

112 [https://iranhr.net/media/files/Women\\_and\\_the\\_Death\\_Penalty\\_2021.pdf](https://iranhr.net/media/files/Women_and_the_Death_Penalty_2021.pdf)

reported that Zahra had been executed in Rajai Shahr Prison that day.<sup>113</sup> On 19 February, her lawyer Omid Moradi revealed via Facebook that Zahra had a heart attack prior to execution “*after witnessing 16 men being executed before her*”, but her body was still hanged, with her mother-in-law personally pulling the stool from beneath her feet.<sup>114</sup> The lawyer further stated that Zahra’s husband had been a high-ranking Ministry of Intelligence officer. According to the lawyer, Zahra’s cause of death was recorded as a heart attack in the death certificate.<sup>115</sup> On 21 February, an official account was published denying that Zahra had died of a heart attack, revealing that both her son (20) and mother-in-law had carried out the execution.<sup>116</sup>

### MARYAM KARIMI: EXECUTED BY DAUGHTER, AND FATHER FORCED TO SEE BODY HANGING

Maryam Karimi and her father Ebrahim were convicted for the murder of Maryam’s abusive husband, who refused to divorce her. Her daughter was six years old at the time and was raised by her paternal grandparents, who for 13 years told the child that both her parents were dead. A few weeks prior to Maryam and Ebrahim’s executions, the grandparents told Maryam’s daughter what happened to prepare her psychologically. Maryam and Ebrahim were originally transferred for execution on 22 February 2021, but the execution was delayed for unknown reasons. In the early hours of 13 March 2021, Maryam was hanged in Rasht Central Prison. Her daughter personally carried out her execution. Her father Ebrahim was spared execution for unknown reasons but was brought in to see his daughter’s dead body hanging on the noose.<sup>117</sup>

### TABLE 2: LIST OF WOMEN EXECUTED IN 2021

	DATE	NAME	AGE*	CHARGE	PLACE	SOURCE	COMMENT
1	8 February 2021	Unknown	23	Murder	Ardabil, Ardabil	IHRNGO	Unofficial
2	17 February 2021	Zahra Esmali	Unknown	Murder	Alborz-Rajai Shahr Karaj	Rokna	Official

113 <https://iranhr.net/en/articles/4627/>

114 IHRNGO was able to confirm 9 of the executions carried out in Rajai Shahr Prison on February 17

115 <https://www.bbc.com/persian/iran-56122331>

116 <https://www.rokna.net/بخش-پرونده-3/663571-جزئیات-پرونده-زهر-اسماعیلی-کمد-زندان-کر-ج-ا-عدم-شد>

117 <https://iranhr.net/en/articles/4668/>

3	13 March 2021	Maryam Karimi	Unknown	Murder	Rash, Gilan	IHRNGO	Unofficial
4	14 March 2021	Nafiseh Pakmehr	Unknown	Murder	Alborz-Rajai Shahr Karaj	IHRNGO	Unofficial
5	23 May 2021	Kobra Fatemi	41	Murder	Yazd, Yazd	IHRNGO	Unofficial
6	30 May 2021	Shamsi Pirostovan	Unknown	Drug-related	Qazvin, Qazvin	IHRNGO	Unofficial
7	8 September 2021	Unknown	Unknown	Murder	Alborz-Rajai Shahr Karaj	IHRNGO	Unofficial
8	8 September 2021	Unknown	Unknown	Murder	Alborz-Rajai Shahr Karaj	IHRNGO	Unofficial
9	8 September 2021	Unknown	Unknown	Murder	Alborz-Rajai Shahr Karaj	IHRNGO	Unofficial
10	29 October 2021	Susan Rezaeipour	31	Murder	Qazvin, Qazvin	IHRNGO	Unofficial
11	23 November 2021	Unknown	Unknown	Murder	Yasuj	Rokna	Official
12	25 November 2021	Maryam Khakpour	41	Drug-related	Isfahan, Isfahan	IHRNGO	Unofficial
13	9 December 2021	Unknown	Unknown	Drug-related	Kerman, Kerman	IHRNGO	Unofficial
14	9 December 2021	Unknown	Unknown	Drug-related	Kerman, Kerman	IHRNGO	Unofficial
15	9 December 2021	Unknown	Unknown	Drug-related	Kerman, Kerman	IHRNGO	Unofficial
16	14 December 2021	Massoumeh Zaraei	40	Murder	Amol	IHRNGO	Unofficial
17	19 December 2021	Fatemeh Aslani	Unknown	Murder	Isfahan, Isfahan	IHRNGO	Unofficial

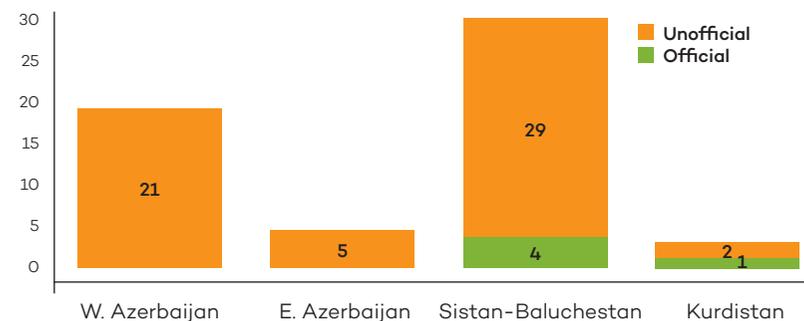
\* Age at the time of execution

## ETHNIC MINORITIES

As this report and previous annual reports demonstrate, ethnic minorities in Iran are overrepresented in death penalty statistics. Furthermore, with 10 executions per million inhabitants, Sistan and Baluchestan province had the second highest number of executions per capita in 2021. According to the present report, in 2021 62 people were executed in the ethnic provinces of W. Azerbaijan, E. Azerbaijan, Sistan and Baluchestan, and Kurdistan. These are two executions more than in 2020 (60) and represents an increase of more than 20% compared to 2019 and 2018, when 49 and 51 people respectively were executed in the four provinces.

However, because the execution of ethnic minorities is not implemented exclusively in their home provinces, it is difficult to determine the exact number of each ethnic minority groups' execution. On the other hand, information about those executed does not always include their ethnicity. The execution of Baluch prisoners is in many cases carried out in prisons outside the Baluchistan region. Research by IHRNGO shows that execution of at least half of all Baluch prisoners is conducted outside Sistan and Baluchestan province (see below).

The secrecy of the executions in these four ethnic provinces is worth noting. Of the executions confirmed by IHRNGO in those regions, only five (8%) were announced by authorities. Roughly 92% of the executions in the four provinces in 2021 were carried out without even a report published in media outlets inside Iran (see diagram).



In 2021, more than 92% of the executions reported by IHRNGO in East and West Azerbaijan, Kurdistan and Sistan and Baluchestan were not announced by the authorities. This is significantly higher than the 83.5% of unannounced executions for the entire country.

It is therefore safe to say that an unprecedented level of secrecy in executions is taking place in the Iranian ethnic regions. Moreover, the absolute majority of those executed for their political affiliation belong to ethnic minority groups, and in particular to the Kurdish minority. An overview of IHRNGO reports between 2010 and 2021 shows that among the 137 people who were executed for affiliation to banned political and militant groups, there were 70 Kurds (51%), 38 Baluch (28%) and 21 Arabs (15%). Furthermore, most of those executed from these groups were Sunni Muslims.

There are several possible reasons for the overrepresentation of ethnic groups in execution figures. The authorities may use more violence to create fear due to higher opposition amongst the populations in these regions. The presence of armed groups in these regions may also make it easier for authorities to justify death sentences under the pretext of fighting terrorism, especially since media and human rights groups have limited access to these ethnic regions, resulting in less visibility and attention. Finally, with these four ethnic provinces already suffering from poor socio-economic conditions, local judicial offices also act more lawlessly and arbitrarily.

## EXECUTION OF BALUCH MINORITIES

With 34 executions, Sistan and Baluchestan province has the second highest number of total executions, and with 12 executions per million inhabitants, it is the province with the second highest number of executions per capita in 2021. Although there are no official figures for the population of Baluch minorities in Iran, different sources estimate the number to be between 1.5<sup>118</sup> and 4.8 million,<sup>119</sup> accounting for 2 to 6% of Iran's total population. Research and monitoring by IHRNGO show that in 2021, at least 70 Baluch prisoners were executed, accounting for 21% of all executions in Iran. Half of the executions took place in prisons outside Sistan and Baluchestan province. The gross overrepresentation of Baluch prisoners in the execution figures in Iran has led to reactions by rights groups and the international community.<sup>120</sup>

118 <https://iranprimer.usip.org/blog/2013/sep/03/iran-minorities-2-ethnic-diversity>

119 <https://unpo.org/members/7922>

120 UN Experts Alarmed Over Execution of Baluch Minority Prisoners: <https://news.un.org/en/story/2021/02/1083772>

## FACTS ABOUT BALUCH EXECUTIONS IN 2021:

- 70 Baluch minorities were executed, accounting for 21% of the total executions in 2021
- 53 were executed for drug-related offences, accounting for 44% of all drug-related executions
- 12 were executed on murder charges (*qisas*)
- 4 were executed on security-related charges, which were announced
- The charges against one of the people executed are unknown
- 66 executions (94%) were not announced by official sources
- Executions took place in 10 prisons across 6 provinces

## FOREIGN CITIZENS

Afghans constitute the largest group of non-Iranians on death row in Iranian prisons. In 2021, no execution of Afghan nationals was recorded until September, when five men were executed in the space of 35 days. On 10 October 2021, IHRNGO expressed its concern that the Taliban takeover in August had facilitated the execution of Afghan nationals.<sup>121</sup> There is no public information available about the number of Afghan nationals on death row in Iranian prisons, but the numbers are believed to be high, particularly in prisons in the eastern part of the country. According to IHRNGO sources, there are currently more than ten Afghan nationals on death row in Qom Central Prison (central Iran) alone. Three have been sentenced to *qisas* and the other seven were sentenced to death on drug-related charges.<sup>122</sup> It is worth noting that Afghan executions are not normally announced by authorities and that Afghan nationals do not have a family network or lawyers who can spread awareness about their situation. As such, the actual number of executions of Afghan nationals may be higher than those we have been able to verify.

