

# ANNUAL REPORT ON THE DEATH PENALTY IN IRAN 2018



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# FOREWORD BY NOBEL PRIZE LAUREATE SHIRIN EBADI

In the 20th century, the views of legal experts who opposed the death penalty gradually gained acceptance and this inhumane punishment was removed from the penal code of many countries, to an extent that one of the conditions for Turkey to join the European Union is to remove the “death penalty” from its penal code.

Sadly, there are still countries that carry out this punishment and Iran is one of those. Iran has the highest number of executions per annum after China and death penalty cases are reported every month. In recent years, changes were enacted in the penal code which resulted in the reduction of this horrific punishment in some cases to an extent. However, the death penalty still applies for many acts that are not even considered punitive by many countries such as homosexual relations or the infidelity of a married woman.

Many individuals subjected to this punishment in Iran come from ethnic groups and, fortunately, legal experts, defenders of human rights and civil society organisations deal with this punishment with increasing importance. Several organisations protest by publishing reports which aim to draw international attention to this issue.

What is in front of you is one of the most authoritative reports in this regard and scrutinising it will shed light on different aspects of this punishment.

Cover picture: Two prisoners were hanged in public in the city of Mashhad, Razavi Khorasan Province, on 22 July 2018.<sup>1</sup>

This report has been prepared by Iran Human Rights (IHR) with the support of ECPM (Together Against the Death Penalty). Since 2012, Iran Human Rights (IHR)<sup>2</sup> and ECPM<sup>3</sup> have been working together for the publication, international release and circulation of the annual reports on the death penalty in Iran.

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1 <https://iranhr.net/en/articles/3398/>

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

3 <http://www.abolition.fr/> and also <http://www.ecpm.org>

## PREFACE

The 11<sup>th</sup> annual report on the death penalty by Iran Human Rights (IHR) and ECPM is the first report since implementation of the new amendments to the Anti-Narcotics law.

This report provides an assessment and analysis of death penalty trends in 2018 in the Islamic Republic of Iran. It sets out the number of executions in 2018, the trend compared to previous years, the legislative framework and procedures, charges, geographic distribution and a monthly breakdown of executions. Lists of female and juvenile offenders executed in 2018 are also included in the tables. Drug-related executions one year after enforcement of new amendments to the Anti-Narcotics law are reviewed. The old Anti-Narcotics law and new amendment, along with its strengths and weaknesses, are discussed.

This report also looks into the abolitionist movement within Iran, including the forgiveness movement and its contribution to limiting use of the death penalty, and some information about the crackdown on human rights defenders.

In 2019, Iran will have its 3<sup>rd</sup> UPR. It will be an opportunity for Iran to engage in a constructive dialogue on human rights. The UPR recommendations on the death penalty, which were given in the previous round and only one of which were accepted by Iran, are included at the end of the report.

The 2018 report is the result of hard work from IHR members and supporters who took part in reporting, documenting, collecting, analysing and writing its content. We are especially grateful to IHR sources inside Iran who, by reporting on unannounced and secret executions in 26 different prisons, 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 give a complete picture of the use of the death penalty in Iran by any means. There are reported execution cases which are not included in this report due to a lack of sufficient details or an inability to confirm cases through two different sources. However, this report tries to give the most complete and realistic figures possible in the present circumstances<sup>4</sup>.

ECPM supports the drafting, editing, publishing and distribution of this report. Problems surrounding transparency of the data and information on the death penalty in Iran should be overcome by a strong strategy of distribution and dissemination. The purpose of this report for IHR and ECPM is to reveal the facts and make them known in order to change national and international views on the situation of the death penalty in Iran, the world's leading executioner<sup>5</sup>.

## 2018 ANNUAL REPORT AT A GLANCE

- At least 273 people were executed in 2018, a 48% decrease compared to 2017
- 93 executions (34%) were announced by official sources. In 2017, 21% had been announced by the authorities
- Approximately 66% of all executions included in the 2018 report, i.e. 180 executions, were not announced by the authorities
- At least 188 executions (69% of all executions) were for murder charges
- At least 24 people (8.8% of all executions) were executed for drug-related charges - 207 less than in 2017
- None of the drug-related executions were announced by official sources
- 13 executions were conducted in public spaces
- At least 6 juvenile offenders were among those executed
- At least 5 women were executed
- At least 62 executions in 2018 and more than 3,526 executions since 2010 have been based on death sentences issued by the Revolutionary Courts
- At least 272 death row prisoners were forgiven by the families of murder victims

## INTRODUCTION

The 11<sup>th</sup> Annual Report on the Death Penalty in Iran by Iran Human Rights (IHR) and ECPM coincides with the 40<sup>th</sup> anniversary of the Islamic revolution of 1979. The Islamic revolution marks the start of an era where the death penalty became a "normal" part of people's everyday lives. The first death sentences were carried out only three days after the victory of the revolution, as four of the Shah's generals were executed by firing squad on the roof of "Rafah School", which was Ayatollah Khomeini's headquarters at that time. The death sentences were issued and the executions carried out on the night of 15 February 1979 after a session, only a few hours long, of the newly established Revolutionary Court without the presence of a defence lawyer and lacking a process with even a minimum resemblance to a fair trial. Pictures of the dead generals covered the front pages of the main Iranian newspapers the next morning. A lack of due process, unfair trials and arbitrary executions continue today, four decades after that February night. IHR has documented close to 6,000 executions in the fourth decade of the Islamic Republic's life.

This report shows, however, that 2018 distinguishes itself from the previous years. The report shows that in 2018 at least 273 people were executed in Iran. This is the lowest number documented since 2007 and represents a 47% reduction from execution numbers in 2017. More importantly, the reduction is mainly due to a decline in the number of drug-related executions, following enforcement of new amendments to the Anti-Narcotics law which aims to restrict use of the death penalty for such offences. The number of drug-related executions declined from 230 in 2017 to 24 in 2018. Commenting on the reduction in execution numbers in the 2018 report, Mahmood Amiry-Moghaddam, IHR spokesperson, said, "*This is probably the most significant step towards limitation in the use of the death penalty in the history of the Islamic Republic and probably 2018's most significant change in death penalty trends worldwide. We hope it is the first step of many that the Iranian authorities must take in order to improve their dark human rights record*".

<sup>4</sup> See below in § Sources

<sup>5</sup> Per capita

The Iranian authorities have admitted on several occasions that the political cost of drug-related executions has become too high. In a recent meeting with the General Secretary and other high-ranking officers of Iran's Drug Control Headquarters, the Head of the Iranian Parliament, Ali Larijani, said: "The Death penalty must be the last way of combating drug problems", and continued, "the costs of executions are very high, you must not underestimate the costs".<sup>6</sup> This refers to increasing international pressure on the Iranian authorities for the high number of drug-related executions in the past.

Due to a lack of transparency, it is not known how many death sentences have been commuted thanks to the new legislation but the execution of 20 drug offenders in the last 3 months of the year gives one reason to fear that the few months' halt in implementation of drug-related death sentences might have come to an end.

IHR and ECPM welcome the significant reduction in use of the death penalty due to the enforcement of the new amendments to the Anti-Narcotics law and hope that this trend will continue towards complete abolition. However, some significant challenges remain relating to the death penalty in Iran: a lack of due process, legal provisions contrary to international human rights treaties, public executions, juvenile executions, harassment of human rights defenders and a lack of transparency on use of the death penalty remain major issues.

In violation of their international obligations, the Iranian authorities continue to execute juvenile offenders. At least six juvenile offenders were executed in 2018, one more than the previous year, and several juveniles are in danger of execution. Commenting on the juvenile executions, Raphaël Chenuil-Hazan, ECPM's Executive Director, said: "*Iran must end its shameful practice of child execution. We call on the international community, especially the EU, to put the issue of the death penalty in general and juvenile execution in particular at the top of their demands in their dialogue with the Iranian authorities*".

In 2018, the Iranian authorities once again displayed their systematic violations of due process and the rule of law. Televised confessions, unfair trials and reports of torture are reminders of the fact that sustainable improvements in the status of human rights and serious steps towards abolition of the death penalty are not possible without fundamental changes in Iran's judicial system.

The Iranian authorities have, moreover, demonstrated their willingness to use the death penalty as a means to intimidate civil society and to counteract public protests: the execution of the Gonabadi dervish Mohammad Salas as a response to protests by the Gonabadi dervish community over many weeks; the execution of the Kurdish political prisoners Zanyar Moradi, Loghman Moradi and Ramin Hossein Panahi as a means of intimidating the growing Kurdish civil movements; and threatening striking truck drivers and shopkeepers with the death penalty. These are just a few examples of how the Iranian authorities use the death penalty as an instrument of oppression of the people.

Finally, with the crisis in Iran's economy, peoples' focus has been directed towards the massive corruption within the establishment. The Iranian authorities fear nationwide protests against the massive corruption within the Islamic Republic's system and have been using corruption as an excuse to arrest, sentence to death and execute in order to spread fear in society. In this context, three men were charged with corruption and several others were sentenced to death. These sentences and executions are regarded as a means of spreading fear in society rather than fighting corruption.

IHR and ECPM are concerned that, with further deterioration of the economy and increasing frustration and anger among the people, the authorities will use more violence, and, above all, will increase use of the death penalty as their only and most efficient weapon in the face

of the unrest.

With the launch of this report, IHR and ECPM call upon the international community and Iran's European dialogue partners to press for a moratorium on use of the death penalty and for major reforms in the country's judicial system which does not currently meet minimum international standards. IHR and ECPM call on the Iranian authorities to seriously consider the recommendations made in this report, including access to prisoners on death row and imposing a 5-year moratorium on use of the death penalty.

In 2019, Iran will have its third Universal Periodic Review (UPR). During the last UPR in 2014, Iran accepted only one of the 41 recommendations<sup>7</sup> relating to death penalty. Iran agreed to "*take measures to ensure due process and a fair trial, particularly in any process that would lead to application of the death penalty*". This year's UPR is an important opportunity for the international community to put the issue of the death penalty on the agenda again. The positive experience of sustained pressure and focus on drug-related executions can and should be applied to other aspects of the death penalty.

## SOURCES

There is a lack of transparency about the numbers of sentences and executions, and case law. The Iranian authorities do not announce all the executions implemented. Over the last five years, an average of 40% of all executions has been announced by the official Iranian media. 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 IHR through unofficial channels and communications. These include other human rights NGOs<sup>8</sup> or IHR's sources within Iran. The sources of unofficial reports are often eyewitnesses, family members, lawyers, sources within prisons and unofficial communication with people within the Iranian judiciary. IHR has only included unofficial reports that have been confirmed by two independent sources.

Due to the lack of transparency in the Iranian judicial system and the pressure put on families, more than 10 execution reports received by IHR could not be verified. Therefore, these cases are not included in the present report.

It is important to emphasise that the charges mentioned in this report are those issued by the Iranian judiciary. Many of the trials leading to death sentences are unfair according to international standards. The use of torture to extract 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.

This report does not include extra-judicial killings inside the prison.

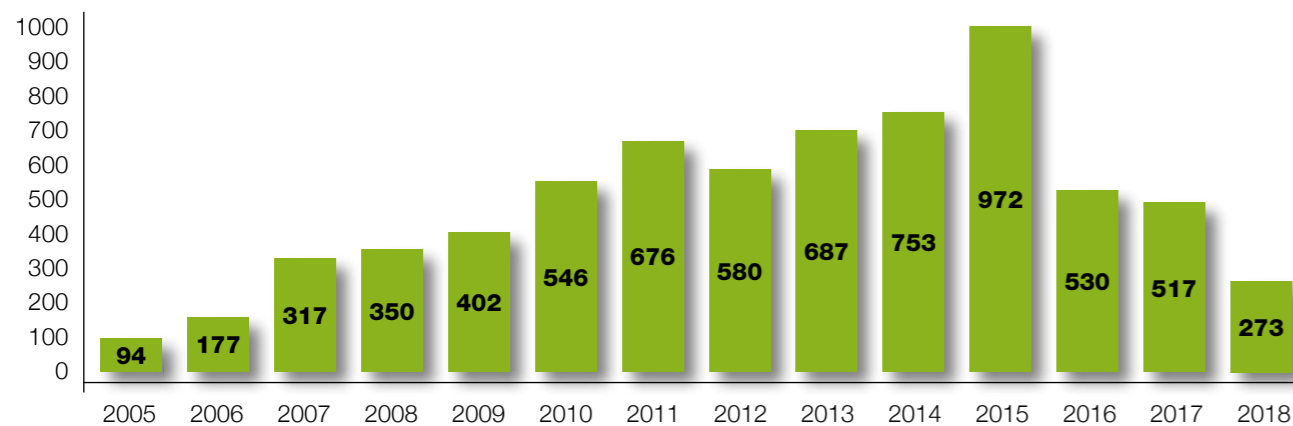
<sup>6</sup> Mehr News Agency: <https://goo.gl/qWS5RN>

<sup>7</sup> A/HRC/28/12, A/HRC/28/12/Corr.1, par.138

<sup>8</sup> Sources include Human Rights Activists News Agency, Kurdistan Human Rights Network, The Baloch Activists Campaign, and Human Rights and Democracy Activists in Iran

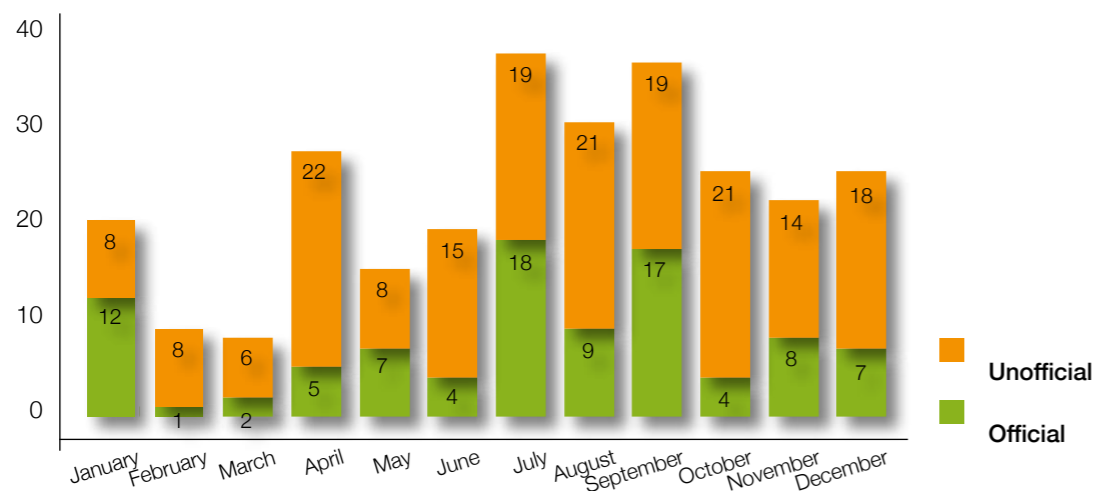
# FACTS AND FIGURES

## EXECUTION TRENDS IN THE LAST 14 YEARS



The number of executions in 2018 was the lowest since IHR published its first annual report on the death penalty in 2008. Numbers prior to 2008 are reported by Amnesty International while the numbers in the last 11 years are based on IHR reports. One cannot rule out the possibility that the pre-2008 figures are underestimates since they are mainly based on official reports.

## MONTHLY BREAKDOWN OF EXECUTIONS IN 2018



The monthly breakdown of executions illustrates the high proportion of execution cases not announced by official sources (unofficial) throughout the year. There were no reported executions during the Muslim month of Ramadan which, in 2018, fell between 17 May and 14 June, and during the Iranian New Year holidays. IHR's overview of the execution trends in the last 10 years shows that execution numbers are low in the weeks before the Parliamentary or Presidential elections and during Iranian New Year holidays (21 March and 3 April) and the Muslim holy month of Ramadan.<sup>9</sup> With 37 and 36 monthly executions, the months of July and September were the bloodiest months in 2018.

<sup>9</sup> <https://iranhr.net/en/articles/982/>

## EXECUTIONS UNDER HASSAN ROUHANI'S PRESIDENTIAL PERIOD

This 2018 annual report is being published 18 months into the second term of Hassan Rouhani's presidential period. According to reports by IHR, at least 3,500 people have been executed during the 5.5 years of the presidency of Hassan Rouhani.



The figures above show the reported execution numbers during the two presidential terms of Mahmoud Ahmadinejad (from June 2005 to June 2013) and 5.5 years of the presidency of Hassan Rouhani (July 2013 to December 2018). The figures are based on reported numbers and the actual numbers are probably higher. There are bigger margins for error for the numbers in the first round of Ahmadinejad's presidency.

## AVERAGE MONTHLY EXECUTIONS UNDER AHMADINEJAD AND ROUHANI



A review of Mr. Rouhani's 5.5 years as President shows that the average monthly number of executions under his presidency was 53, compared to an average of 35 monthly executions during the two periods of the previous president, Mahmoud Ahmadinejad.

# LEGISLATIVE FRAMEWORK

## INTERNATIONAL TREATIES RATIFIED BY IRAN<sup>10</sup>

Iran ratified the International Covenant on Civil and Political Rights (ICCPR) in 1975, the International Covenant on the Rights of the Child (CRC) in 1994 and the Convention on the Rights of Persons with Disabilities (CRPD) in 2009.

Iran has not signed or ratified any other international human rights conventions, including the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatments or Punishment

<sup>10</sup> <http://indicators.ohchr.org/>

and the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at abolition of the death penalty.

Article 6§2 of the ICCPR<sup>10</sup> 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 judgment rendered by a competent court”.

Article 6§5 of the 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 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 for fair trials 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.

Iran has not ratified the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming for abolition of the death penalty (OP2).

In a recent General Comment on Article 6 of the ICCPR<sup>11</sup>, the United Nations Human Rights Committee stated that “The term “the most serious crimes” must be read restrictively [151] and appertain only to crimes of extreme gravity, [152] involving intentional killing. [153] Crimes not resulting directly and intentionally in death, [154] such as attempted murder, [155] corruption and other economic and political crimes, [156] armed robbery, [157] piracy, [158] abduction, [159] drug [160] 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. [161] 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, [162] establishing political opposition groups, [163] or offending a head of state. [164] 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.”

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

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>10</sup> <https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>

<sup>11</sup> CCPR/C/GC/36, 30.10.2018, [https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/1\\_Global/CCPR\\_C\\_GC\\_36\\_8785\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/1_Global/CCPR_C_GC_36_8785_E.pdf)

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

Since 2007, Iran has voted against the United Nations General Assembly resolution calling for a universal moratorium on use of the death penalty. In December 2018, Iran voted against the resolution once again.<sup>12</sup>

## THE DEATH PENALTY ACCORDING TO IRANIAN LAW

Chapter III of the Constitution of the Islamic Republic of Iran contain provisions relating to the rights of the people. In this Chapter, Article 22 states: “Dignity, life, property, rights, domicile and occupations of people may not be violated, unless sanctioned by law.”

However, the number of crimes punishable by death in Iran is among the highest in the world.

Charges such as “adultery, incest, rape, sodomy, insulting the Prophet Mohammad and other great Prophets, possessing or selling illicit drugs, theft for the fourth time, premeditated murder, *moharebeh* (waging war against God), *ifsad-fil-arz* (corruption on earth), fraud and human trafficking” are capital offences.<sup>13</sup>

Many of the charges punishable by death cannot be considered “the most serious crimes” and do not meet ICCPR standards.<sup>14</sup> Murder, drug possession and trafficking, rape/sexual assault, *moharebeh* (waging war against God) and corruption on earth are the most common charges resulting in the death penalty in Iran.

Most of the charges punishable by death are described in the Islamic Penal Code (IPC). Drug-related offences are described in other legislation.

## ISLAMIC PENAL CODE & OFFENCES PUNISHABLE BY DEATH

In April 2013, the Iranian Parliament finally passed the new Islamic Penal Code (IPC). On 1 May 2013, the IPC was ratified by the Guardian Council and was communicated to the Government for enforcement on 29 May 2013.

The new IPC has retained the death penalty for almost all the instances that were already punishable by death under the previous IPC. Moreover, it appears that its scope has been expanded in some cases. As in the previous draft IPC, the new version explicitly states (Article 220) 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 codified law. In the absence of any such law, he has to deliver his judgment on the basis of authoritative Islamic sources and authentic fatwa. He, on the pretext of the silence or deficiency of law in the matter, or its brevity or contradictory nature, cannot refrain from admitting and examining cases and delivering his judgment.”

According to the IPC the following offences are punishable by death:

<sup>12</sup> During voting on the text of the resolution in the Third Committee, Iran underlined that all measures were taken in the country to limit use of the death penalty to the most serious crimes.

<sup>13</sup> United Nations, Situation of Human Rights in the Islamic Republic of Iran: Report of the Secretary-General, U.N. Doc. A/68/377, Sept. 10, 2013, ¶ 14.IHR and ECPM Annual Report on the Death Penalty in Iran – 2013, 15-18.

<sup>14</sup> International Covenant on Civil and Political Rights, Article 6

## SEXUAL OFFENCES

### INCEST AND FORNICATION

A death sentence shall be imposed on the male party in cases of incest, fornication with a 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 (Article 224 of the IPC).

### ADULTERY

Adultery between married parties is punishable by stoning (see below for more details).

### SAME-SEX RELATIONS

*Lavat* (Penetrative male homosexual sex): A death sentence shall be imposed on the 'active party' only if he is married or has forced the sexual act, but the 'passive party' shall receive the death penalty regardless of marital status.

A non-Muslim 'active party' in a sexual act with a Muslim party shall also receive the death sentence (Article 234 of the IPC). The non-Muslim 'active party' in same-sex relations not involving penetration shall also be sentenced to death.

Lesbianism shall be punished on the fourth occasion if 'offenders' are sentenced and receive the lashing punishment on the first three occasions. This has not been specifically stated in the law but can be inferred from the provisions of Article 136 of the IPC on Repeat Offenders (see below).

## MOHAREBEH

Article 279 of the IPC defines *mohareb* (a person who fights 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 delivers a death sentence in the case of *moharebeh*. However, the judge has the option of imposing an alternative punishment of crucifixion, amputation of the right hand and left foot or internal exile away from the defendant's home town.

Under the previous IPC, which was in force until 2013, the charge of *moharebeh* was frequently used against political dissidents and people connected to opposition groups abroad, even if they were non-violent. The new Penal Code has provided for their punishment under the notion of "corruption on earth and rebellion."

## "CORRUPTION ON EARTH" & REBELLION

The new IPC has introduced a new concept of "rebellion" that did not exist in the previous Code. This chapter has expanded the scope of the death penalty for all those who are convicted of "corruption on earth."

Article 286 of the IPC defines "corruption on earth" as "a person who commits a crime on an extensive level against the physical integrity of others or 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 give concrete definitions of the term "crime" and the scope of "extensive;" therefore, this gives judges more power to interpret the law at their own will.

Article 287 of the IPC defines "rebels" as the members of any group that stages armed uprisings against the Islamic Republic of Iran and stipulates that they shall be sentenced to death.

## MURDER AND QISAS

*Qisas* refers to retribution in kind. The *qisas* death sentence has been retained for murder in the new IPC. As in the previous IPC, it exempts the following situations or people from *qisas*: father and paternal grandfather of the victim (Article 301 of the IPC); 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 "non-protected persons" (Article 310);
- Killing of a person who has committed a '*hudud*' offence punishable by death (Article 302 of the IPC);
- Killing a rapist (Article 302 of the IPC).

The law 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 (REF). The law also discriminates against followers of "unrecognised" religions. Article 301 says: "*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 concerns, in particular, members of the Bahai faith which is not recognised as a religion according to the Iranian law. If a Bahai follower is murdered, the family does not receive blood money (*Diyeh*), and the offender is exempted from *qisas*.<sup>15</sup> In 2013, there were two reported Bahai murder cases. On 23 April, Saeedollah Aqdasi was murdered in his house in Miandoab (North-Western Iran)<sup>16</sup> and Ataollah Rezvani was shot in Bandar Abbas (Southern Iran) on 24 August;<sup>17</sup> none of these cases have been properly investigated.<sup>18</sup>

## OTHER RELIGIOUS "OFFENCES"

Article 262 stipulates the death sentence for cursing the Prophet of Islam, any of the other grand prophets or for accusing the infallible imams and the Prophet Mohammad's daughter, Fatima Zahra, of sodomy or fornication. Apostasy, sorcery, witchcraft and other such issues have not been explicitly mentioned in the new IPC, although apostasy has been specifically referred to in the previous Code (Article 26). Under Sharia law, the punishment for apostasy is death which a judge can impose by invoking Article 167 of the Constitution.

## REPEAT OFFENDERS

Article 136 stipulates that repeat offenders who commit an offence punishable by *hudud*, and who are punished for each offence, shall be sentenced to death on the fourth occasion. This Article fails to specify the *hudud* offences and only mentions the death sentence for fourth-occasion theft in Article 278. Nevertheless, Articles 220 to 288 do define the *hudud* offences as follows: fornication and adultery, sodomy, lesbianism, pimping, cursing the prophets, theft, drinking alcohol, *qadf* (false accusation of sodomy or fornication), *moharebeh*, corruption on earth and rebellion.

15 <http://cshr.org.uk/human-rights-portal/1823>

16 HRANA: Lack of investigation in murder case of a Bahai citizen

17 [http://www.bbc.co.uk/persian/iran/2013/08/130819\\_u04\\_bahai\\_rezvani\\_killing.shtml](http://www.bbc.co.uk/persian/iran/2013/08/130819_u04_bahai_rezvani_killing.shtml)

18 <http://www.radiozamaneh.com/125291>



## STONING

The IPC has retained the punishment of stoning for those charged with adultery while married (Article 225). Nevertheless, the courts have been provided with an alternative to a death sentence upon the approval of the Chief Justice “if it is not possible to perform stoning.”

## JUVENILES & DEATH PENALTY

The new IPC retains death sentences for juveniles. Although Articles 89 to 95 suggest corrective measures and alternative punishments for children and juveniles, Article 91 is very clear that 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 seven years were sentenced to death based on *qisas* and *hudud* offences.

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

The Article leaves it to the discretion of the judge to decide if a juvenile offender has understood the nature of the offence and was mature at the time of committing the offence, and thus whether to impose a death sentence on them. The Note to Article 91 authorises, but does not require, the court to seek the opinion of the Forensic Medical Department or to use any other means to reach a verdict.

Moreover, while Article 146 provides that immature persons are not criminally responsible, Article 147 repeats the provisions of the previous law and the Civil Code regarding maturity and the age of criminal responsibility. Girls are mature at the age of 9 lunar years and boys at the age of 15 lunar years. Therefore, a girl older than 8.7 years and a boy older than 14.6 years can be sentenced to death.