## DUAL CITIZENS

Iran does not recognise dual nationality and thus denies consular access to dual citizens. It also uses imprisoned dual nationals and foreign nationals as bargaining chips in political and economic discussions with the West. In April 2019, then Iranian-Minister of Foreign Affairs Mohammad Javad Zarif declared that he had the

121 <https://iranhr.net/en/articles/4917/>

122 <https://iranhr.net/en/articles/4931/>

authority to exchange Iranian-Americans imprisoned in Iran with the United States, an admission that these prisoners are being used as political hostages.<sup>123</sup> There is currently one dual citizen on death row and two others face the death penalty as their trials are ongoing at the time of publishing this report. For more details on their cases, see pages 91–93 .

## SUSPICIOUS DEATHS AND EXTRAJUDICIAL KILLINGS IN CUSTODY

In addition to the death penalty, an unknown number of prisoners (including those on death row) die in custody as a result of torture and denial of medical care. Such cases usually do not receive media attention. In the past, judicial authorities and prison officials have tried to cover up the cause of these deaths with fabricated causes such as “drug abuse.” While these deaths have not been included in this report’s figures, suspicious deaths in custody and extrajudicial killings have been rising in recent years.

The following are a selection from 2021 and only include extrajudicial killings that took place in detention. Amnesty International published a more comprehensive report that lists 72 cases of suspicious deaths of prisoners since 2010.<sup>124</sup> The extrajudicial killing of *kolbars* (human mules) in Kurdistan, *sookhtbars* (fuel carriers) in Baluchistan<sup>125</sup> and street protesters throughout the country (notably in Khuzestan in July<sup>126</sup> and Isfahan in November<sup>127</sup>) are not included in this report.

### MEHRDAD TALESHI: BEATEN TO DEATH WITHIN 48 HOURS OF ARREST



Mehrdad Taleshi was a 21-year-old Kurdish rapper who was arrested with another man at 5pm on 1 February 2021 by the Tehran 13<sup>th</sup> District’s police patrol. Half an hour later, he was taken to 115 Police Station and transferred from there to the Shapour police station at 9:30pm. On 3 February, his corpse was transferred to the Baharloo Hospital. According to his family, there were severe bruises on his neck and head, where it was clear he had been struck. Mehrdad was denied the right to contact his family throughout his detention. Officials claimed he was in possession of

123 <https://www.nytimes.com/2019/04/24/world/middleeast/iran-zarif-prisoner-exchange.html>

124 <https://www.amnesty.org/en/documents/mde13/4669/2021/en/>

125 <https://iranhr.net/en/articles/4643/>

126 <https://iranhr.net/en/articles/4826/>

127 <https://iranhr.net/en/articles/4992/>

cannabis, a claim vehemently denied by his family.<sup>128</sup> While an autopsy was due to be conducted and the Taleshi family filed a complaint at the Criminal Court, no information is available about either outcome.

### BEHNAME MAHJOUBI: GONABADI DERVISH POISONED TO DEATH (UNFIT TO SERVE SENTENCE)



Behnam Mahjoubi, a 33-year-old Gonabadi Sufi dervish, was arrested by security forces in relation to the Golestan Haftom protest in Tehran in February 2018. Sentenced to two years in prison on charges of “assembly and collusion against national security by communicating with others and organising an illegal gathering”, he submitted a letter from his doctor certifying him to be

unfit to serve his sentence. Four days later, he was arrested on 20 June 2020 and transferred to Evin Prison. Behnam suffered from panic disorder and relied on medication to stop the panic attacks that led to seizures. He was denied regular access to his medication and his doctor submitted another letter in September asserting that he was unfit to be imprisoned and sending prescriptions for his medication. Warnings from Behnam, his doctor and his wife, Saleh Hosseini, that mixing medications would lead to drug-poisoning were ignored. Contrary to the doctor’s advice, Behnam was transferred to a mental health unit a month later, where he later testified in recordings that he had been subjected to torture. Behnam was then transferred to Loghman Hospital due to drug poisoning on 13 February 2021 and was confirmed to have passed away on 21 February, after spending days in a coma. Returning his body was contingent on a nightly burial in Kerman, where he was laid to rest on 22 February.<sup>129</sup> To date, nobody has been held accountable for Behnam’s death.

### SASAN NIKNAFS: UNFIT TO SERVE SENTENCE AND DENIED MEDICAL CARE

Sasan Niknafs was a 35-year-old civil activist and had been sentenced to five years imprisonment for “assembly and collusion against the system”, one year’s imprisonment for “propaganda

128 <https://iranhr.net/en/articles/4617/>  
129 <https://iranhr.net/en/articles/4640/>



against the system” and two years imprisonment for “insulting the leader” for critical posts on Instagram and writing slogans on banknotes in December 2019. Sasan suffered from diabetes, epilepsy and depression. His lawyer had unsuccessfully tried to have him released on medical grounds that he was unfit to serve his sentence. The sentence he started serving on 27 July 2020 ended with him in Loghman Hospital on 5 June 2021. Sasan passed away two days later, on 7 June 2021. To date, nobody has been held accountable for his death.<sup>130</sup>

### SHAHIN NASERI: WITNESS TO NAVID AFKARI'S TORTURE, KILLED ON THE ANNIVERSARY OF NAVID'S EXECUTION



Shahin Naseri was a business expert who was arrested for financial crimes in September 2018. He was serving his sentence in Shiraz Central Prison when he bore witness to the torture of protester and wrestler, Navid Afkari, who was executed on 12 September 2020.<sup>131</sup> Shahin recorded his testimony in written statements and voice recordings sent from prison. He was transferred to the Greater Tehran

Penitentiary (Fashafuyeh) shortly after Navid’s execution. There, he remained an outspoken witness to Navid’s execution.

On the anniversary of Navid’s execution on 12 September 2021, Shahin was transferred to solitary confinement after authorities discovered his intention to read a letter he had written to mark the occasion over the phone. Sources reported to have seen Shahin’s corpse in the prison infirmary on the morning of 12 September<sup>132</sup> and that a government delegation visited the prison and his cellmates later that night after the phones were cut off. His cellmates all testified that Shahin was healthy, with no mental or physical health issues, and would not have committed suicide. IHRNGO called for an

130 <https://iranhr.net/en/articles/4763/>  
131 <https://iranhr.net/en/articles/4427/>  
132 <https://iranhr.net/en/articles/4893/>

independent fact-finding mission into Shahin's death after his family was contacted to collect his body the next day.<sup>133</sup> In a press conference held on 13 October, his cause of death was declared as drug poisoning by the judiciary, one that lacks any credibility according to his cellmates.<sup>134</sup> IHRNGO continues to call for an independent fact-finding mission into Shahin Naseri's death.

### YASSER MANGOURI: KURDISH POLITICAL PRISONER FORCIBLY DISAPPEARED



Kurdish political prisoner Yasser Mangouri, 30, was arrested in his hometown of Piranshahr, Western Azerbaijan on 13 July 2021. In a timeline of events that were filled with contradictory statements by officials, the Urmia Prosecutor originally told the family that Yasser was alive, and from 13 July to 9 September his family was told that their son was not alive and that the cause of death would be

declared later by the Piranshahr Prosecutor. On 12 September, on the orders of the Piranshahr Prosecutor's Office, the Piranshahr Intelligence Office confirmed Yasser's death. The Urmia, Mahabad and Piranshahr security institutions had all denied any knowledge of Yasser's whereabouts in the two months following his arrest. Yasser's family found out that a death certificate had been issued after making enquiries at the Piranshahr civil registry. Officials refused to hand his body over to his family and a funeral service was held without a body on 13 September 2021.<sup>135</sup> Yasser's body was never returned to his family.

133 <https://iranhr.net/en/articles/4896/>

134 <https://iranhr.net/en/articles/4928/>

135 <https://iranhr.net/en/articles/4886/>

## AT RISK OF DEATH PENALTY

### PROTESTERS AT RISK

Thousands of protesters were arrested following the 2017–2019 nationwide protests across Iran prior to the COVID-19 pandemic and the subsequent protests in Ahvaz in June 2021<sup>136</sup> and Isfahan in November 2021.<sup>137</sup>

In 2020, the first wave of death sentences and executions related to the 2017–2019 protests came to light after Isfahan's Chief Justice announced that eight protesters had been convicted of *efsad-fil-arz*,<sup>138</sup> and IHRNGO confirmed that three protesters were on death row.<sup>139</sup> Armed with the evidence and supported by the online "don't execute" movement, there was a determination to stop the executions when news broke that protester Mostafa Salehi had been executed on false murder charges in Isfahan.<sup>140</sup> Weeks later, IHRNGO published details of the case of another protester, Navid Afkari, whose execution the world was unable to stop despite an international outcry, and who was also sentenced to *qisas* after being tortured to force confessions.<sup>141</sup> As *qisas* is a *hadd* punishment (a fixed punishment for offences mandated by *Sharia*), it removes any discretion and responsibility from authorities and has thus been used to justify executions that would otherwise be unjustifiable. Protesters Mostafa Salehi and Navid Afkari, whose cases were disconcertingly similar, were executed after being sentenced to *qisas* for murder in 2020, in fabricated cases that outraged the world and exposed the Islamic Republic's use of the death penalty to silence dissent. And while Mostafa and Navid were executed on murder charges, Navid had also been sentenced to death for *moharebeh* by the Revolutionary Court.