Former MP and Deputy Chair of the Laws Review Committee of Parliament, Mussa Qorbani, who was involved in drafting and editing the new IPC, confirmed that children and juveniles will continue to be sentenced to death under the new IPC: “This law is based on implementation of *qisas* and *hudud* except in cases where a juvenile does not know about the criminal nature of the action. On the other hand, if a juvenile knowingly commits murder, he/she shall remain in the correctional facility if he/she is younger than 18 and shall receive the *qisas* after reaching the legal age, as has been the procedure before.”<sup>19</sup>

Juvenile offenders executed in 2018 stayed in prison or correctional facilities until they reached the age of 18 and were then executed (see the “Juvenile Offenders” part of the report).

## THE ANTI-NARCOTICS LAW

The Iranian Anti-Narcotics law was drafted in 1988 and previously amended in 1997 and 2011. Both amendments aimed to counteract Iran’s growing drugs problem by expanding the scope of the law and introducing harsher sentences. The 2011 amendments introduced the death penalty for possession of as little as 30 grams of heroin and included new categories of drugs in the law. All together, the Anti-Narcotics law, including the 1997 and 2011 amendments, imposed the death penalty for 17 drug-related offences<sup>20</sup> including: a fourth conviction for drug-related offences in several instances; planting opium poppies, coca plants or cannabis seeds with the intention of producing drugs; smuggling more than five kilograms of opium or

19 <http://www.maaavanews.ir/Default.aspx?tabid=4355&articleType=ArticleView&articleId=70835>

20 <https://www1.essex.ac.uk/hri/documents/research-paper-iran-death-penalty-drug-crimes.pdf>

cannabis into Iran; buying, possessing, carrying or hiding more than five kilograms of opium and the other aforementioned drugs (punishable upon a third conviction); smuggling more than 30 grams of heroin, morphine, cocaine or their derivatives into Iran and dealing, producing, distributing and exporting it.

The new amendment to the Iranian Anti-Narcotics law which was enforced on 14 November 2017 includes a mechanism to limit use of the death penalty and reduce the sentences of those sentenced to death or life imprisonment. The new amendment increases 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 two kilos and that of natural substances such as opium and marijuana from five kilos to 50 kilos (Amendment, Art. 45(d).) The punishment for those already sentenced to death or life imprisonment for drug-related offences should be commuted to up to 30 years in prison and a fine<sup>21</sup>. Death sentences should be restricted to those convicted of carrying or drawing weapons, acting as the ringleader, providing financial support or using minors aged under 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<sup>22,23</sup>

A complete translation of the new amendments to the Anti-Narcotics law is available in the 2017 Annual Report on the Death Penalty.<sup>24</sup>

## PROCEDURES

A broader discussion on the legal procedures and due process in Iran is beyond the scope of this report and can be found elsewhere<sup>25</sup>. 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 prohibit many forms of discrimination. Article 14 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. However, 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 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 the judiciary is directly chosen 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 chosen by the Head of Judiciary based on their ideological affiliation and political background, turning the judiciary into a political body which 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 a death sentence. Due to the arbitrary nature of the judicial system, not all procedures are necessarily followed in every death penalty case.

## FROM ARREST TO PROOF OF GUILT

### ACCESS TO LAWYER

Article 35 of the Iranian Constitution grants access to a lawyer. The Criminal Procedure Code, drafted in 2013, and the amendments of 2015 address, among other things, a suspect’s

21 *Id.* art. 45 ¶ 1.

22 *Id.* art. 45(a)-(c)

23 <http://www.loc.gov/law/foreign-news/article/iran-drug-law-amended-to-restrict-use-of-capital-punishment/>

24 Annual Report on the Death Penalty, 2017, p. 43,44, [https://iranhr.net/media/files/Rapport\\_iran\\_2018-gb-090318-MD2.pdf](https://iranhr.net/media/files/Rapport_iran_2018-gb-090318-MD2.pdf)

25 <https://fpc.org.uk/publications/ihrrdueprocess/>

access to a lawyer in the pre-trial phase.<sup>26</sup> Article 48 of the Criminal Procedure Code states: “When a suspect is arrested, he or she can request the presence of an attorney. The attorney, observing the secret nature of the investigation and the negotiations between the parties, should meet with the suspect. At the end of the meeting, which should not last more than one hour, the attorney may submit his or her written notes to be included in the case file”. However, a note added in the final draft puts limitations on the suspect’s rights to choose a lawyer. The amended note says: “In cases of crimes against internal or external security, and in cases involving organized crime, where Article 302 of this Code is applicable, during the investigation phase the parties to the dispute are to choose their attorneys from a list approved by the Head of the judiciary. The names of the approved attorneys will be announced by the Head of the judiciary.” The note effectively states that in serious criminal cases and those involving charges commonly used against political prisoners and prisoners of conscience, during the pre-trial investigation phase defendants may only choose attorneys from a list approved by the Head of the judiciary. In June 2018, the Judiciary announced a list of 20 attorneys who are allowed to defend citizens for security and political cases.<sup>27</sup>

However, none of those sentenced to death, regardless of the charges about which IHR has acquired information, had access to a lawyer in the initial phase after their arrest.

#### TORTURE UNDER DETENTION

Article 38 of the Iranian Constitution bans all forms of torture and forced confessions. However, reports gathered by IHR and other human rights NGOs indicate that torture is widely used against suspects after their arrest and in the pre-trial phase in order to extract a confession. All the death row prisoners IHR has been in contact with have testified that they were subjected to torture in order to confess to the crime with which they were charged. This is not limited to those with political or security-related charges alone. Almost all prisoners who are arrested for drug offences have been kept in solitary confinement and subjected to physical torture in the investigation phase following their detention, while being denied access to a lawyer. In many cases, confessions provided during detention have been the only evidence available for the judge to base his verdict upon. Torture is also used in other criminal cases involving rape or murder where there is not enough evidence against the suspect. In 2014, a man who had confessed to the crime but was absolved of all charges 48 hours before his execution was to be carried out was asked as to why he had confessed to a murder he had not committed. He answered: “They beat me up so much that I thought if I don’t provide a false confession I would die during the interrogation.”<sup>28</sup>

#### COURTS AND TRIALS

Among the charges punishable by death, murder and rape charges are tried by the criminal courts while all security-related charges, corruption, and drug-trafficking are processed by the Revolutionary Courts. The Revolutionary Courts were established in 1979 by the first Supreme leader, Ayatollah Khomeini. They were temporary courts designed to deal with the officials of the former regime. However, they continue to operate and are responsible for the vast majority of death sentences issued and carried out over the last 39 years in Iran.<sup>29</sup> The Revolutionary Courts are not transparent and Revolutionary Court judges are known for

26 <https://iranhrdc.org/amendments-to-the-islamic-republic-of-irans-code-of-criminal-procedure-part-1/>  
27 <https://www.rferl.org/a/lowering-the-bar-tehran-white-list-excludes-most-lawyers-from-politically-charged-cases/29276192.html>  
28 <https://iranhr.net/en/articles/1038/>  
29 Iran’s Revolutionary Courts: 38 years of unfair trials and arbitrary executions, The Globe Post, February 2018

greater abuse of their legal powers than other judges.<sup>30</sup> Revolutionary Court judges routinely deny attorneys access to individuals who are subjected to extensive interrogations under severe conditions. According to the former UN Special Rapporteur on the situation of human rights in Iran, Ahmed Shaheed, who interviewed 133 people facing trial in the country for a 2014 report on Iran’s judicial system, 45% of those interviewed reported that they were not permitted to present a defence; in 43% of cases, trials lasted only minutes and 70% of interviewees reported that coerced information or confessions had been reportedly 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 reproaching or interrogating defendants and limiting their ability to speak and present a defence.<sup>31</sup>

In a series of interviews with the IHR bi-weekly Farsi law journal “*Hoghogh-e-ma*”,<sup>32</sup> several prominent Iranian lawyers and jurists in the country questioned the constitutionality of Iran’s Revolutionary Courts and called for their dissolution.<sup>33</sup>

Late Asma Jahangir, a prominent Pakistani human rights defender and former Special Rapporteur on the human rights situation in Iran, stated in an interview that “the Revolutionary Courts” have forced Iran into a critical situation<sup>34</sup> and added that “without reforming the judicial system, improving the human rights situation in Iran will be impossible<sup>35</sup>.” In her last report<sup>36</sup>, the former Special Rapporteur stated that she was also “deeply concerned by the ongoing, numerous, and consistent reports received of due process violations, including but not limited to the use of prolonged solitary confinement and significant limitations placed upon the ability of the accused to access a lawyer. In particular, she calls upon the Government to strictly limit the use of solitary confinement and ensure full access to their choice of lawyer. She further reiterates her recommendation to abolish the Revolutionary Tribunals and religious courts in line with the recommendations made by the Working Group on Arbitrary Detention following its visit to the country”.

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

#### WAYS OF PROVING GUILT

Confession is the most common way of proving guilt in death penalty cases. As mentioned previously, confessions are often extracted under torture. In security-related cases mainly used against political dissidents, televised confessions are broadcast even before a final verdict is issued.<sup>37</sup> Other ways of proving guilt include testimony by eyewitnesses (two men only; a woman’s testimony is worth half of a man’s). Witness statements are also used to prove guilt in the absence of a confession. In addition, according to the Islamic Penal Code when confessions or testimony by eyewitnesses are missing in a case, a judge can make a decision based on his exclusive opinion, without any reference to laws and codes. This phenomenon is known as ‘knowledge of the judge’, or *elm-e qazi*.<sup>38</sup> The law requires that rulings based on a judge’s

30 Six Judges accused of a leading role in the Iranian crackdown on free speech, The Guardian, July 2014, <https://www.theguardian.com/world/2014/jul/31/six-judges-iran-crackdown-journalists-activists>  
31 A/HRC/25/61  
32 <https://iranhr.net/fa/journals/>  
33 <https://iranhr.net/fa/journals/57/>  
34 <https://en.radiofarda.com/a/iran-un-report-on-human-rights/28720344.html>  
35 [http://ap.ohchr.org/documents/dpage\\_e.aspx?m=183](http://ap.ohchr.org/documents/dpage_e.aspx?m=183)  
36 A/HRC/37/68  
37 <https://eaworldview.com/2016/07/iran-daily-terrorist-confessions-on-state-tv/>  
38 International Journal of Social Sciences and Education, Volume 5, Issue 2, 2015: Changes in Personal Knowledge of the Judge with Emphasis on Islamic Punishment Law, Akram Asghari and Syed Ali Asghar Mosavi Rokni

'knowledge' derive from evidence, including circumstantial evidence, and not merely personal belief that the defendant is guilty of the crime.<sup>39</sup> However, there have been cases where 'knowledge of the judge' has been applied rather arbitrarily. For instance, in December 2007 Makwan Moloudzadeh was executed for sodomy charges based on the 'knowledge of the judge'.<sup>40</sup> *Qassameh* or sworn oath is another way to prove a crime (murder or injury) in Islamic jurisprudence (*fiqh*) which is practiced in Iran.<sup>41</sup> *Qassameh* is based on swearing an oath on the Quran by a certain number of people and is performed when the judge decides that there is not enough evidence of guilt to prove the crime but the judge still thinks that the defender is most probably guilty. It must be noted that people who swear in *Qassameh* are not usually direct witnesses to the crime. In 2017, at least two people were executed for murder without any hard evidence or a confession. They were sentenced to death only based on *Qassameh* by members of the plaintiff's family members. In one of the cases, the defendant insisted that he was innocent and that he could prove that he was in another city at the time of the offence. However, 50 male members of the plaintiff's family gave an oath that the defendant was guilty. He was sentenced to death and executed in Mashhad on 23 May 2017.<sup>42</sup>

In 2017, IHR dedicated a full issue of its legal journal "*Hoghogh-e-ma*" to *Qassameh* and interviewed several lawyers and religious scholars on the issue. Since then, there has been a growing debate around the issue of *Qassameh* inside Iran<sup>43</sup> and in the Farsi media outside the country.<sup>44</sup>

## AFTER THE VERDICT

After being sentenced to death, prisoners are detained in prison. It might take years, months or sometimes weeks from receiving the final verdict to implementation of the death sentence. All death sentences must be approved by the Supreme Court, the Head of which is appointed by the Head of the Judiciary. In addition, the Head of the Judiciary must give his permission (*Estizan*) before implementation of all *qisas* executions.

According to Iranian law, the defendant's lawyer must be informed about the scheduled execution 48 hours before implementation. However, this is not always respected especially in political and security-related cases. Prisoners are transferred to solitary confinement several days before the execution where their hands are cuffed. The prisoner is normally granted a last visit with their family the day before the execution. IHR has published a short report based on witness interviews about death row conditions and a prisoner's final hours.<sup>45</sup>

## METHODS OF EXECUTION

The Iranian Penal Code has described several execution methods, including hanging, firing squad, crucifixion and stoning. However, hanging has been the main method of execution and the only method used since 2010.

The majority of executions are carried out inside prisons. In some prisons there are specific rooms designated for executions while in other prisons executions are carried out in the prison yard. The picture above is a rare display of an execution room in Vakilabad Prison of Mashhad



published by the Iranian media in 2018. Six prisoners were hanged charged with *Moharebeh* for armed robbery.<sup>46</sup>

In murder cases where the defendant is sentenced to *qisas*, the plaintiff must be present at the scene of the execution. Since the Iranian authorities consider *qisas* as the right of the plaintiff, family members of the murder victim are encouraged to carry out the actual execution. IHR has received several reports where the plaintiff's family members have actually conducted the execution.

The presence of the judge of the Section for Implementation of Verdict, and in cases of *qisas* death sentences the presence of the plaintiff (family members of the victim) in addition to the judge, is mandatory for executions.

When carried out in public spaces, executions are usually carried out using cranes. The prisoners are either pulled up or the object they are standing on is removed from underneath them. In this case, the prisoners die of suffocation and strangulation and it often takes several minutes until death occurs.