In 2021, two new November 2019 protesters face the death penalty, and eight others still remain in its shadows.

### ABBAS DARIS: MAHSHAHR CANEBRAKE CRACKDOWN SURVIVOR AWAITING SENTENCING

Abbas Daris is a 48-year-old father of three sons. He was arrested with his 28-year-old brother Mohsen in the now infamous Mahshahr canebrake crackdown during the November 2019 nationwide protests.

136 <https://iranhr.net/en/articles/4826/>

137 <https://iranhr.net/en/articles/5000/>

138 <https://iranhr.net/en/articles/4352/>

139 <https://iranhr.net/en/articles/4317/>

140 <https://iranhr.net/en/articles/4369/>

141 <https://iranhr.net/en/articles/4427/>



Abbas was charged with “*moharebeh* (enmity against God), disrupting public order and participating in the murder of a special unit officer.” Abbas’ wife sadly died of a stroke after falsely being told by authorities that her husband had been sentenced to death. While his family followed up on the case, including travelling to Tehran to meet judicial authorities, they did not receive written confirmation of Abbas’

sentence and there was no communication with the family or the lawyer. Instead, they were repeatedly told to obtain the consent of the victim’s family to forgo their right to retribution, which Abbas’ family has refused to do, insisting that both brothers are innocent. In an interview with Emtedad news on 17 March 2022, their lawyer, Fereshteh Tabanian, confirmed that there had been no legal proceedings in either the *moharebeh* or murder cases. The trial for the *moharebeh* charges has been scheduled for 9 April 2022.<sup>142</sup>

### MOHAMMAD JAVAD VAFAYI-SANI: SENTENCED TO DEATH FOR PARTICIPATION IN NOVEMBER 2019 PROTEST



Mohammad Javad Vafayi-Sani is a 26-year-old boxing champion who was arrested in relation to the November 2019 nationwide protests on 7 February 2020 in Mashhad. Branch Four of the Mashhad Revolutionary Court sentenced Mohammad Javad to death on charges of *efsad-fil-arz* (corruption on earth) for, amongst others, “participating in the November 2019 protests, arson and intentional destruction of

special buildings, including a government penitentiary building.” He was set a bail of 30 billion tomans (around €950,000) which his family cannot afford. His lawyer said he will be appealing the decision. Mohammad Javad is currently held in Mashhad Central Prison.<sup>143</sup> In February 2022, the European Parliament highlighted Mohammad Javad’s conviction as one of the cases in its resolution on the death penalty in Iran.<sup>144</sup>

142 <https://t.me/emtedadnet/64795>

143 <https://iranhr.net/en/articles/5048/>

144 [https://www.europarl.europa.eu/doceo/document/TA-9-2022-0050\\_EN.html](https://www.europarl.europa.eu/doceo/document/TA-9-2022-0050_EN.html)

### SAEED TAMJIDI, AMIRHOSSEIN MORADI AND MOHAMMAD RAJABI



Saeed Tamjidi, Amirhossein Moradi and Mohammad Rajabi were arrested for participating in the November 2019 protests and sentenced to death, 222 lashes and a total of 38 years in prison by Branch 15 of the Revolutionary Court of Tehran, presided over by Judge Salavati, in February 2020. After hearing news of Amirhossein’s arrest, Saeed and Mohammad had fled to Turkey, where they requested asylum and were even interviewed. However, following President Rouhani’s trip to Turkey, security forces deported the two back to Iran by land. Multiple informed sources told IHRNGO that the three protesters had been tortured in prison to extract forced confessions.<sup>145</sup> On 10 July 2020, their death sentences were upheld by the Supreme Court.<sup>146</sup> Following a historic mass online campaign,<sup>147</sup> four lawyers representing the three protesters issued a statement announcing that their request for a retrial had been accepted by the Supreme Court on 20 July 2020.<sup>148</sup> In September 2020, Amirhossein’s father committed suicide due to the pressures of his son’s case.

State-owned Iranian Students News Agency reported on 6 December 2020 that: “On the orders of the Chief of the Supreme Court, the request for a retrial in the case of the three people sentenced to death in the November incidents has been granted by the Supreme Court and the case will be sent to a court of equal standing for re-examination.”<sup>149</sup> In June 2021, Amirhossein’s cellmates publicly reported about his dangerously deteriorating skin disease, causing public outrage, and he was granted medical furlough on bail in October 2021. In February 2022, Saeed Tamjidi and Mohammad Rajabi were set bails of 5 billion tomans each. Saeed was released

145 <https://iranhr.net/en/articles/4317/>

146 <https://twitter.com/MostafaNili58/status/1281557315716603905?s=20s>

147 See the “Forgiveness Movement” section of this report.

148 <https://iranhr.net/en/articles/4337/>

149 <https://iranhr.net/en/articles/4518/>

on bail on 13 March 2022 and Mohammad on 16 March 2022. They are currently awaiting their retrials.

### MEHDI SALEHI GHALEH-SHAHROKHI, MOHAMMAD BASTAMI, MAJID NAZARI KONDARI, HADI KIANI AND ABBAS MOHAMMADI: EACH SENTENCED TO DEATH TWICE



Mehdi Salehi Ghaleh-Shahrokhi, 38, Mohammad Bastami, 29, Majid Nazari Kondari, 27, Hadi Kiani, 31, and Abbas Mohammadi, 30, are Isfahan natives who were arrested in relation to the December 2017/January 2018 nationwide protests. On 30 June 2020, IHRNGO issued a statement warning of the possible secret execution of protesters after Isfahan's Chief Justice announced that eight protesters had been convicted of *efsad-fil-arz* charges in a speech prior to Friday prayer sermons on 26 June 2020.<sup>150</sup> On 26 July 2020, IHRNGO revealed that the five protesters had been sentenced to death by Branch Two of the Tehran Revolutionary Court in February and, according to the judgement obtained by IHRNGO, the Supreme Court had upheld their death sentences on charges including *baghy* through "Effective efforts and activities to advance the rioters' goals", *moharebeh* through "Using firearms and intending to deprive the community of security and shooting at officials", and *efsad-fil-arz* through "Disrupting public security and directing the rioters to disrupt public order and safety and disturbing public opinion."<sup>151</sup> Hours after the publication, the judiciary issued a statement denying the claims. According to IHRNGO sources, the defendants told the court that they had been tortured into making false confessions and did not have access to lawyers of their choice throughout the legal proceedings.<sup>152</sup> In January 2021, their request for a judicial review according to Article 477 of the CCP was granted. Due to the lack of transparency in the judicial system, it has not been possible to verify any further information about their case.

150 <https://iranhr.net/en/articles/4297/>

151 <https://iranhr.net/en/articles/4350/>

152 <https://iranhr.net/en/articles/4352/>

At the time of going to print, news broke that Mehdi Salehi Ghaleh-Shahrokhi had died under suspicious circumstances in Isfahan Central Prison as a result of medical care denial. According to sources, his health issues were caused by the torture he was subjected to after arrest. His body was not returned to his family and the funeral took place under strict security measures, with armed soldiers and security agents present and filming on 15 April 2022.<sup>153</sup>

### DUAL NATIONALS AT RISK

#### AHMADREZA DJALALI: A DUAL NATIONAL HELD HOSTAGE ON DEATH ROW (*EF SAD-FIL-ARZ*)



49-year-old Swedish-Iranian scientist Dr Ahmadreza Djalali had travelled to Iran at the official invitation of the University of Tehran when he was arrested by MOIS agents on 24 April 2016 and spent three months in the Ministry's detention centre. Initially charged with "collaborating with hostile States", he was later charged with "efsad-fil-arz through espionage for Israel" by the Revolutionary Court of Tehran. The charge was also upheld by the Supreme Court. On 24 November 2020, IHRNGO issued a statement calling for urgent action after Ahmadreza was transferred to solitary confinement and warned that he would soon be transferred to Rajai Shahr Prison for execution.<sup>154</sup> On 1 December 2020, Ahmadreza was transferred from Evin Prison to Rajai Shahr Prison for execution, only for his family to be told that the execution had been postponed hours later.<sup>155</sup> In a joint letter released on 25 November 2020, Hands off Cain, IHRNGO, ECPM and other human rights organisations asked the European Union (EU) to take immediate action in order to obtain the suspension of the death sentence.<sup>156</sup> Ahmadreza was transferred back to Evin Prison, where he has been held without being permitted to call his family in Sweden. He underwent surgery in February 2022 and remains on death row in General Ward 4 of Evin Prison.<sup>157</sup>

153 <https://iranhr.net/en/articles/5165/>

154 <https://www.iranhr.net/en/articles/4505/>

155 <https://iranhr.net/en/articles/4552/>

156 [https://www.ecpm.org/wp-content/uploads/Updated\\_Urgent-Appeal-for-Dr-Djalali\\_to-HRVP\\_-\\_Josep-Borrell.pdf](https://www.ecpm.org/wp-content/uploads/Updated_Urgent-Appeal-for-Dr-Djalali_to-HRVP_-_Josep-Borrell.pdf)

157 <https://iranhr.net/en/articles/4654/>

## JAMSHID SHARMAHD: GERMAN-IRANIAN KIDNAPPED FROM THE UNITED ARAB EMIRATES, CHARGED FOR EFSAD-FIL-ARZ



Jamshid Sharmahd is a 66-year-old German-Iranian dissident activist who was kidnapped on a layover in Dubai when flying to the United States, his country of residence, from India. He last spoke to his wife on 28 July 2020. On 1 August, Minister of Intelligence and Security Mahmoud Alavi announced on state television that Jamshid Sharmahd had been arrested “following a complex operation” and

aired a video of him stating his name while blindfolded with a black cloth. Charges related to a 2010 Mosque bombing, for which three men had already been executed, were brought against him.<sup>158</sup> After being held in pre-trial detention for over a year and a half, his first hearing was held on 6 February 2022. Presided by Judge Salavati, a “hanging judge” on the US sanctions list, Branch 15 of the Tehran Revolutionary Court has thus far held three hearings on the accusations of “*efsad-fil-arz by planning and directing terrorist acts*”, including the 2010 bombing.<sup>159</sup> Jamshid has been held in solitary confinement since his arrest and denied legal representation, due process and the right to a fair trial. His next hearing is due to take place at a later date.

## HABIB CHAAB: SWEDISH-IRANIAN KIDNAPPED FROM TURKEY, CHARGED WITH EFSAD-FIL-ARZ

Habib Chaab (known as Asyoud/Alaswad) is a 48-year-old Swedish-Iranian dissident activist who was kidnapped in Turkey in October 2020. His forced confessions were aired on national television a month later and have since been aired on multiple occasions. As the former leader of the Arab Struggle Movement for the Liberation of Ahwaz, he has been charged with *efsad-fil-arz* by running and leading the group and planning and executing bombings, including one on a military parade in Ahwaz in 2018. His first hearing was held on 18 January 2022 at Branch 26 of the Tehran Revolutionary Court, presided over by Judge Afshari. The court has so far held five hearings, the last of which took place on 27 February 2022. Habib Chaab has been denied the right to a lawyer, due process and a fair trial.

158 <https://iranhr.net/en/articles/4366/>

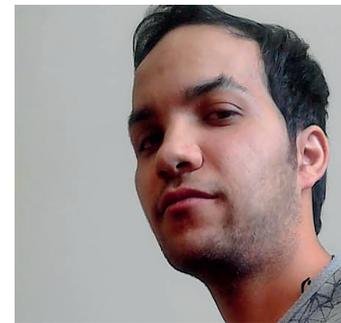
159 <https://www.mizan.news/fa/news/800848/> از-برنامه-ریزی-منتهم-برای-ترور-مسنو-لان-استان-گیلان-تا- عملیات-خبرکاری-در-چندر-گناه



The charges against him have been extended throughout the proceedings, with accusations that authorities say he has “confessed” to.<sup>160</sup>

## JUVENILES AT RISK

### MOSTAFA EMDADI: ON DEATH ROW FOR A MURDER HE DIDN'T COMMIT



Born on 2 March 1999, Mostafa Emdadi was 16 years old when he was arrested on charges of “participating in murder” on 9 March 2015 and held in Ardabil Juvenile Ward for three years. On the day of the murder, Mostafa was out with his cousin and the victim on a dam. “I was standing at a distance when I saw them fighting. I went to separate them because my cousin was strangling him”, he stated.

But it was too late by the time he got there, and he was arrested as a participant in the murder. Mostafa was initially due for release while at the Juvenile Ward, but the court ultimately voted 50-50 to sentence both Mostafa and his cousin to *qisas*. Mostafa was transferred to Khalkhal Prison from the Ardabil Juvenile Ward, where he remains on death row and at risk of execution.<sup>161</sup>

### HOSSEIN SHAHBAZI: CONFESSED TO MURDER UNDER TORTURE

Hossein Shahbazi was 17 when he was arrested for involvement in a group fight that led to someone being killed in December 2018.

160 <https://www.irna.ir/news/84668062/> تجزیه-ایز-ان-خیال-خام-سر-کرده-یک-گرو-هک-ترور-یست

161 <https://iranhr.net/en/articles/5047/>



Following his arrest, he was tortured into making self-incriminating confessions and was found to have reached full maturity by the Forensic Medical Examiner, according to Article 91. His family could not afford a lawyer and he was sentenced to *qisas* on 13 January 2020. The sentence was upheld by the Supreme Court six months later. In 2021, aged 20, he was sent to the gallows three

times, in March, June<sup>162</sup> and December.<sup>163</sup> And while his execution was temporarily halted and application for a judicial review according to Article 477 of the CCP has been requested by his lawyer, he remains at risk of execution in Shiraz Central Prison.<sup>164</sup>

## DEATH PENALTY FOR ALCOHOL CONSUMPTION

Alcohol consumption is a *hadd* offence and its fixed punishment is mandated by *Sharia*. According to Article 136 of the 2013 IPC: “Where anyone commits the same offence punishable by *hadd* three times, and each time the *hadd* punishment is carried out upon them, the *hadd* punishment on the fourth occasion shall be the death penalty.” The IPC requires 80 lashes as *hadd* for alcohol consumption.

Articles 220–288 provide a list of *hudud* offences, which includes alcohol consumption. Hence, if a person is arrested for drinking alcohol, they will be flogged 80 times for each arrest. Upon the fourth arrest, they will be sentenced to death.

Over the last three decades, there had been no documented or officially announced executions for alcohol consumption in Iran until 2020, when a man named Morteza Jalali was executed on 8 July 2020 in Mashhad.<sup>165</sup> In February 2021, a 73-year-old retired pilot identified only as Ehsan was sentenced to death for alcohol consumption by Branch Nine of the Tehran Criminal Court, presided over by Judge Mohammadi-Kashkoui.<sup>166</sup> He was later acquitted by the same court and released.<sup>167</sup> In June 2021, state media reported that the prosecution had requested

162 <https://iranhr.net/en/articles/4778/>

163 <https://iranhr.net/en/articles/5031/>

164 <https://iranhr.net/en/articles/5033/>

165 <https://www.radiofarda.com/a/iran-mashhad-judiciary-defends-executing-man-for-drinking-alcohol/30717990.html>

166 <https://iranhr.net/en/articles/4638/>

167 <https://iranhr.net/en/articles/4644/>

the death penalty for a middle-aged man being tried by Branch Four of the Tehran Criminal Court after he was arrested for alcohol consumption for the fourth time. According to the report, he testified that he had been arrested and flogged 80 times on three previous occasions but insisted that he was not drunk on the day of his fourth arrest, and that the complaint had stemmed from a neighbour calling the police to complain about the volume of his television.<sup>168</sup>

## DEATH PENALTY FOR INSULTING THE PROPHET (*SABOL-NABI*)

Yousef Mehrad and Sadollah Fazeli were sentenced to death on charges of *sabol-nabi* (insulting the prophet) in a joint case heard before Branch One of the Arak Criminal Court on 22 April 2021. Sadollah Fazeli has been sentenced to death three times. Both men have also been sentenced to an additional eight years imprisonment. Yousef Mehrad, a father of three, was arrested by security forces at his home in Ardabil at 6am on 24 May 2020 and transferred to Arak for interrogations. He was kept in solitary confinement for two months and denied access to a lawyer or even contact with his family for eight months. He was transferred to Arak Central Prison after the completion of the interrogation phase.<sup>169</sup> In July 2021, the Supreme Court upheld both the death and custodial sentences for Yousef Mehrad and Sadollah Fazeli.<sup>170</sup>

## DEATH PENALTY FOR ADULTERY



33-year-old Sareh and 27-year-old Meysam were arrested on adultery charges on 24 December 2020 following a complaint filed by Meysam’s wife. At the preliminary trial, they were sentenced to death by stoning after video footage submitted by Meysam’s wife was used as evidence. Upon appeal, Branch 26 of the Supreme Court upheld the execution sentence and changed the stoning sentences to death by hanging in November 2021.<sup>171</sup>

168 <https://iranhr.net/en/articles/4774/>

169 <https://iranhr.net/en/articles/4710/>

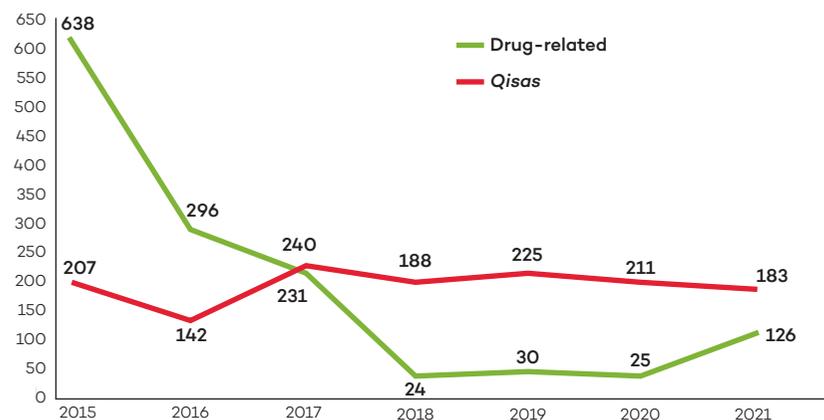
170 <https://www.humanrights-ir.org/detail/2454>

171 <https://iranhr.net/en/articles/4965/>

# WAYS TO RESTRICT THE USE OF THE DEATH PENALTY IN IRAN

## SUSTAINED DOMESTIC CAMPAIGNING AND INTERNATIONAL PRESSURE

The 2017 Amendments to the Anti-Narcotics Law, which resulted from international pressure on the Islamic Republic to decrease drug-related executions, led to the most significant reduction in the number of implemented death sentences in the Islamic Republic's history. However, the impact of the Amendment only lasted three years, a period during which the number of annual executions for drug-related offences was significantly lower than the last decade's annual average. In 2021, the number of drug-related executions showed a fivefold increase compared to the previous three years. As this hike has not been met with appropriate international condemnations, the trend is likely to continue. Between 2018 and 2020, when the number of drug-related executions were relatively low, *qisas* executions (death penalty as retribution for the victim's family) accounted for the majority of all executions. Reducing the use of the death penalty in Iran is therefore dependent on a change in *qisas* laws and practices, in addition to an abolition of the death penalty for drug offences.