No implemented stoning punishments have been reported since 2010. This is mainly due to increasing international pressure over the last decade which reached a peak following the campaign to save Sakineh Ashtiani in 2010.<sup>47</sup>

39 Article 211, New Islamic Penal Code

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

41 Articles 313 and 336

42 <https://www.iranhr.net/fa/articles/2897/>

43 Tabnak, September 15, 2018

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

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

46 <https://iranhr.net/en/articles/3433/>

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

## EXECUTIONS IN PRACTICE

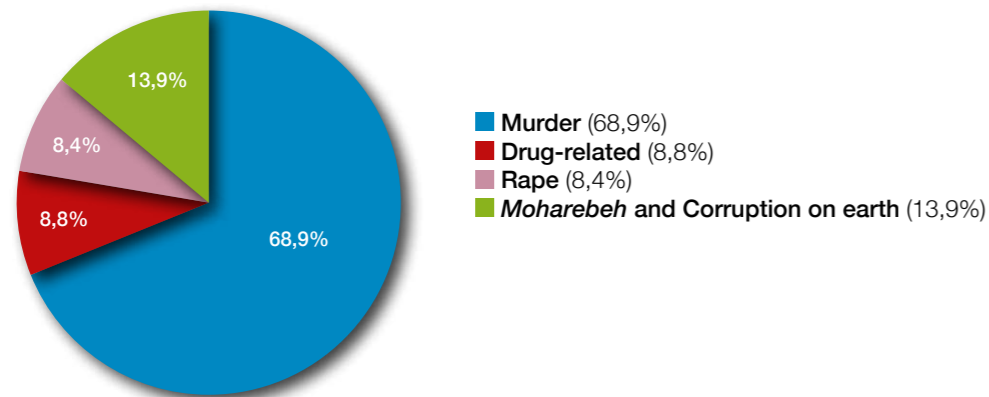
In this section, we will review which laws formed the basis for the death sentences issued, which courts issued the death sentences for executions and the way in which executions were carried out.

### CHARGES

As mentioned in the previous section, many offences are punishable by death in Iranian law. However, murder (*qisas*), *Moharebeh* and *Corruption on earth*, rape/sexual assault and drug-related charges were the most common charges used against those executed in 2018.

It is important to emphasise that a lack of due process, unfair trials, forced confessions, the use of torture and the political nature of the Iranian judicial system are all major problems that must be kept in mind when analysing use of the death penalty in Iran. Therefore, the charges shown below are mainly based on official charges by the Iranian authorities and have not been confirmed by independent sources.

### EXECUTIONS IN 2018 BASED ON CHARGES



The chart above shows what charges were used for executions in 2018. For the second time in row in the past eight years, murder charges account for the majority of executions in 2018.

Murder charges were the most common charge used for implemented death sentences, representing 69% of all executions. Drug charges were used for 9% of all executions in 2018 and represent the biggest change compared to previous years. Drug offences represented 88% of executions in 2011, 76% in 2012, 48% in 2013, 49% in 2014, 66% in 2015, 56% in 2016 and 46% in 2017.<sup>48</sup> *Moharebeh* and corruption on earth were the second most common charges and were used for a variety of offences.

Charges such as murder and rape are tried by the Criminal Courts while *Moharebeh*, corruption on earth and drug charges are processed by the Revolutionary Courts.

In the following section, we will describe the executions in more detail based on the charges and look at some individual cases.

48 Iran Human Rights annual reports on the death penalty: <https://iranhr.net/en/reports/#/>

## EXECUTIONS FOR MOHAREBEH, CORRUPTION ON EARTH AND REBELLION IN 2018

Due to their vague definition, the charges of "*Moharebeh*" (waging war against God) and "*Ifsad fel Arz*" or "Corruption on Earth" are used for a wide range of offences. Furthermore, there is considerable subjectivity as regards issuing these charges which are handled by the Revolutionary Courts.

Corruption on earth 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 available evidence.

Ahmadreza Djalali, who worked at the Karolinska Institute in Stockholm, was arrested during a visit to Iran in April 2016 on charges of "collaboration with a hostile state". After a trial in Branch 15 of the Revolutionary Court in Tehran, he was convicted of espionage and sentenced to death in October 2017.<sup>49</sup> His health is currently poor.

In January 2018, Hooman Jokar, Sepideh Kashani, Niloufar Bayani, Amirhossein Khaleghi, Sam Rajabi, Taher Ghadirian, Abdoreza Kouhpayeh and Morad Tahbaz, members of a local environmental group, the Persian Wildlife Heritage Foundation, were arrested. On 24 October 2018, Abbas Jafari Dolatabadi, the Tehran prosecutor, said at a press conference that four of them faced the charge of 'sowing corruption on earth' which includes a risk of the death penalty, claiming that the activists were 'seeking proximity to military sites using the cover of environmental projects and obtaining military information from them.'<sup>50</sup>

In 2018, at least 38 people were executed under *Moharebeh* and corruption on earth charges. This is twice as many as in 2017 when 19 people were executed for such charges.

Among those executed for *Moharebeh* and Corruption on earth charges are people affiliated with Kurdish political parties, religious minorities and victims of Iran's new policy to fight economic corruption.

Some facts about those executed for *Moharebeh* and Corruption on Earth charges:

- 38 executed for *Moharebeh*, Corruption on earth and rebellion charges
- 32 executions were announced by official sources
- 5 were hanged in public
- 1 was reportedly the leader of a spiritual group
- 3 charged with economic corruption
- 8 charged with cooperation with ISIS
- 18 people were executed charged with armed robbery
- 3 charged for membership of banned Kurdish groups
- 3 charged for membership of banned Baluchi groups

### CASES OF MOHAREBEH AND REBELLION FOR POLITICAL AFFILIATION



#### LOGHMAN AND ZANYAR MORADI

Kurdish political prisoners, Loghman Moradi and Zanyar Moradi, were executed on the morning of 9 September 2018 at Rajai Shahr prison in Karaj.<sup>51</sup>

Zanyar Moradi and Loqman Moradi were arrested in Marivan by agents of the Ministry of Intelligence of Sanandaj in July 2009. After a few

49 <https://iranhr.net/en/articles/3102/>

50 <https://www.theguardian.com/world/2018/oct/24/iran-charges-five-wildlife-activists-capital-offences-spying>

51 <https://iranhr.net/en/articles/3476/>

months, they were sent to Branch 15 of the Revolutionary Court of Tehran, presided over by Judge Salavati, where they were sentenced to public execution with the charge of “*Moharebeh* through action against national security, being a member of the Komalah party, assassinating the son of Marivan’s Imam of Friday Prayer, spying for Britain, and disturbing security at the time of the presence of the Supreme Leader in Marivan”.

Zanyar and Loghman revealed later that they were subjected to severe physical and psychological torture to confess.<sup>52</sup> According to a statement by Ahmad Shaheed, the former UN Special Rapporteur for the human rights situation in Iran, issued in March 2012, “Zanyar and Loghman Moradi were compelled to confess to allegations of murder after being severely beaten and threatened with rape.” The statement also says: “... no evidence or witnesses were brought against these men and they did not have reasonable access to their legal counsel.”<sup>53</sup>

Despite the fact that the only piece of evidence in Loghman and Zanyar’s case was their confessions extracted under torture and they had emphasised that they had been tortured for years, their execution verdict was upheld by Supreme Court. Loghman even presented witnesses that on the day of the assassination he was at a small city 35 kilometres from the murder location. Moradis’ lawyer, Saleh Nikbaht, told BBC Persian: “No weapon was seized from them... In contrary to the law, no crime scene reconstruction report was presented in the case... There were witnesses who confirmed that Loghman was in Sarvabad City, 35 kilometres away from crime scene on the day of event... I have defended hundreds in several courtrooms and had never seen such a case.”<sup>54</sup>

The bodies of Zanyar and Loghman were buried at an undisclosed location without informing the family.

## CORRUPTION ON EARTH AND REBELLION FOR COOPERATION WITH ISIS



On the morning of Saturday, 7 July 2018, eight prisoners who were charged with Corruption on earth and rebellion (Articles 286 to 287 of the IPC) and convicted for participation in the 2017 Isis attacks in Tehran were executed.<sup>59</sup> None of the official reports mention the execution site. However, since the prisoners were held at Ward 209 of Evin prison, it is most likely that their execution was carried out at Evin Prison. The prisoners were named as Soleiman Mozafari, Esmail Sufi, Rahman Behrouz, Seyyed Majed Mortezaei, Sirous Azizi, Ayyoub Esmaili, Khosro Ramezani and Osman Behrouz.<sup>60</sup>

The prisoners were arrested after the 2017 terrorist attacks on Tehran’s parliament and the shrine of Ayatollah Ruhollah Khomeini. However, according to several reports, some of those executed were not directly involved in the attacks and were sentenced to death on the charge of having information about the operation and, in some cases, providing the attackers with logistical support.

There is no information regarding the process of the interrogation, hearing and trial of those prisoners. It is also not clear if the defendants had any lawyers or public defenders.

## CORRUPTION ON EARTH FOR ECONOMIC CORRUPTION AND FRAUD

Following the 2018 Iranian currency collapse, Iranian Supreme Leader Ali Khamenei approved a request by the judiciary to set up special courts to deal with so-called financial crimes on 11 August 2018. Khamenei wrote in his letter to Sadegh Amoli Larijani, the Head of judiciary, that punishments for those accused of economic corruption should be “carried out swiftly and justly.” Economic Corruption Courts are the newest sub-division of the Islamic Revolutionary Courts and are eligible to try all suspects, including “official and military” people. The sentences can include the death penalty.<sup>61</sup>

59 <https://iranhr.net/en/articles/3381/>

60 <http://www.irna.ir/fa/News/82963881>

61 <https://www.rferl.org/a/iran-s-supreme-leader-approves-special-corruption-courts/29427873.html>



### RAMIN HOSSEIN PANAHI

Iranian Kurdish political prisoner Ramin Hossein Panahi was executed on 8 September 2018.<sup>55</sup> Ramin was shot and arrested by the Revolutionary Guards on Friday, 23 June 2017. The Revolutionary Guards claimed that he was armed while his family rejected the claim. Ramin was transferred to Sanandaj Central Prison on 9 January 2018 after 200 days in solitary confinement at the Intelligence Organisation of the

Iranian Revolutionary Guards Corps (IRGC) and the Ministry of Intelligence. He was sentenced to death in the first session on the charge of “rebellion against the regime, acting against national security and being a member of the Komala Party of Iranian Kurdistan.” The Revolutionary Court of Sanandaj sentenced Ramin Hossein Panahi to death on the charge of rebellion against the Islamic regime in January 2018.<sup>56</sup> His execution was upheld by Branch 39 of the Supreme Court on Tuesday, 10 April<sup>57</sup>, after which his lawyer requested a retrial. According to Ramin’s lawyer, Hossein Ahmadiniyaz, he was not informed by the authorities about the scheduled execution of his client as required by law and Ramin’s appeal process was not finished when he was executed. Ramin’s body was not handed over to the family after the execution and it was buried at an undisclosed location. On 19 April 2018, UN human rights experts called on Iran to annul the death sentence against Ramin Hossein Panahi.<sup>58</sup>

52 <https://iranhr.net/en/articles/3472/>

53 <https://iranhr.net/en/articles/815/>

54 <http://www.bbc.com/persian/iran-45490264>

55 <https://iranhr.net/en/articles/3475/>

56 <https://iranhr.net/en/articles/3212/>

57 <https://iranhr.net/en/articles/3276/>

58 <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=22959&LangID=E>



**VAHID MAZLOUMIN, MOHAMMAD ESMAEEL GHASEMI AND HAMID BAGHERI DERMANI**

On 14 November 2018, Vahid Mazloumin and Mohammad Esmaeel Ghasemi were hanged on economic corruption charges in Tehran. Mazloumin, dubbed the “sultan of coins” by the Iranian media, was a trader accused of manipulating the currency market. Mazloumin was allegedly caught with two tons of gold coins, according to the Iranian Students’ News Agency (ISNA). Ghasemi was part of Mazloumin’s network and had been involved in the sale of gold coins, Mizan reported.<sup>62</sup> Hamid Bagheri Dermiani,<sup>63</sup> a businessman known by the State-run Iranian media as the “Sultan of Bitumen”, was executed on the morning of Saturday 22 December on alleged economic corruption charges. Hamid Bagheri Dermiani’s case was processed by the Revolutionary Court where he was charged with “spreading corruption on earth” and sentenced to death in October 2018. The Iranian Supreme Court upheld Bargheri Dermiani’s death sentence quickly after the verdict was issued. Two other prisoners, Dariush Ebrahimian Bilandi and Younes Baha’d-dini, are sentenced to death on similar charges in Fars province and might be executed in the near future.<sup>64</sup>

### CORRUPTION ON EARTH FOR ESTABLISHING A FAKE SPIRITUAL GROUP



**KARIM ZARGAR**

In early 2018, Karim Zargar, the former general manager of IRIB’s international section, Iran TV’s Channel One broadcast manager, head of the Faculty of Radio and Television, and owner and managing director of Film Reports magazine (Gozaresh-e-Film), was hanged at Rajai Shahr Prison. He was sentenced to death by Judge Salavati at Branch 15 of the Revolutionary Court on the charge of Corruption on earth for establishing a “fake spiritual institution.” His lawyer, Vahid Moshkan Farahani, told IHR that, contrary to

Iranian law, even the date of carrying out the verdict was not informed to the lawyer. It seems he was hanged because of his spiritual beliefs which were against the official religious reading of Islam by the Iranian authorities. He was also charged with rape and sexual abuse of some of the attendees in his classes, charges which are believed to have been constructed by the authorities to reduce public pressure. The whole legal process leading to this execution was non-transparent, like many other cases in the Revolutionary courts.<sup>65</sup>

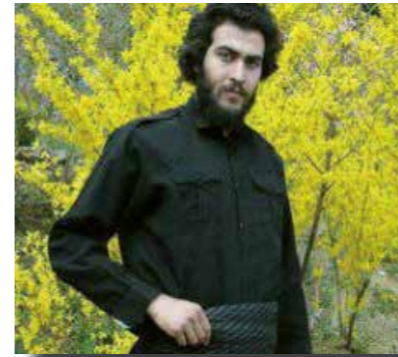
### EXECUTIONS FOR RAPE AND SEXUAL ASSAULTS IN 2018

Rape and sexual assault are among charges which according to the IPC are punishable by death. In 2018, at least 23 people were hanged for rape charges (19 in 2017). There are reports of torture and forced confessions in rape cases too.