While the number of drug-related executions decreased significantly after the peak in 2015, the number of *qisas* executions had small fluctuations in both directions. In 2021, the number of *qisas* executions were slightly lower than the previous three years, while drug-related executions showed a significant rise.

Experience from the past two decades has shown that the international community and Iranian civil society are the main driving forces behind any reforms aimed at limiting the use of the death penalty in Iran. Halting the implementation of stoning punishments, which were carried out for adultery, and reducing the use of the death penalty for drug-related offences from 2018 to 2020 are two significant steps taken by the Iranian authorities to restrict the death penalty's scope.

Both changes occurred as a result of simultaneous domestic campaigns and international pressure. The EU made the ban on stoning a condition for improved economic relations with Iran.<sup>172</sup> While the reduction in the number of drug-related executions was the result of a change of law and anticipated to be long-lasting, the recent rise in drug-related executions has demonstrated that the 2017 Amendment was not successful in sustainably restricting the use of the death penalty. Death sentences for drug offences can be issued by authorities through the Revolutionary Courts as long as capital punishment is sanctioned for drug offences and the right to due process and fair trial are not guaranteed.

Likewise, the halt in implementing stoning punishments should be regarded as temporary, as it too is still written in law. A directive from the Head of Judiciary on the implementation of punishments published in June 2019 describes in detail how stoning sentences should be carried out. Stoning punishments can therefore be implemented again if international human rights mechanisms reduce scrutiny on the human rights situation in Iran.

Sustained international pressure and domestic campaigns must call for the complete abolition of these sentences from the law. A more detailed description of the events leading to changes in law and practice in the case of drug-related executions and stoning punishments can be found in the 2018 Annual Report on the Death Penalty.<sup>173</sup>

172 [http://news.bbc.co.uk/2/hi/middle\\_east/2726009.stm](http://news.bbc.co.uk/2/hi/middle_east/2726009.stm)

173 <https://iranhr.net/en/reports/21/>

# CATEGORIES OF THE DEATH PENALTY WITH THE POSSIBILITY OF IMPROVEMENT

## JUVENILE EXECUTIONS

Iran has amassed the highest number of juvenile executions in the last 20 years. According to reports by IHRNGO and Amnesty International, between 1999 and 2021, Iranian authorities have implemented 100 (75%) of at least 131 juvenile executions worldwide. Iran has also been the only country to carry out the execution of juvenile offenders every single year for the last 10 years. Both Iranian civil society and the international community are highly sensitive to this issue. Thanks to sustained international pressure between 2007 and 2013, Iranian authorities introduced some changes to the Penal Code regarding the death penalty for juvenile offenders. However, these changes did not lead to a decrease in the number of executions. Stronger, co-ordinated pressure by the international community can lead to the end of child executions in Iran. Islamic Republic authorities refer to Islamic jurisprudence, which states that the age of “maturity” and thus the age of criminal responsibility is 9 lunar years for girls and 15 lunar years for boys. This is despite the fact that 18 is already used as the age for a person to be considered to have reached “maturity” in other circumstances. For instance, passports are issued to citizens above 18 upon presentation of their birth certificate and national ID card. But children below 18 and unmarried women above 18 must obtain the permission of their father or closest male relative, and married women must present their husband’s permission in order to be issued with a passport. Changing the age of criminal responsibility to 18 would therefore not represent a complex deviation from Islamic law.

## PUBLIC EXECUTIONS

Iran is one of the very few countries still carrying out public executions. The issue has been raised repeatedly by the international community. There has also been debate amongst Iranian civil society and even in the Iranian Parliament on the topic.<sup>174</sup> Several senior

174 <https://www.radiofarda.com/a/iran-execution-whipping-law/29314017.html>

Iranian clerics (ayatollahs) have even stated that implementing punishments in public is not a religious necessity and should not be carried out if the negative side effects outweigh the benefits.<sup>175</sup> One of the biggest negative side effects is international condemnations. Although the government (led by the president) does not have the authority to issue and implement death sentences according to the Iranian Constitution, public executions seem to be the exception to this rule. At the local level, the governor representing the government has the power to decide whether an execution should be carried out in public or not.<sup>176</sup> As the government is the counterpart of Iran’s dialogue partners, it is easier to exert pressure on them in order to stop the practice of public executions.

Stopping the practice of public executions demands focused and sustained pressure from the international community. There were no public executions between June 2020 and April 2022 (at the time of publication) due to the COVID-19 pandemic. This has been the longest pause in the implementation of public executions in Iran in decades. However, there are signs that the authorities are planning to resume public executions.<sup>177</sup> This must be met with strong international condemnations to raise the political cost of resuming public executions for the Islamic Republic.

## QISAS

Unlike public executions, *qisas* for murder is specified by *Sharia* law and, as long as the Penal Code is based on *Sharia*, Iranian authorities consider its removal a red line that cannot be crossed. They claim *qisas* to be a private right that they cannot deny or control. According to the IPC, murder is punishable by *qisas*, allowing the victim’s family to demand death as retribution. However, they can also demand blood money (*diya*) instead, or can simply grant forgiveness. Although opposing *qisas* is considered a serious crime according to Iranian law, promoting forgiveness is regarded as a good deed according to Islam. This offers several possibilities in reducing the number of *qisas* executions, which accounted for more than 50% of all executions in 2021. A brief description of actions which are believed to contribute to reducing the number of such executions are presented below.

175 <https://www.tabnak.ir/fa/news/380428/ما-ع-آل-م-رد-خود-ح-ی-ار-ج-ا-ه-ر-ا-ب-ر-د-ع-ج-ا-ر-م-ی-خ-ر-ب-ی-ا-و-ت-ف>

176 [https://www.parliran.ir/majles/fa/Content/\\_/5004-ت-ا-ر-ا-ی-ت-خ-ا-و-ف-ا-ط-و-ه-ب-ع-ج-ا-ر-ن-و-ن-ا-ق-ن-ا-ر-ا-د-ن-ا-س-ا](https://www.parliran.ir/majles/fa/Content/_/5004-ت-ا-ر-ا-ی-ت-خ-ا-و-ف-ا-ط-و-ه-ب-ع-ج-ا-ر-ن-و-ن-ا-ق-ن-ا-ر-ا-د-ن-ا-س-ا)

177 <https://iranhr.net/en/articles/5151/>

- **Long prison terms for murder convicts forgiven by the plaintiff:** One of the arguments used by those defending *qisas* death sentences is that once forgiven (by paying *diya* for instance), someone who has committed a serious crime and who can be dangerous will be released back into society after a short prison term. This notion makes the plaintiff hesitate to choose *diya* or forgiveness instead of *qisas*. This issue can be resolved by the introduction of compulsory minimum prison terms for all murder convicts who have been forgiven by the plaintiff. The prison term should be long enough so that the plaintiff feels a sense of justice that the convict is being punished.
- **One rate for *diya* and state support to cover it if necessary:** The minimum rate of *diya* is set by the authorities. However, there are no caps on *diya* amounts. So, the victim's family can demand a sum which is many folds higher than the minimum rate. Besides adding to the discriminatory nature of *qisas* (the poor are executed while the rich can afford to pay their way out), it also makes it difficult for the state to at least partially subsidise the *diya*.
- **Promoting forgiveness through civil society:** In the past few years, an increasing number of civil society groups have been working to promote forgiveness instead of *qisas*. Disturbingly, the Imam Ali Popular Student Relief Society (IAPRS) which has been at the forefront of the forgiveness movement,<sup>178</sup> particularly for juvenile offenders, was disbanded as a result of a motion by the Ministry of Interior. Both the Iranian authorities and the international community must support, not hinder, efforts and groups advocating for forgiveness instead of *qisas*.

178 <https://iranhr.net/en/articles/4663/>

## MOVEMENTS PROMOTING ABOLITION AND MOBILISING CIVIL SOCIETY INSIDE IRAN

As we reported last year, there has been a growing trend of Iranians expressing their opposition to the death penalty. This was demonstrated through the mass online #عدم\_نکنید (“don’t execute”) campaign which saved the lives of three protesters on death row in 2020.<sup>179</sup> Within 24 hours, the hashtag was trending worldwide after being tweeted over eight million times, and soon European politicians and UN human rights experts joined in support.<sup>180</sup> The results of a survey commissioned in 2020 by IHRNGO and the World Coalition Against the Death Penalty also revealed that 70% of Iranians either oppose the death penalty completely (44%) or agree with it only in unique cases (26%). The repression of civil society in recent years further demonstrates that the Iranian authorities view any peaceful attempts against the death penalty as a threat.

This trend continued in 2021, with multiple online campaigns organised for both political and ordinary crime prisoners using the “don’t execute” and “no to execution” Farsi hashtags and now, more prevalently, #Save followed by the death row prisoner’s name. Such campaigns were organised for Heydar Ghorbani, Mohammad Javad Vafayi-Sani, Abbas Daris, Arman Abdolali and those whose stories got out prior to their executions.



In further testimony to the growing abolitionist sentiment, the arts have joined human rights efforts to raise awareness about the death penalty. Kiosk, a pioneering Iranian alternative rock band, released a musical film and album titled “Sweet Destiny.” Based on a historic 1853 photograph of a public execution by cannon fire in Iran, it is the first professional

179 <https://iranhr.net/en/eng/articles/4327/>

180 <https://iranhr.net/en/eng/articles/4331/>

Farsi language album or film of its kind to be dedicated to the subject of the death penalty. The musical was dedicated “to the families of the victims of the death penalty and all those working for the abolishment of this inhuman punishment”, and all proceeds were donated to IHRNGO.<sup>181</sup>

Within Iran, filmmakers create films about the death penalty at their own risk and with the knowledge that their films will be banned in the country that they speak of and for. Award-winning independent filmmaker Mohammad Rasoulof, who has penned the foreword to this report, has experienced both censorship and punishments for his films throughout the years. Most recently, he was sentenced to a year imprisonment on charges of “propaganda against the system” for three of his films, including “There is No Evil”<sup>182</sup> which offers different perspectives on the death penalty, and “A Man of Integrity.”<sup>183</sup> He was also banned from leaving Iran for two years, which deprived him of the chance to accept his awards in person.<sup>184</sup>

## FORGIVENESS MOVEMENT

As mentioned under the section for *qisas* executions, according to the IPC, murder is punished by *qisas*, where the family of the victim can demand a retribution death sentence. But they can also demand blood money (*diya*) instead of a death sentence or can simply grant forgiveness.

This opens an opportunity for citizens to counter the death penalty by promoting forgiveness without being subjected to persecution by the authorities. In the past four years, the movement for forgiveness has grown significantly. Ordinary citizens, celebrities, civil society groups such as the IAPSRs, LEGAM (Step by step to abolish the death penalty) and other local and national campaigns have been active in promoting forgiveness instead of the death penalty.

When reported, we see a glimpse of the number of lives saved by individuals who set out to compassionately change the minds of the victims’ families. One such example is 42-year-old Maryam Kargardastjerdi, who met a mother trying to come up with the *diya* to save her son’s life from execution while making social rounds at

181 <https://iranhr.net/en/articles/4864/>

182 <https://www.theguardian.com/film/2021/dec/05/there-is-no-evil-review-mohammad-rasoulof-golden-bear-iran-death-penalty-drama>

183 <https://variety.com/2017/film/reviews/a-man-of-integrity-review-1202438230/>

184 <https://www.theguardian.com/film/2020/mar/04/golden-bear-winner-mohammad-rasoulof-sentenced-jail-iran>

old people’s homes. Since helping to save the woman’s son, Maryam has helped save the lives of 37 murder defendants from execution by talking to the victims’ families and helping to raise funds to pay the uncapped *diya* amounts with support from charitable organisations and individuals.<sup>185</sup>



And Maryam is not alone. The movement has resulted in the revocation of death sentences for hundreds of death row inmates in recent years.<sup>186</sup> Additionally, the forgiveness movement has contributed significantly to promoting abolition and debate around the death penalty as a punishment. However, as the movement has grown, so have repressive measures, with

both LEGAM and the IAPSRs being subjected to the authorities’ crackdown and persecution.

## REPRESSION OF ABOLITIONIST ACTIVISTS

The crackdown on abolitionist civil society continued in 2021 through increased pressure and new trumped-up charges for activists and civil society.

### ATENA DAEMI



Atena Daemi is a human rights and anti-death penalty activist. Due to be released on 4 July 2020 after completing a five-year sentence, she found herself facing new trumped-up charges in a case opened against her while she was still in prison. Following a protest sit-in with Narges Mohammadi and other female political prisoners at Evin Prison, Atena was

185 <https://www.rokna.net/مدیریت-کمیته-مهرآباد-اقدامات-انگیزان-ایران-ن-ی-ا-3/671241-دنیورپش-خوب>

186 See page 57 for the numbers.

sentenced to two years imprisonment and 74 lashes by Branch 24 of the Tehran Revolutionary Court, presided by Judge Amouzad, on charges of “propaganda against the system and disrupting prison order”. On the first charge, the court cited written letters and statements attributed to her, and on the second charge, the court accused her of celebrating, partying and dancing during *Ashura*, the day marking the death of Imam Hussein in the Shi’ite calendar. Atena called the new charges baseless, stating that, for example, in the case of disrupting prison order, there had been no celebrations by her or her fellow prisoners around the days marking Ashura.<sup>187</sup> The Supreme Court rejected her lawyer’s request for a retrial at the end of February 2021. Atena was transferred from Evin Prison to Rasht Central Prison in handcuffs and shackles on 16 March 2021, just days prior to the Iranian new year, Norouz. On 12 August, she went on an indefinite hunger strike in protest to the frequent and unjustified restrictions on prisoners’ telephone rights, which had forced her parents to travel from Tehran to communicate with her, leading to their contraction of COVID-19. After her demands were partially met, on 17 August she broke her hunger strike by sending a message from prison, for which she was punished by having her phone rights revoked yet again. Atena was released on 24 January 2022 without a day of furlough throughout her seven-year detention.<sup>188</sup>

## NARGES MOHAMMADI



After spending five and half years behind bars, Narges Mohammadi, prominent human rights defender and member of the anti-death penalty campaign LEGAM, was released from prison on 8 October 2020.<sup>189</sup> Following her release, she was summoned several times but refused to comply. On 22 May 2021, she was sentenced to 30 months imprisonment and 80 lashes<sup>190</sup> for the letters

she wrote from prison and for her sit-in protest in Evin Prison against the brutal crackdown on the November 2019 nationwide protests. Her sentence was upheld in September 2021.<sup>191</sup> Vowing to defy the implementation of her sentence, Narges documented her five arrests since release, which were all accompanied by violence and force. Narges was again arrested at the memorial service of Ebrahim Ketabdar, a young protester killed in the November 2019 nationwide protests.<sup>192</sup> She was informed that her sentence was being enforced the next day while in solitary confinement, where she spent 64 days.<sup>193</sup> On 24 January 2022, her husband tweeted that Narges had been sentenced to eight years imprisonment and 70 lashes in a trial that only lasted five minutes.<sup>194</sup> She was transferred to Qarchak Prison on 19 January and hospitalised less than a month later on 17 February 2022.<sup>195</sup> She underwent an angioplasty procedure in hospital but was returned to Qarchak Prison the next day. She was sent on medical furlough on 22 February<sup>196</sup> and was summoned back to prison on 7 March.<sup>197</sup> In a statement issued on 17 March, Narges said she does not recognise the religious totalitarianism and the court’s repressive rulings and will not be returning to prison. Stating that she had received notification of bail seizure, she said she will continue her civil disobedience of refusing to return to prison as long as her bailer does not lose their property.<sup>198</sup>

187 [https://iranhr.net/media/files/HRD\\_Report\\_Iran\\_Human\\_Rights\\_Eng.pdf](https://iranhr.net/media/files/HRD_Report_Iran_Human_Rights_Eng.pdf)

188 <https://iranhr.net/en/articles/5075/>

189 <https://iranhr.net/en/articles/4459/>

190 <https://iranhr.net/en/articles/4753/>

191 <https://iranhr.net/en/articles/4900/>

192 <https://iranhr.net/en/articles/4973/>

193 <https://iranhr.net/en/articles/4975/>

194 <https://iranhr.net/en/articles/5071/>

195 [https://twitter.com/RahmaniTaghi/status/1494302733054140423?s=20&t=YU9o3QX\\_rQqlqkbEc85bSQ](https://twitter.com/RahmaniTaghi/status/1494302733054140423?s=20&t=YU9o3QX_rQqlqkbEc85bSQ)

196 <https://iranhr.net/en/articles/5110/>

197 <https://iranhr.net/en/articles/5126/>

198 <https://iranhr.net/en/articles/5145/>

# RECOMMENDATIONS

## Iran Human Rights (IHRNGO) and ECPM (Together Against the Death Penalty) call on:

### The international community to:

- Prioritise human rights violations and its treaty obligations in any future talks and negotiations with Iran.
- Support the mandate of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran.
- Encourage Iran to ratify the International Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Optional Protocol to ICCPR (OP2), and to seriously consider abstaining from or voting in favour of the UNGA Resolution calling for a universal moratorium on the use of the death penalty in 2022.
- Strongly encourage Iran to respect its international obligations, including the ICCPR and the CRC, by putting a permanent end to public executions, abolishing the death penalty for offences that do not qualify as “*the most serious crimes*”, removing mandatory death sentences from the Penal Code, putting an end to sentences and executions of persons who were under the age of 18 at the time of the alleged crime for which they were sentenced, and ensuring due process.
- Encourage Iran to establish a moratorium on the use of the death penalty and to move towards the abolition of the death penalty.
- Advocate for major reforms within the country’s judicial system, which does not currently meet minimum international standards, including ending the practice of forced confessions, the use of torture and the existence of the Revolutionary Courts.
- Determine bilateral and international funding and cooperation for the achievement of clear results in terms of compliance with human rights standards and ensure that any investment, funding, trade and cooperation programme in Iran is not used to participate in, facilitate or help the commission of executions, or any other violation of human rights law.
- Cease harassment and call for the protection and immediate release of all human rights defenders and anti-death penalty activists, including Narges Mohammadi, Atena Daemi and Nasrin Sotoudeh, who have endured long prison terms for peaceful activities against the death penalty.