62 Mizan online news agency, 15 November 2018: <https://goo.gl/PqS8sD>  
63 <https://iranhr.net/en/articles/3594/>  
64 <https://iranhr.net/en/articles/3549/>  
65 <https://iranhr.net/en/articles/3228/>

Some facts about those executed on the basis of rape charges:

- 23 executed on the basis of rape charges
- 21 executions were announced by official sources
- 2 were hanged in public
- 9 were executed for a single case of raping one woman



**RAMIN MAJIDIPAR**

According to the Iranian State media, Ramin Majidfar was executed on 9 October 2018 in Hamadan on charges of rape in 10 different cases.<sup>66</sup> However, unofficial reports and websites belonging to the Yarsan community which has many followers among the Kurdish population in Western Iran, published a statement by Yarsan activists indicating the rape charges were fake and emphasizing that Ramin’s family were expecting his release and were shocked by the news of his execution. According to the statement, Ramin Majidfar was arrested for propagating his religious belief and had no access to a lawyer.<sup>67</sup> Some reports also claimed that Ramin was killed by

the security forces while under detention and his execution was announced in order to cover the murder.<sup>68</sup>

### EXECUTIONS FOR DRUG-RELATED CHARGES IN 2018

According to reports gathered by IHR, at least 24 people were executed for drug offences in 2018. This represents a 90% reduction compared to 2017 and is the lowest recorded number of drug-related executions since 2010. This shows that the amendments to the Anti-Narcotics law which were enforced in November 2017 have, at least in the short run, led to a significant decrease in the number of executions for drug offences.

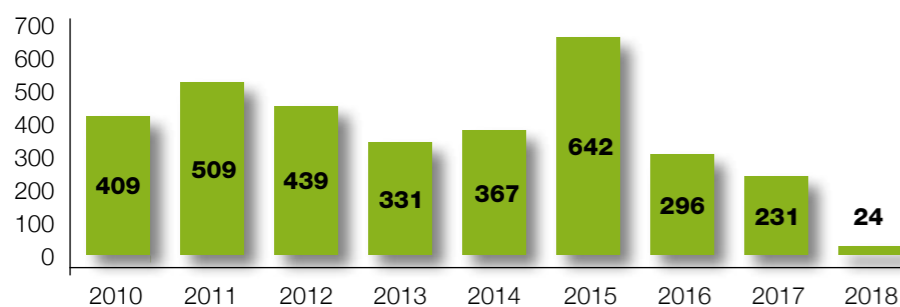
This is probably the most significant step towards restricting the scope of the death penalty by the Islamic Republic of Iran during the 40 years since its establishment. However, one must be cautious about the long-term effects of this reform. The law has not removed the death penalty for all drug-related crimes and there are still a large number of convicted drug offenders on death row in Iran. Moreover, with the large extent of drug problems in Iran and given the lack of due process for such crimes, the number the executions can go up again unless a moratorium on all drug-related crimes is introduced.

Some facts about drug-related executions in 2018:

- 24 were executed - the lowest number in more than 10 years
- 1 was executed in the first half of 2018
- 12 were executed in one prison in December 2018
- None of the drug-related executions were announced by official sources
- Executions took place in 7 different provinces
- Reports of 2 drug-related executions in Kermanshah could not be confirmed by independent sources and have not been included in our numbers

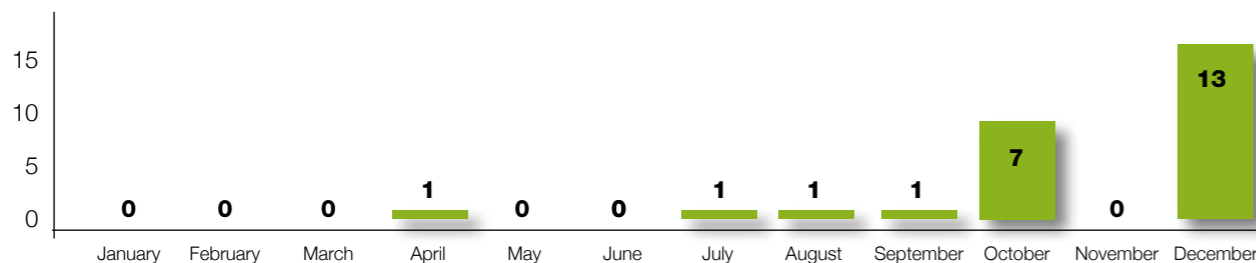
66 Fars News Agency, October 2018: <https://goo.gl/Y68KQq>  
67 <http://www.yarsanmedia.org/ku/?p=6792>  
68 <https://iranhr.net/en/articles/3513/>

DRUG-RELATED EXECUTIONS 2010-2018



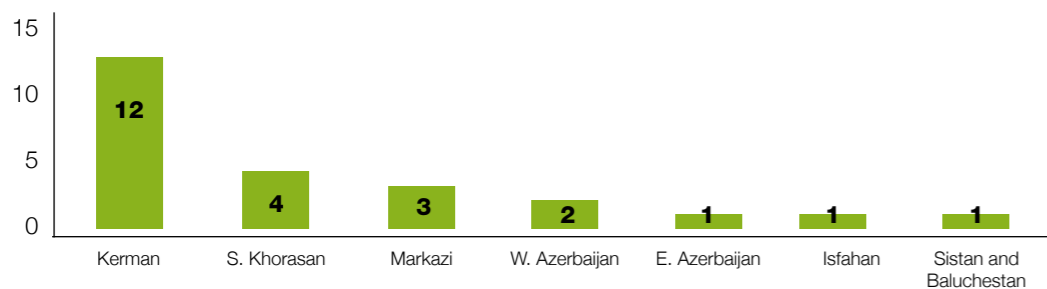
According to IHR reports, at least 3,248 people were executed for drug offences between 2010 and 2018. This gives an average of 361 drug-related executions per year. The diagram above shows that the number of the drug-related executions has been below “average” in the last three years.

MONTHLY BREAKDOWN OF DRUG-RELATED EXECUTIONS IN 2018



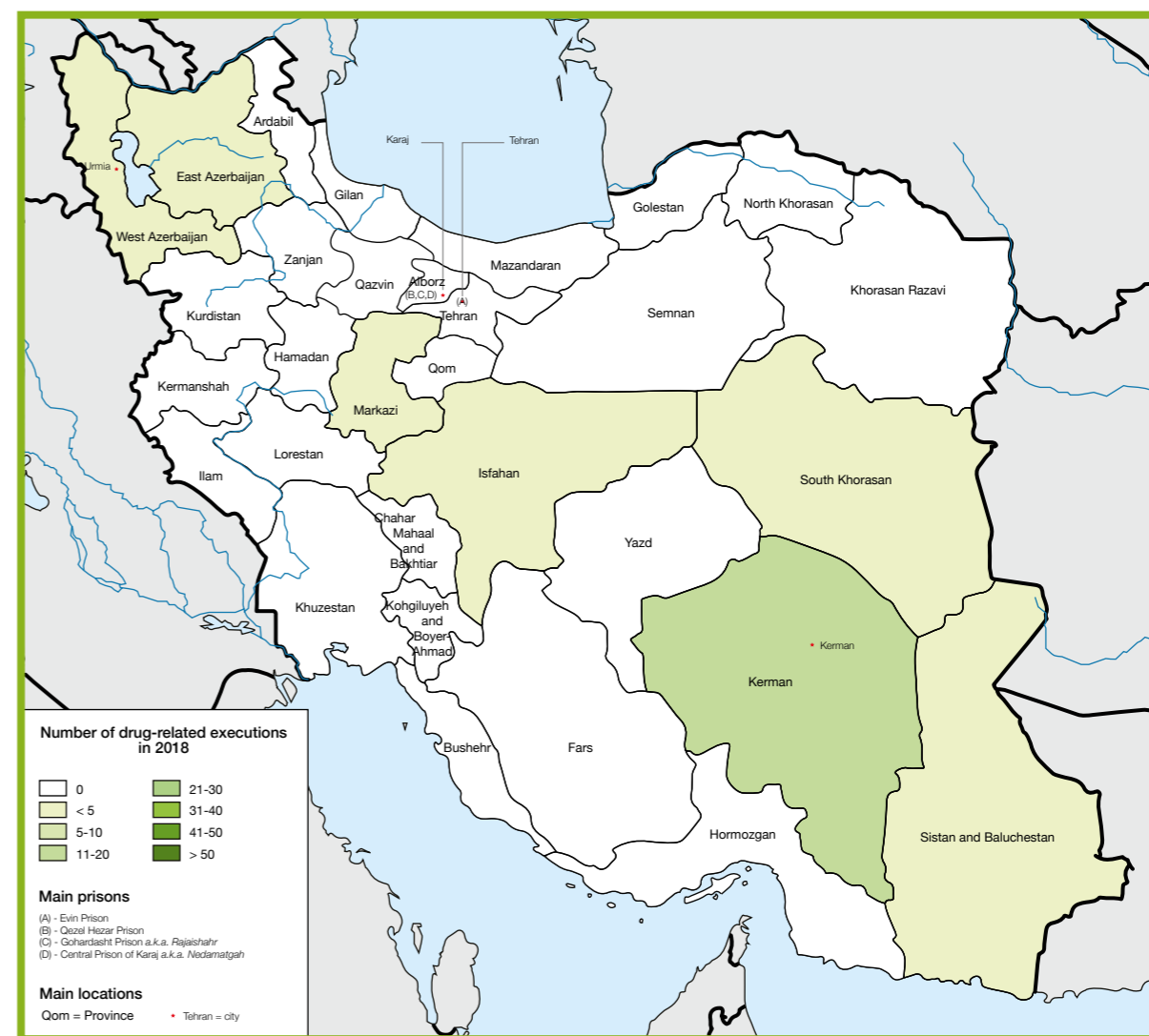
The monthly breakdown of drug-related executions (diagram above) shows that the first execution for drug offences was carried out in April, five months after all drug-related executions were temporarily ceased following enforcement of the amendments to the Anti-Narcotics law on 14 November 2017. Moreover, one can see that most of the drug-related executions took place in the second half of 2018, reaching a peak in December. It indicates that the process for reviewing the cases of death row drug offenders might have finished and it raises concerns that the decline in the number of drug-related executions in 2018 might not continue in 2019.

GEOGRAPHIC DISTRIBUTION OF DRUG-RELATED EXECUTIONS IN 2018



In 2018, drug-related executions took place in seven different prisons. Additional reports were received about the execution of two prisoners in the prison of Kermanshah (west of Iran) but the reports could not be confirmed by independent sources and these have not been included in this report.

DRUG-RELATED EXECUTIONS IN IRAN IN 2018



In 2018, IHR reported drug-related executions in 7 provinces, compared to 22 provinces where such executions took place in 2017.

EXECUTED ON THE BASIS OF DRUG CHARGES IN 2018



On 6 December 2018, 12 prisoners were executed on the basis of drug-related charges in Kerman Central Prison. Ali Deyhim (or Deyhi), Majid Shiki and Reza Ouhadi, charged with possession of 700 kg of opium, 1,700 kg of opium and 14 kg of heroin respectively. Local sources identified two other men as Jalil son of Khodabakhsh (pictured), and Yousef son of Jalaluddin.<sup>69</sup> “These people had been at the prison for several years. One of them had spent 15 years in jail. Another one was convicted to life imprisonment. He had been given a prison furlough and was charged with possession of drugs while he was on furlough and sentenced to death,” a well-known source told IHR, “their death sentences were upheld even after the case reviews under the new law.”

69 <https://iranhr.net/en/articles/3605/>

## 14 MONTHS AFTER ENFORCEMENT OF THE NEW AMENDMENTS TO THE ANTI-NARCOTICS LAW: THE PROCESS, THE IMPACT, SHORTCOMINGS AND THE FUTURE

The new legislation was approved by the Legal and Judicial Affairs Committee of the Iranian Parliament (*Majlis*) on 23 April 2017. Parliament voted on the new bill on 13 August 2017 and in October 2017, 150 MPs — over 50% of the Parliament — signed the bill. Finally, the new bill was approved by the Guardian Council on 18 October 2017. The bill was announced by the Iranian President, Hassan Rouhani, and published in an official newspaper on Saturday, 29 October 2017, and the new bill was enforced on 14 November 2017. This report shows that the number of drug-related executions decreased from 230 in 2017 to 24 in 2018. With a reduction of than 90% in the number of executions, one must say that the reform had a very positive impact in limiting use of the death penalty, at least in the short term.