### The Iranian authorities to:

- Ratify the International Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
- Schedule a country visit by the UN Special Rapporteur on the Situation of Human Rights in the Islamic Republic of Iran.
- Provide access to the Special Rapporteur on extrajudicial, summary and arbitrary executions, to the Special Rapporteur on torture, to the Special Rapporteur on the independence of judges and lawyers and to other Special Rapporteurs who have requested a visit to the country, in line with Iran’s standing invitation to all Special Procedures extended on 24 July 2002.
- Respond positively to individual communications by international human rights mechanisms.
- Ensure access by the UN Office on Drugs and Crime (UNODC), which has been cooperating with the Iranian authorities in fighting drugs, and allow UNODC to participate in monitoring and evaluating the process.
- Implement and fully respect the provisions of its international human rights obligations.
- Implement reforms to national legislation in order to reduce the number of crimes punishable by the death penalty as a step towards abolition of the death penalty.
- Impose a moratorium on the use of the death penalty in order to work progressively towards its abolition.
- Demonstrate complete transparency regarding the implemented death sentences and the number of executions, including by publishing (or communicating to the UN) the list of all prisoners on death row, including juvenile offenders and women.
- Cease the criminalisation of human rights advocacy on the issue of the death penalty and allow and facilitate public and open debate about the question of the death penalty in Iran.
- Release all political prisoners, including imprisoned human rights defenders and anti-death penalty activists.

# ANNEXES

## ANNEX 1: EXECUTIONS PER CAPITA IN EACH PROVINCE (2021)

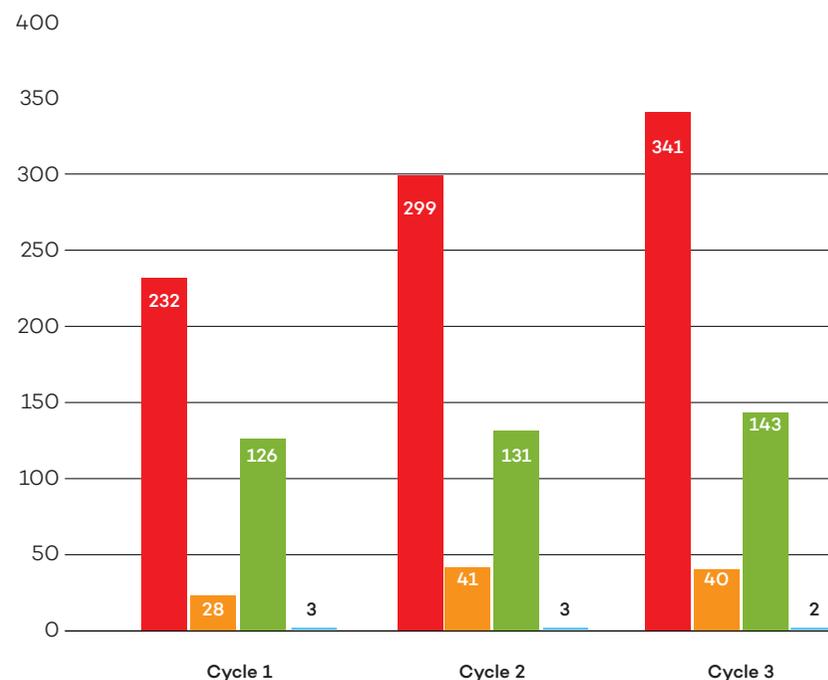
Province	Executions per million inhabitants
South Khorasan	26
Sistan and Baluchestan	12
Qazvin	9
Zanjan	9
Kohgiluyeh and Boyerahmad	8
Ardabil	8
Yazd	8
Qom	7
Isfahan	6
West Azerbaijan	6
Kerman	5
Kermanshah	5
Fars	5
Khorasan Razavi	4
Alborz/Tehran	3
Gilan	3
North Khorasan	3
Ilam	2
Kurdistan	2
Khuzestan	2
Lorestan	2
Mazandaran	2
East Azerbaijan	1
Golestan	1
Markazi	1
Bushehr	0
Chaharmahal and Bakhtiari	0
Hormozgan	0
Hamadan	0
Semnan	0

## ANNEX 2: LIST OF RESOLUTIONS, STATEMENTS AND REPORTS ADOPTED BY THE UNITED NATIONS AND EUROPEAN PARLIAMENT, MENTIONING THE DEATH PENALTY IN IRAN

OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS			
Office of the High Commissioner, News & Statements, Latest news → UN experts condemn secret execution of Kurdish prisoner in Iran   OHCHR	United Nations, Office of the High Commissioner for Human Rights, UN experts condemn secret execution of Kurdish prisoner in Iran 22 December 2021	United Nations Organisation	22 December 2021
Office of the High Commissioner, News & Statements, Latest news → Iran: UN experts say executions of child offenders must stop   OHCHR	United Nations, Office of the High Commissioner for Human Rights, Iran: UN experts say executions of child offenders must stop 25 November 2021	United Nations Organisation	25 November 2021
Office of the High Commissioner, News & Statements, Latest news → Comment by UN Human Rights Office spokesperson Liz Throssell on execution of juvenile offender Arman Abdolali in Iran   OHCHR	United Nations, Office of the High Commissioner for Human Rights, Comment by UN Human Rights Office spokesperson Liz Throssell on execution of juvenile offender Arman Abdolali in Iran 24 November 2021	United Nations Organisation	24 November 2021
Office of the High Commissioner, News & Statements, Latest news → Iran: Death penalty used as political tool – UN expert   OHCHR	United Nations, Office of the High Commissioner for Human Rights, Iran: Death penalty used as political tool – UN expert 25 October 2021	United Nations Organisation	25 October 2021
Office of the High Commissioner, News & Statements, Latest news → Iran: Halt imminent execution of juvenile offender Arman Abdolali – UN rights experts   OHCHR	United Nations, Office of the High Commissioner for Human Rights, Iran, halt imminent execution of juvenile offender Arman Abdolali – UN rights experts 12 October 2021	United Nations Organisation	12 October 2021
Office of the High Commissioner, News & Statements, Latest news → Iran must halt imminent execution of Kurdish prisoner – UN experts   OHCHR	United Nations, Office of the High Commissioner for Human Rights, Iran must halt imminent execution of Kurdish prisoner – UN experts 03 October 2021	United Nations Organisation	03 October 2021
Office of the High Commissioner, News & Statements, Latest news → Iran: UN experts urge Iran to halt execution of child offender   OHCHR	United Nations, Office of the High Commissioner for Human Rights, Iran: UN experts urge Iran to halt execution of child offender 24 June 2021	United Nations Organisation	24 June 2021
Office of the High Commissioner, News & Statements, Latest news → Iran: UN experts alarmed over execution of Baloch minority prisoners   OHCHR	United Nations, Office of the High Commissioner for Human Rights, Iran: UN experts alarmed over execution of Baloch minority prisoners 04 February 2021	United Nations Organisation	04 February 2021
Office of the High Commissioner, News & Statements, Latest statements and messages → Statement by Javaid Rehman, Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, at the forty-sixth session of the Human Rights Council – Item 4   OHCHR	United Nations, Office of the High Commissioner for Human Rights, Statement by Javaid Rehman, Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, at the forty-sixth session of the Human Rights Council – Item 4 09 March 2021	United Nations Organisation	09 March 2021

Office of the High Commissioner, News & Statements, Latest statements and messages → <b>Global Update: Bachelet urges inclusion to combat "sharply escalating misery and fear"   OHCHR</b>	United Nations, Office of the High Commissioner for Human Rights, Global Update: Bachelet urges inclusion to combat "sharply escalating misery and fear" 07 March 2021	United Nations Organisation	07 March 2021
Office of the High Commissioner, Press releases, Special procedures → <b>Iran: Ahmadreza Djalali nearing death in solitary confinement, torture must end now   OHCHR</b>	United Nations, Office of the High Commissioner for Human Rights, Iran: Ahmadreza Djalali nearing death in solitary confinement, torture must end now 18 March 2021	United Nations Organisation	18 March 2021
Office of the High Commissioner, Statements → <b>Bachelet updates Human Rights Council on recent human rights issues in more than 50 countries   OHCHR</b>	United Nations, Office of the High Commissioner for Human Rights, Bachelet updates Human Rights Council on recent human rights issues in more than 50 countries 26 February 2021	United Nations Organisation	26 February 2021
<b>SPECIAL RAPPORTEUR ON THE HUMAN RIGHTS SITUATION IN THE ISLAMIC REPUBLIC OF IRAN</b>			
Office of the High Commissioner → <b>Special Rapporteur on Iran: Sanctions and the Government's "Inadequate and Opaque" Response Have Exacerbated COVID-19's Impact in Iran   OHCHR</b>	United Nations, Human Rights Council, Special Rapporteur on Iran: Sanctions and the Government's "Inadequate and Opaque" Response Have Exacerbated COVID-19's Impact in Iran 9 March 2021	United Nations Organisation	09 March 2021
<b>HUMAN RIGHTS COUNCIL</b>			
Office of the High Commissioner → <b>47<sup>th</sup> session of the Human Rights Council, Presentation of the Secretary-General's report on the situation of human rights in the Islamic Republic of Iran   OHCHR</b>	United Nations, Human Rights Council, 47 <sup>th</sup> session of the Human Rights Council, Presentation of the Secretary-General's report on the situation in the Islamic Republic of Iran 22 June 2021	United Nations Organisation	22 June 2021
Office of the High Commissioner → <b>Human Rights Council Holds Biennial High-Level Panel Discussion on the Question of the Death Penalty   OHCHR</b>	United Nations, Human Rights Council, Human Rights Council Holds Biennial High-Level Panel Discussion on the Question of the Death Penalty 23 February 2021	United Nations Organisation	23 February 2021
<b>SECRETARY-GENERAL OF THE UNITED NATIONS</b>			
A/76/268 → <b>N2121625.pdf (un.org)</b>	United Nations, General Assembly, A/76/268: Situation of human rights in the Islamic Republic of Iran – Report of the Secretary General 04 August 2021	United Nations Organisation	04 August 2021
A/HRC/47/22 → <b>G2110694.pdf (un.org)</b>	United Nations, General Assembly, A/HRC/47/22: Situation of human rights in the Islamic Republic of Iran Report of the Secretary-General 14 May 2021	United Nations Organisation	14 May 2021
<b>GENERAL ASSEMBLY OF THE UNITED NATIONS</b>			
A/RES/76/178 → <b>N2140386.pdf (un.org)</b>	United Nations, General Assembly, Situation of human rights in the Islamic Republic of Iran 16 December 2021	United Nations Organisation	16 December 2021
<b>EUROPEAN PARLIAMENT</b>			
P9_TA(2021)0355 → <b>Texts adopted – The case of Ahmadreza Djalali in Iran – Thursday, 8 July 2021 (europa.eu)</b>	European Parliament resolution RC-B9-0382/2021, The case of Ahmadreza Djalali in Iran 08 July 2021	European Parliament	08 July 2021