However, it is difficult to assess the exact impact as there is no information about how many death sentences were commuted as a result of the new legislation. The Iranian authorities have not been transparent about the number of death sentences commuted, just as they did not announce any of the drug-related executions in 2018. However, some of the information available in the reports published by the Iranian media is listed below:

- On 3 July 2018, the Chief Prosecutor of Tehran Jafari Dolatabadi said that 1,700 of the commutation requests from the 3,000 death row or life imprisonment prisoners for drug offences had been processed and 1,300 requests would be processed in the coming months.<sup>70</sup> He did not say how many of the requests had been approved.<sup>71</sup>
- On 19 June 2018, the Head of the judiciary in Kerman Province announced that 238 death sentences for drug offenders had been reduced to imprisonment.<sup>72</sup> But, he did not reveal how many death row prisoners for drug offences did not have their sentences commuted.

Based on interviews with death row prisoners in different parts of Iran, IHR investigators have the following estimates:

- The death sentences of about 20% of death row prisoners at Ghezelhesar Prison whose cases have been reviewed have been upheld. Ghezelhesar Prison of Karaj is the main prison where death row drug offenders in Tehran and Alborz Province are held.
- Most of the drug-related death sentences in the prisons of Urmia, Isfahan and Mazandaran have been commuted. No exact number is available.

Regarding the process, IHR has identified the following challenges:

- Corruption in the judiciary: there have been reports of bribery where the judge has asked the family of inmates for bribes in order to review the cases.
- Insufficient resources provided for this process by the judiciary: this is especially true in large cities and areas where the number of drug prisoners is high. Eyewitnesses have said that in some of the judge's rooms there were "case folders from floor to ceiling."
- Disproportionality between crime and punishment: most prisoners whose death sentences were commuted have been sentenced to 30 years in prison and a fine of 200 million Tomans regardless of the type and degree of the crime.

As mentioned in previous reports, the issue of due process has not been mentioned in the new amendments. All drug offences are processed by the Revolutionary Courts. Reports collected

70 <https://iranhr.net/en/articles/3378/>

71 ISNA, 3 July 2018: <https://goo.gl/T2RL1E>

72 <http://www.iribnews.ir/fa/print/2156809>

by IHR show that those arrested for drug offences are systematically subjected to torture during the weeks after their arrest. Often they have no access to a lawyer while in detention and by the time the lawyer enters the case they have already "confessed" to the crime.<sup>73</sup> Trials at the Revolutionary Courts are often very short and there is little the lawyer can do. The issue of due process and fair trials has not been addressed in the new amendments to the Anti-Narcotics Law.

For more details, please see IHR's report: "Execution trends six months after the Anti-Narcotics Law" published in May 2018.<sup>74</sup>

## EXECUTIONS FOR MURDER CHARGES: QISAS

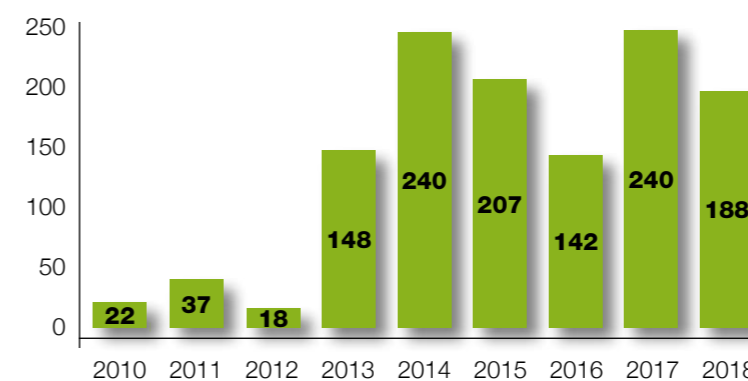
*Qisas* refers to retribution in kind. *Qisas* death sentences have been retained for murder in the new Iranian Islamic Penal Code (IPC). As murder is specifically punished under *qisas*, the Penal Code of Iran does not specifically state that convicted murderers are subject to the death penalty but rather to "*qisas*" which means "retribution in kind" or retaliation. The State effectively puts the responsibility for executions for murder on the shoulders of the victim's family. *Qisas* death sentences are also imposed for juvenile offenders as, according to Sharia, the age of criminal responsibility for girls is nine and for boys 15 lunar years. In addition, under the IPC, the death penalty is generally subject to discriminatory application based on gender and religion.<sup>75</sup>

In addition to the inequality of citizens before the law, there are many reports on the violation of due process in *qisas* cases. Use of torture to extract confessions and hasty trials without sufficient time to conduct independent investigations into the evidence are examples of such practice.

Murder charges were the most common charge and *qisas* executions represented the most common execution category in 2018. Some facts about *qisas* executions in 2018:

- 188 executed for *qisas* sentences (22% less than in 2017)
- 41 *qisas* executions were announced by official sources (22%)
- 75 *qisas* executions were carried out in one prison
- 6 were juveniles (under 18 years of age) at the time of offence
- 5 women were among those executed
- 6 were hanged in public

## QISAS EXECUTIONS SINCE 2010



According to IHR reports, there have been at least 1,242 *qisas* executions between 2010 and 2018 with murder charges. The diagram below shows the trend of *qisas* executions in this period.

The number of *qisas* executions, which was relatively low between 2010 and 2012, increased dramatically in 2013 and since then has remained relatively high. The increase in the number of *qisas* executions coincides with increasing international criticism of Iran's drug-related executions.

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

74 <https://iranhr.net/en/articles/3325/>

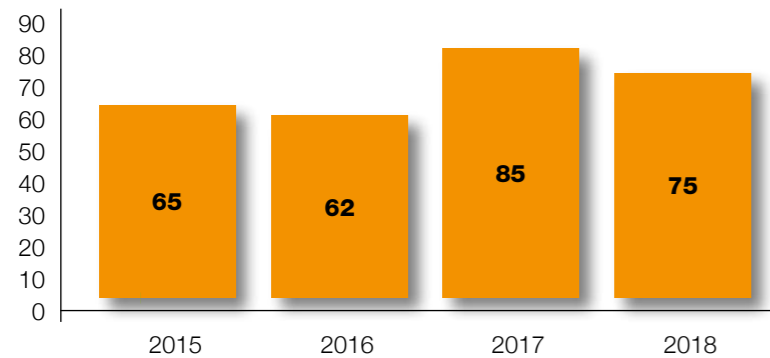
75 Annual report on the death penalty in Iran- 2013, page 11.



In 2018, at least 188 people were subjected to *qisas* executions, 22% less than in 2017 but still among the highest in the last nine years.

### RAJAI SHAHR PRISON: A MAJOR SITE FOR QISAS EXECUTIONS

A detailed geographical distribution of *qisas* executions will be provided in the “Forgiveness movement” section on pages 33-35 of this report. However, reports in the last four years show that a significant portion of all *qisas* executions every year are carried out at one single prison in the Alborz/Tehran area. Rajai Shahr prison (previously known as Gohardasht) has, in addition, been the site of the execution of many political prisoners, especially those belonging to banned Kurdish political parties. In 2018, at least 75 *qisas* sentences were carried out at Rajai Shahr prison. This represents 40% of total executions and 27% of all executions for all charges in the country.



The diagram above shows the number of implemented *qisas* death sentences at Alborz/Tehran prisons since 2015. Rajai Shahr Prison (located in Alborz Province) is the prison where the *qisas* executions are implemented.

The final hours of a death row prisoner at Rajai Shahr Prison are described in a report published by IHR for the World Day Against the Death Penalty.<sup>76</sup>



**MOHAMMAD SALAS: ARRESTED AS PART OF THE GONABADI DERVISH PROTESTS - EXECUTED ON THE BASIS OF MURDER CHARGES**

Mohammad Salas, a member of the Gonabadi dervish community, was arrested and sentenced to death after the protests of the Gonabadi dervishes in February 2018. He was hanged at Rajai Shahr Prison on 18 June 2018. He was charged with the murder of three police officers by running over them by a bus.

Branch 9 of the Criminal Court of Tehran issued the verdict less than two months after Mohammad Salas's arrest even though he was not in touch with his lawyer during the first trial.

There are many facts proving that Mohammad Salas' case was not processed justly or, at least, the required standards were not met. Several reports indicated that the Gonabadi dervish was tortured before and during the arrest and after his first trial.<sup>77</sup>

<sup>76</sup> <https://iranhr.net/en/articles/3512/>

<sup>77</sup> <https://www.amnesty.org/en/latest/news/2018/06/iran-sufi-bus-driver-executed/>

Mohammad Salas himself denied the charges after his first trial and, according to a family member, he was subjected to ill-treatment resulting in a fracture of one of his fingers.<sup>78</sup>

Following his execution, the authorities took his body away for burial to Borujerd, Lorestan Province, hundreds of kilometres from where his children and mother live and despite their appeal to bury him in Tehran. The authorities buried his remains in Borujerd without his family present and with security forces standing guard. They also denied the family's request that Mohammad Salas' body be examined by a coroner to determine the injuries he incurred because of the torture to which he said he was subjected.

A few days after the execution, the authorities arrested Mohammad Salas' attorney, Zeynab Taheri.<sup>79</sup>

### THE FORGIVENESS MOVEMENT

According to the Iranian Penal Code, murder is punished by *qisas* (retribution) when the family of the victim can demand a retribution death sentence. But they can also demand blood money (*Diyya*) instead of a death sentence or can simply grant forgiveness.

IHR has collected forgiveness reports since 2015. Altogether, the reports gathered in the past four years show that the families of murder victims who chose forgiveness or blood money for those convicted of murder outnumber those who chose the death penalty.<sup>80</sup>

For the sake of simplicity, we will use the term forgiveness in the following section, regardless of whether there has been a demand for blood money or not.

As for execution numbers, not all forgiveness cases are announced by the Iranian media. Based on reports by the Iranian media and, to a lesser extent, through its own network inside Iran, IHR identified 272 forgiveness cases in 2018, compared to 221 cases in 2017, 232 cases in 2016 and 262 cases in 2015. Thus, forgiveness trends are increasing. In 2018, forgiveness cases outnumbered those of implemented *qisas* executions. 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. For instance, on 7 September 2018, the Iranian State Broadcasting in Kerman, IRIB, announced that “500 *qisas* prisoners were saved from execution due to forgiveness during the last year in Iran (21 March 2017 to 20 March 2018)”.<sup>81</sup> IHR reported 50 forgiveness cases in Kerman Province in 2017 and 2018. We are not certain about how accurate the report from IRIB is but it indicates that actual forgiveness numbers are much higher than reported here.

The following diagrams based on IHR reports show a comparison between documented forgiveness and retribution trends in Iran.

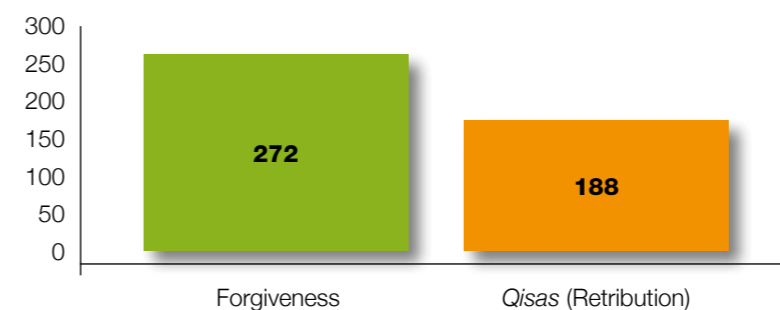


Diagram showing the number of implemented retribution death sentences and forgiveness cases in 2018.

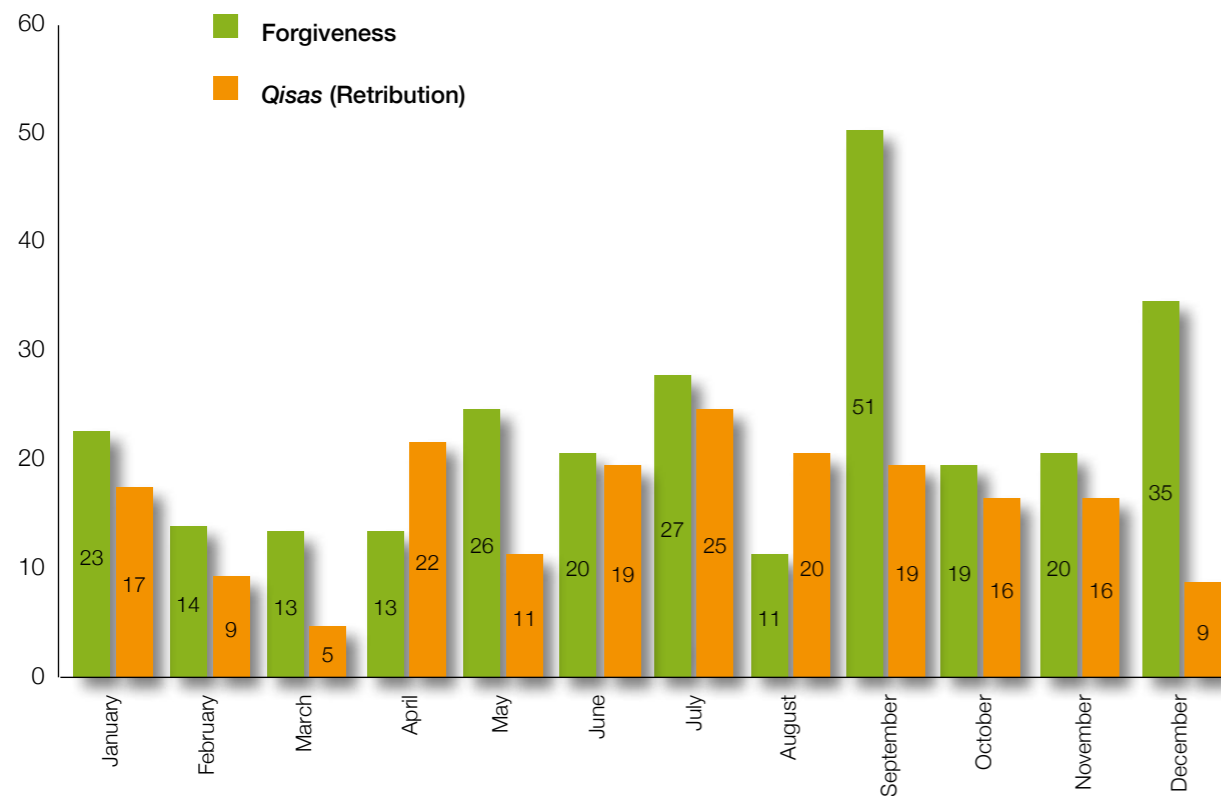
<sup>78</sup> <https://iranhr.net/en/articles/3349/>

<sup>79</sup> <https://iranhr.net/en/articles/3353/>

<sup>80</sup> <https://iranwire.com/en/features/4581>

<sup>81</sup> <http://www.iribnews.ir/fa/print/2221044>

QISAS (RETRIBUTION) AND FORGIVENESS: MONTHLY BREAKDOWN



The diagram above shows the monthly breakdown of implemented *qisas* (retribution) death sentences compared to “forgiveness” cases.

QISAS AND FORGIVENESS: GEOGRAPHIC DISTRIBUTION

In 2018, IHR recorded forgiveness cases in 26 of the 31 provinces in Iran. In comparison, *qisas* death sentences were reported from 29 of the provinces. In most provinces the number of forgiveness cases was higher than *qisas* executions.

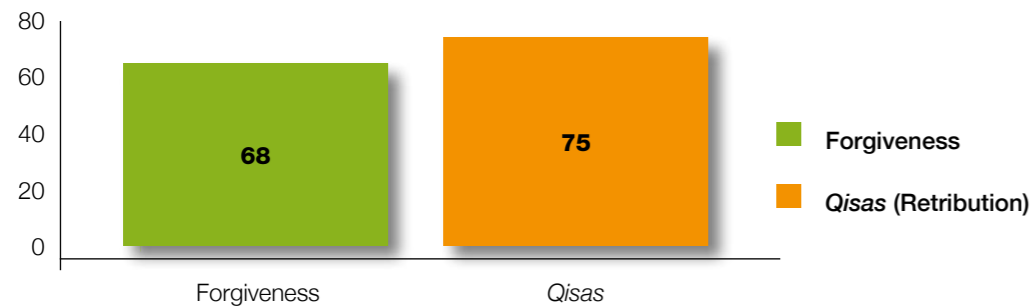


Diagram: Prisons in the Tehran and Karaj (Alborz) area were the sites of the highest number of both forgiveness and *qisas* cases in 2018 in Iran.

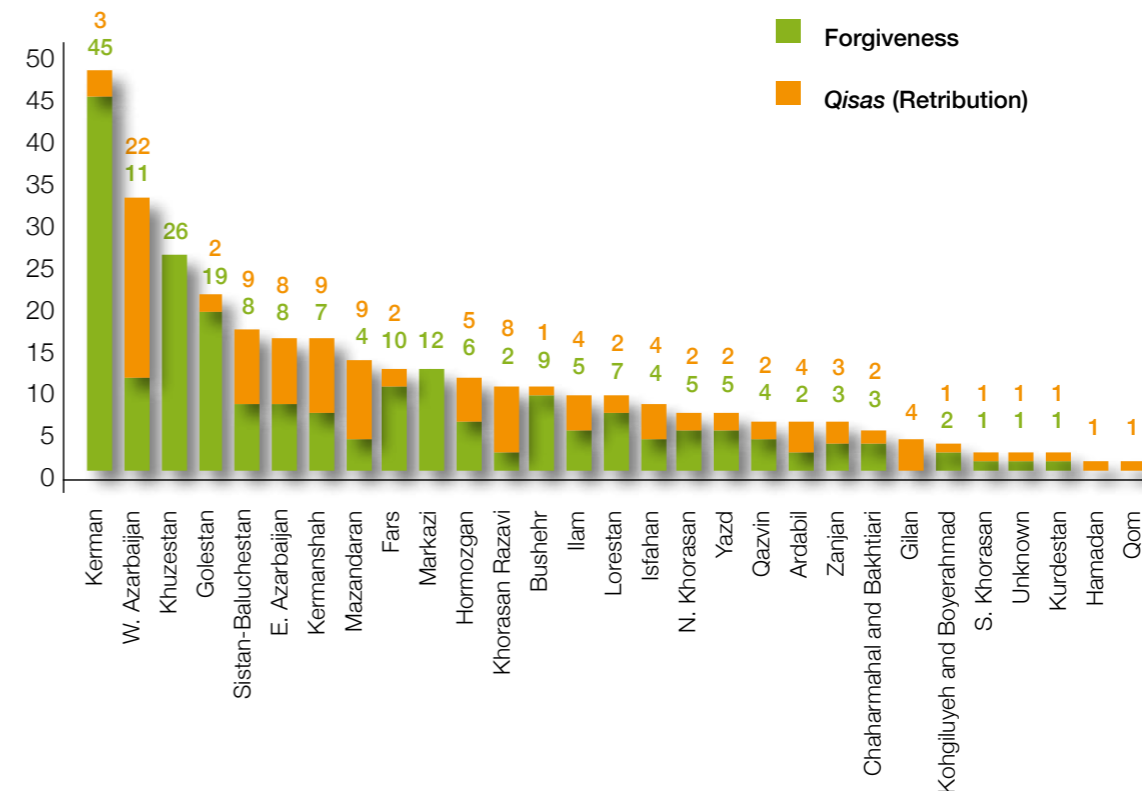
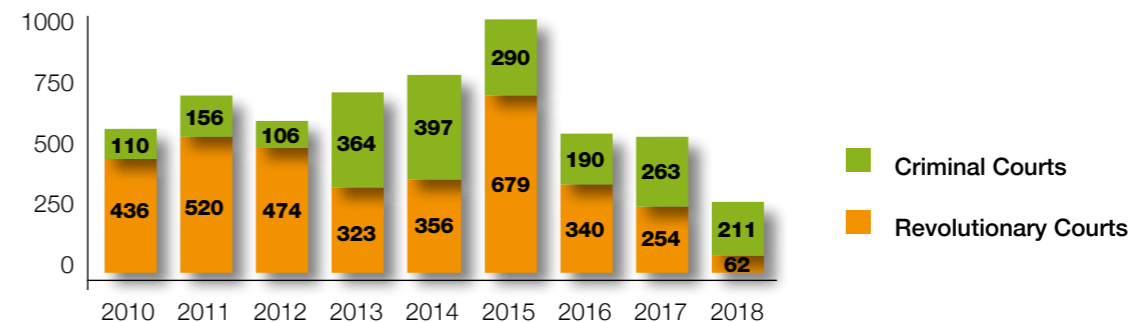


Diagram: The number of implemented *qisas* executions was higher in the nine provinces compared, while in the rest of the provinces forgiveness numbers were either equal to or higher than *qisas* executions.

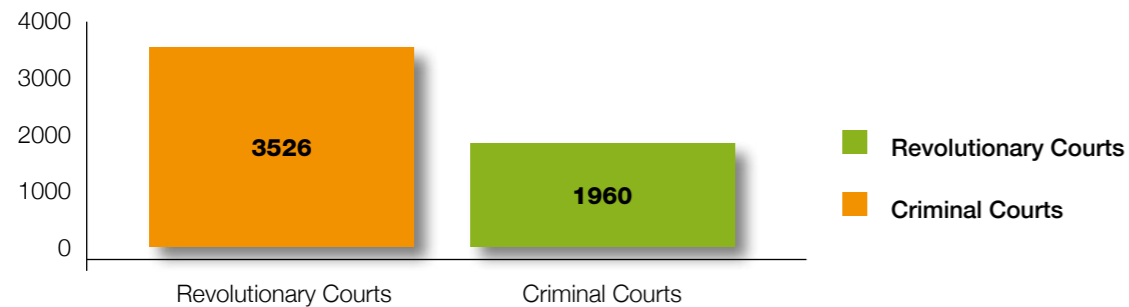
DISTRIBUTION OF EXECUTIONS BETWEEN THE REVOLUTIONARY AND CRIMINAL COURTS IN 2018

As mentioned in the previous section, rape and murder (*qisas*) cases fall within the jurisdiction of the criminal courts, while cases of *Moharebeh*, Corruption on earth and rebellion charges, as well as drug-related cases, fall under the jurisdiction of the Revolutionary Courts. After enforcement of the new amendments to the Anti-Narcotics law, the number of implemented death sentences issued by the Revolutionary Courts has shown a significant decrease. The following diagrams show the distribution of the Revolutionary Courts and the criminal courts with regard to implementing executions over the last nine years.



At least 62 of the 273 executions in 2018 (23%) were based on death sentences issued by the Revolutionary Courts. Numbers for the previous eight years are presented in the diagram above. This is a significantly lower percentage than in previous years. This is due to a significant reduction in the number of executions for drug charges.

IMPLEMENTED EXECUTIONS BY REVOLUTIONARY VS CRIMINAL COURTS 2010-2018



The diagram above is based on IHR reports since 2010 and shows that 3,526 of the 5,486 executions (64%) in the last seven years were based on death sentences issued by the Revolutionary Courts.

The Revolutionary Courts are most infamous for the summary execution of the political opposition during the first decade of establishment of the Islamic Republic in the 1980s.<sup>82</sup> However, data collected by IHR shows that even in the fourth decade after the Islamic Revolution the Revolutionary Courts have been responsible for the majority of the death sentences leading to executions in Iran.

## PUBLIC EXECUTIONS

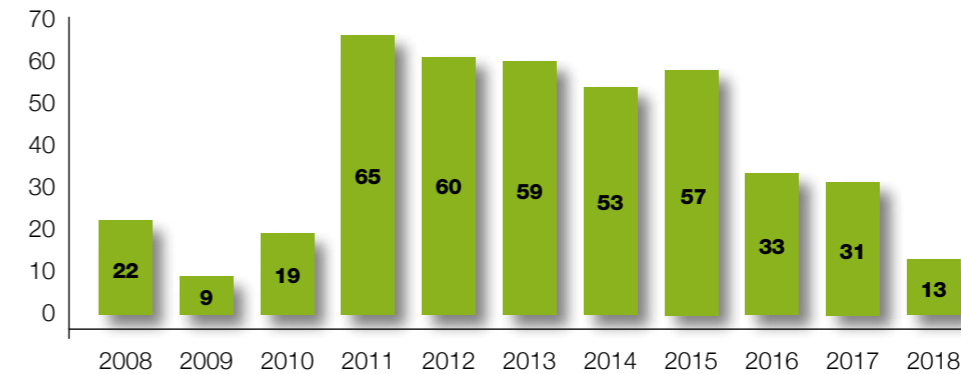
Despite continuous international criticism, Iran is among the few countries where public executions have been organised by the authorities.

Public executions have repeatedly been criticized by the UN. Both the UN Secretary General and the Special Rapporteur on the human rights situation in Iran have expressed concern about the continued practice of public executions in Iran<sup>83</sup>. During Iran's second UPR<sup>84</sup>, the Government did not accept recommendations to put an end to public executions<sup>85</sup>. This has also been emphasised in the recent report of the current Special Rapporteur on Human Rights in Iran, Javaid Rehman.<sup>86</sup>

In 2008, a judicial moratorium on public executions was adopted by the Iranian authorities. As a consequence, the number of public executions in 2008-2010 was relatively lower than in previous years. However, after 2010 the number of public executions increased dramatically, reaching an average of 50 to 60 public executions between 2011 and 2015. In 2018, the Iranian authorities executed 13 people in public spaces. This is the lowest number of public executions since 2009 (the year after the moratorium, nine public executions). Whether there is a political reason for this reduction remains to be seen.

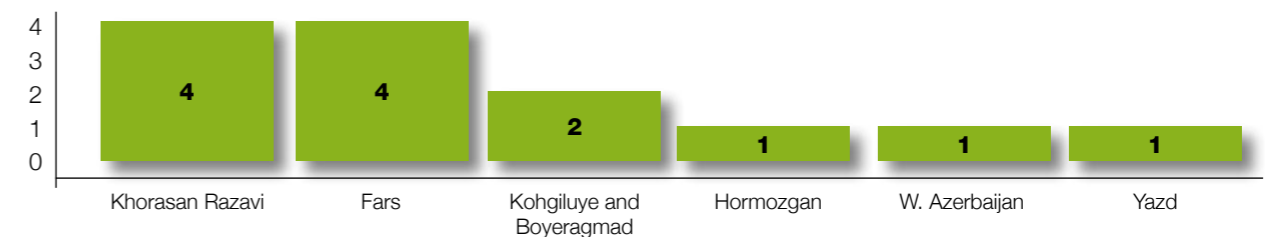
82 Inside Iran's Revolutionary Courts, BBC News, 2015, <http://www.bbc.com/news/magazine-34550377>  
 83 EU strategy towards Iran after the nuclear agreement-EU Parliament text adopted 25 October 2016  
 84 Outcome of the Universal Periodic Review: Islamic Republic of Iran, A/HRC/DEC/28/108, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/107/16/PDF/G1510716.pdf?OpenElement>  
 85 UPR-info: Hungary, Norway and Germany called on a moratorium or immediate end on public executions  
 86 Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran A/73/398 <http://undocs.org/A/73/398>

## PUBLIC EXECUTIONS SINCE 2008



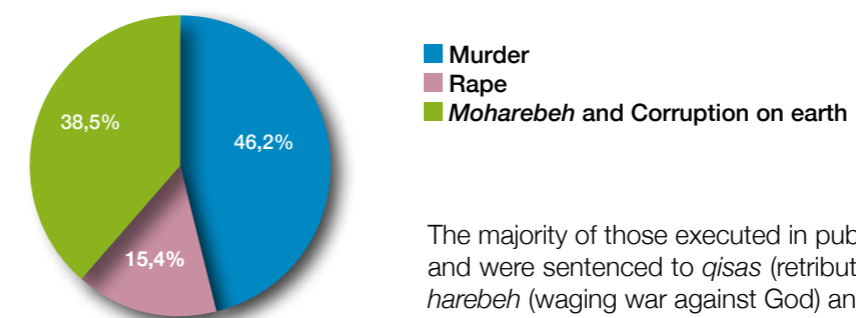
The diagram above shows public executions since 2008. The number of public executions in 2018 was significantly lower than the number in the previous seven years. Whether it is a permanent change or not remains to be seen. In the first half of January 2019, five public executions were implemented in three different Iranian cities.<sup>87</sup>

## GEOGRAPHIC DISTRIBUTION OF PUBLIC EXECUTIONS



Public executions were conducted in six different provinces in 2018, compared to 15 provinces in 2017. Fars province (Southern Iran), which had topped public executions between 2010 and 2016, registered one public execution in 2017. In 2018, this province was once again one of the two provinces with the highest number of public executions.