## ANNEX 3: ANALYSIS OF THE UPR RECOMMENDATIONS ON THE DEATH PENALTY IN THE LAST THREE CYCLES



- Total number of recommendations
- Number of recommendations in relation to the death penalty issue
- Total number of supported recommendations
- Number of accepted or partially supported recommendations in relation to the death penalty issue

## ANNEX 4: WOMEN AND THE DEATH PENALTY IN IRAN: A 12-YEAR ANALYSIS

The following statistics relate to the execution of women recorded by IHRNGO between 1 January 2010 and 10 October 2021:

- At least 164 women were executed
- Female executions represent 2.57% of all executions in the same period
- 31% (51) of the executions were announced by official sources and 69% (113) were carried out secretly or were not announced
- At least 86 women were executed on drug-related charges
- At least 60 women were executed on murder charges
- Of the three women executed on security charges, two were executed on espionage charges
- The third woman (Shirin Alamhooli), was executed on the charge of *moharebeh* (enmity against God) for membership in a Kurdish opposition group
- The charges against 15 of the women are unknown
- The average number of women executed annually for murder charges doubled after the 2017 amendment to the Anti-Narcotics Law
- Three of the executed women were juvenile offenders
- One woman (Zahra Bahrami) was executed on drug-related charges after being arrested in relation to the 2009 nationwide protests and originally sentenced to *moharebeh* (enmity against God)

For more details, read IHRNGO's full report on Women and the Death Penalty in Iran, published on 10 October 2021: [https://iranhr.net/media/files/Women\\_and\\_the\\_Death\\_Penalty\\_2021.pdf](https://iranhr.net/media/files/Women_and_the_Death_Penalty_2021.pdf)



**Iran Human Rights (IHRNGO)** is a non-profit, politically independent organisation with members and supporters inside and outside Iran. The organisation started its work in 2005 and is registered as an international non-governmental organisation based in Oslo, Norway.

**Abolition of the death penalty in Iran as a step towards the universal abolition of the death penalty is the main goal of IHRNGO.**

**IHRNGO has a broad network among the abolitionist movement inside and outside Iran:**

Besides supporters and collaborators among civil society activists in the central parts of Iran, IHRNGO also has a wide network in the ethnic regions, which are not often the focus of mainstream media. In addition, IHRNGO has a network of reporters within many Iranian prisons, and among Iranian lawyers and the families of death row prisoners. This enables IHRNGO to be the primary source of many execution reports in different Iranian prisons. IHRNGO has been a member of the World Coalition Against the Death Penalty (WCADP) since 2009 and a member of its Steering Committee since 2011. IHRNGO is also a member of Impact Iran, a coalition of more than 13 Iranian human rights NGOs. IHRNGO's close collaboration with abolitionist networks inside and outside Iran makes it a unique actor in the struggle against the death penalty in the country with the highest number of executions per capita.

**IHRNGO's core activities include:**

**Fighting for abolition of the death penalty** through monitoring, reporting, empowering the abolitionist Iranian civil society and international advocacy.

**Promoting due process and rule of law** through raising the legal debate in Iran and encouraging legal reforms. IHRNGO publishes a bi-weekly legal journal with contributions from Iranian lawyers, jurists, law students and religious scholars.

**Defending human rights defenders** by creating safer working conditions, giving voice to the imprisoned human rights defenders and supporting human rights defenders in danger.

#### **IHRNGO's work in the past 12 years has contributed to:**

##### **Creating awareness about the situation of the death penalty in Iran:**

Through careful research, monitoring and continuous reporting, IHRNGO has given a more realistic picture of death penalty trends in Iran. It is regarded as a credible source of information, and its annual reports are points of reference for the international community,<sup>199</sup> the media,<sup>200, 201</sup> and civil society.

##### **Limiting the use of the death penalty in Iran through international campaigns and advocacy:**

IHRNGO activities have contributed to saving the lives of several death row prisoners through focused domestic and international campaigns.

##### **Raising the national debate on the death penalty, and empowering and educating the abolitionist movement inside Iran:**

IHRNGO was the first NGO focusing on all death penalty cases in a sustainable manner. By publishing news, reports and interviews, and since 2015 through its one-hour weekly TV programme,<sup>202</sup> IHRNGO has contributed significantly to educating abolitionists and raising the national debate on the death penalty in Iran.

199 <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N14/518/83/PDF/N1451883.pdf?OpenElement>

200 <http://europe.newsweek.com/state-executions-rise-two-day-iran-313562?rm=eu>

201 <http://www.dw.com/en/irans-death-penalty-stays-off-global-agenda/a-17705731>

202 <https://iranhr.net/fa/multimedia/#/all/all/1>



**ECPM** (Together Against the Death Penalty) is an organisation working for a particular cause: universal abolition of the death penalty under all circumstances.

##### **PROXIMITY TO PRISONERS SENTENCED TO DEATH**

**ECPM** carries out and publishes judicial investigations into death row (Morocco, Tunisia, United States, Democratic Republic of the Congo, Cameroon, Mauritania, Indonesia, Malaysia and Lebanon). Our publication *Investigation into Death Row in the DRC* received the French Republic's top Human Rights Prize.

**ECPM** supports the victims of the death penalty, prisoners and their families.

**ECPM** supports correspondence with prisoners sentenced to death.

##### **ADVOCACY WITH THE HIGHEST AUTHORITIES**

**ECPM** is the first NGO devoted to the fight against the death penalty to have obtained Economic and Social Council (ECOSOC) status, which guarantees it a presence and an advocacy opportunity at the very heart of the UN system. Working with the different Special Mandates (Iran, extrajudiciary killings, Human Rights Defenders, Torture, Poverty, etc.), **ECPM** initiated the creation of the World Coalition Against the Death Penalty in 2002, which today has more than 150 members – NGOs, bar associations, local authorities, unions – throughout the world. Along with the World Coalition, **ECPM** leads advocacy and public mobilisation campaigns with policy makers (European Union, African Commission on Human and Peoples' Rights, governments, etc.).

**ECPM** co-organised the Aban Tribunal on Iran's atrocities in November 2019.

## **UNITING ABOLITIONISTS FROM ACROSS THE WORLD**

**ECPM** is the founder and organizer of the World Congresses Against the Death Penalty. These events bring together more than 1,300 people representing the world abolitionist movement. Ministers, parliamentarians, diplomats, activists, civil society organisations, researchers and journalists come together every three years to strengthen their ties and develop strategies for the future.

## **EDUCATION AND AWARENESS ON ABOLITION**

**ECPM** works in schools to encourage young people to support the issue through drawing competitions, introductions to journalism and free class visits – with the participation of specialists, individuals previously sentenced to death or the families of prisoners sentenced to death. More than 10,000 middle and high school pupils have been involved since October 2009.

**ECPM** raises awareness among the public on the situation of minorities and vulnerable groups by participating in international solidarity events such as Cities for Life, the World Day Against the Death Penalty, World Human Rights Day, etc.

## **STRENGTHENING THE CAPACITIES OF LOCAL ACTORS AND TAKING ACTION WITH THEM**

**ECPM** fights against the isolation of activists wherever the death penalty remains by supporting the formation of national and regional coalitions against the death penalty (Morocco, Tunisia, Central Africa, Asia, etc.), as well as the creation of networks of abolitionist parliamentarians and lawyers.

**ECPM** encourages efficiency among its local partners by organizing training sessions and advocating at all political levels for their work to be supported.

# ANNUAL REPORT ON THE DEATH PENALTY IN IRAN 2021

In 2021, as the West sought to revive the Joint Comprehensive Plan of Action (JCPOA) with nuclear talks held abroad, domestically, the Islamic Republic increased its use of the death penalty. Execution numbers increased by 25% compared to 2020, and essential reforms to the Anti-Narcotics Law implemented in 2017 have reversed in practice, with a five-fold increase in drug-related executions compared to the past three years. Ethnic minorities, the Baluch in particular, were grossly overrepresented in execution numbers, and at least 2 juvenile offenders and 17 women were among those executed. Systematic torture and denial of due process, coupled with a customary lack of accountability and impunity, contribute to the continuation of this trend. With this report we call on the international community to put the situation of human rights, in particular the death penalty, on top of their agenda in any negotiations with Iran, and to establish mechanisms to hold perpetrators of gross human rights violations accountable.



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Iran Human Rights (IHRNGO) and ECPM have been working together since 2011 for the international release and circulation of the Annual Report on the Death Penalty in Iran. IHRNGO and ECPM see the death penalty as a benchmark for the human rights situation in the Islamic Republic of Iran.



Mahmood Amiry-Moghaddam  
Director  
Iran Human Rights  
P.O.Box 2691 Solli  
0204 Oslo, Norway  
mail@iranhr.net

[www.iranhr.net](http://www.iranhr.net)



Raphaël Chenuil-Hazan  
Executive Director  
ECPM  
62 bis avenue Parmentier  
75011 Paris, France  
rchenuil@ecpm.org

[www.ecpm.org](http://www.ecpm.org)