## OFFICIAL CHARGES FOR PUBLIC EXECUTIONS



The majority of those executed in public were convicted of murder and were sentenced to *qisas* (retribution in kind), followed by *Moharebeh* (waging war against God) and rape or sexual assault.

87 <https://iranhr.net/en/articles/3615/>

## PUBLIC EXECUTIONS DOCUMENTED BY THE IRANIAN MEDIA

In 2015, in response to a joint statement by two of the UN Special Rapporteurs condemning the practice of public executions by the Iranian authorities, the “High Council for Human Rights” of the Iranian Judiciary issued an official statement saying, “public executions take place only in some limited and special circumstances, including incidents which distort public sentiment, to act as a deterrent to decrease the number of drug-related crimes. It should also be noted that the mentioned sentences are provided to avoid the presence of minors at the scene of executions”.<sup>88</sup>

However, photos taken from the execution scene in previous years demonstrate that children are often present at these events. The executions are often announced in advance and take place early in the morning in front of dozens of citizens. In 2018, the Iranian media showed more restriction than before in showing children watching public executions. However, all reports, information and testimonies reveal that in 2018 executions were carried out in public spaces or in residential areas in front of a crowd of several hundreds. No reports indicate any specific measure taken by the authorities to limit the presence of children. One of the official reports mentioned that children aged between 3 and 10 were present among the crowd.<sup>89</sup>



On 15 March 2018, two prisoners were hanged in public in the city of Dogonbadan, the capital of Gachsaran County, Kohgiluyeh and Boyer-Ahmad Province. The prisoners were siblings and were sentenced to death for armed robbery which resulted in the death of two people. It was less than 100 days after their arrest when they were executed in public.<sup>92</sup>

Two prisoners were hanged in public in the city of Mashhad, Razavi Khorasan Province, on 22 July 2018.<sup>90</sup> They were convicted of rape. One of the prisoners was begging for his life before the execution according to the report. Photo: Mohsen Rahimi



Public execution of two men in Mashhad for rape charges on 15 May 2018.<sup>91</sup> The banner says: “Implementation of *hodoud* punishments is more useful than rain for the people”. Photo: Mashhad Fori News website

Three prisoners were hanged in a residential area in Shiraz, Fars Province, on 21 November 2018.<sup>92</sup> The prisoners were charged with *Moharebeh* for armed robbery. “The prisoners were brought to the execution area around 7am with their hands tied. The area looked like a car park and was surrounded by a fence making it less accessible to the public. One of the



prisoners asked to do his last prayer before the execution. The authorities accepted his request. While he was praying, execution of the two others was carried out. A dozen children aged between 3 and 10 were among crowd watching the executions along with their parents,” reported the Islamic Republic News Agency (IRNA).<sup>93</sup>

The execution took place with a crane pulling them up. Normally, it takes several minutes until death occurs by this method of hanging. Movement by one of the prisoners (first on the left) is evident in the picture. Photo: IRNA



Another picture of the three men hanged in Shiraz (mentioned above) shows that the public hanging took place in a residential area. Some residents are watching the executions from the balcony of their apartments.<sup>94</sup> Source: IRNA, 21 November 2018.<sup>95</sup> Photo: Amin Berenjkar

88 <http://en.humanrights-iran.ir/news-22714.aspx>

89 <http://www.irna.ir/fars/fa/News/83107624>

90 <https://iranhr.net/en/articles/3398/>

91 <https://iranhr.net/en/articles/3321/>

92 <https://iranhr.net/en/articles/3557/>

93 <http://www.irna.ir/fars/fa/News/83107624>

94 <https://iranhr.net/en/articles/3557/>

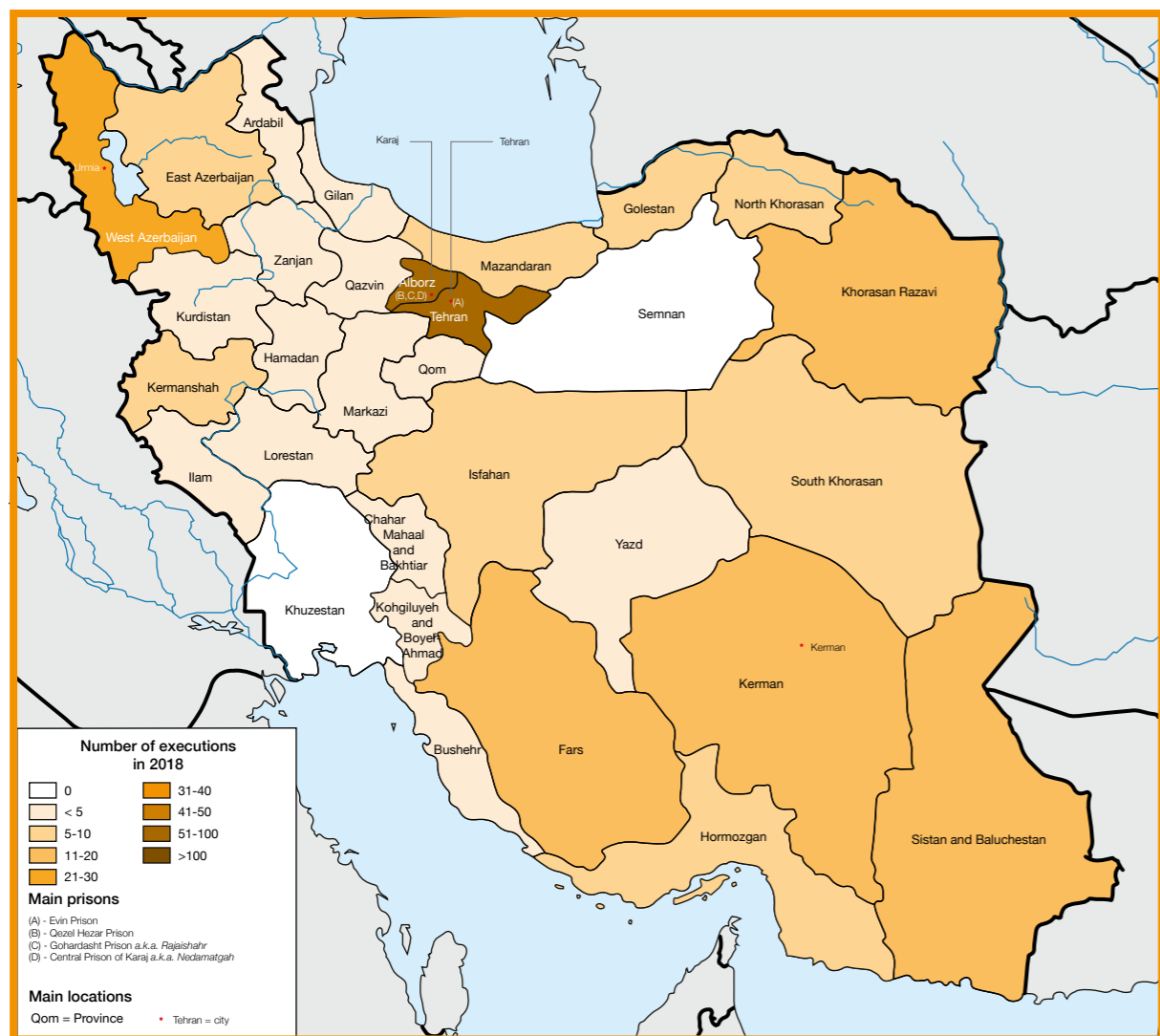
95 <http://www.irna.ir/fars/fa/News/83107624>

### GEOGRAPHIC DISTRIBUTION OF EXECUTIONS

Executions were carried out in all but two of the 31 provinces of Iran in 2018. The following maps show the geographic distribution of executions. The first map shows the total number of executions while the second map shows the number of executions per capita for each province. As in previous years, the prisons of Karaj, which house prisoners from the Tehran and Alborz provinces, were the sites of the highest number of executions, followed by Urmia Central Prison located in West Azerbaijan. As mentioned at the beginning of the report, 66% of the executions included in the 2018 report were either carried out secretly or not announced by official Iranian sources. In the following sections we will provide more details about unannounced or secret executions.

### GEOGRAPHIC DISTRIBUTION OF ALL EXECUTIONS BY NUMBER

Prisons in Karaj, where death row prisoners from Tehran and Alborz provinces are held, followed by West Azerbaijan and Khorasan Razavi, Sistan -Baluchestan and Kerman provinces were the sites of the highest number of executions in 2018.

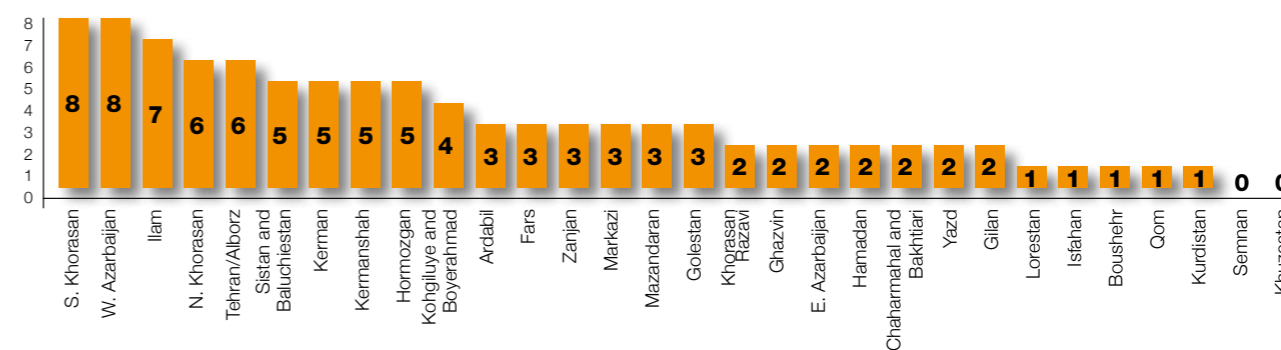


### NUMBER OF EXECUTIONS PER CAPITA<sup>96</sup>

In 2018, 3.4 executions were carried out per 1 million people in Iran. The provinces of South Khorasan and West Azerbaijan had the highest execution rate with 8 executions per 1 million inhabitants. The same two provinces had the highest execution numbers per capita. The actual numbers are provided in Table 3 at the end of this report.



NUMBER OF EXECUTIONS PER MILLION POPULATION IN EACH PROVINCE IN 2018



<sup>96</sup> Based on amar.org.ir, accessed on 18.02.2018

## SECRET AND UNANNOUNCED EXECUTIONS

Approximately 66% of all executions included in the 2018 report, i.e. 180 executions, were not announced by the authorities. Some of these executions were carried out secretly, without the family or the lawyer being informed, and some were simply not announced by the official media. The actual numbers are believed to be much higher. In 2017, IHR received reports of secret or unannounced executions in prisons from 26 different provinces across the country.

Some facts about secret or unannounced executions in 2018:

- At least 180 (66% of the total) executions were not announced by official Iranian sources
- None of the 24 drug-related executions were announced by official sources
- Drug offences represented the charges in 53% of unannounced executions
- Murder charges represented 43% of unannounced executions
- Executions of women and foreign citizens (mainly Afghans and Pakistanis) were mainly not announced

## DOCUMENTATION OF UNANNOUNCED EXECUTIONS



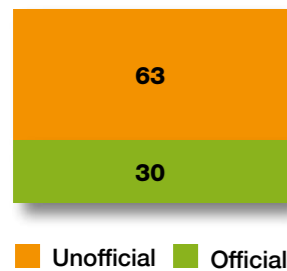
Only unofficial reports with a sufficient amount of information have been included in this report.

IHR's network inside the country received information about many executions which are not announced by the official media. 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 regarded as a crime and the people involved face criminal charges. Despite this, every year IHR manages to confirm several hundred cases of executions which are not announced by the authorities. In many cases, information about executions is verified by two or more independent sources. In some cases,

IHR receives pictures which can document the execution.<sup>97</sup> In many cases, pictures, along with the names of the prisoners, were sent to IHR. Some of these pictures are shown below.

## GEOGRAPHIC DISTRIBUTION OF ANNOUNCED AND UNANNOUNCED/SECRET EXECUTIONS

As in previous years, the big prisons in the Karaj/Tehran area were the sites of the highest number of both officially announced and unannounced executions. More details are provided in the following section.



### EXECUTIONS IN THE ALBORZ/TEHRAN AREAS

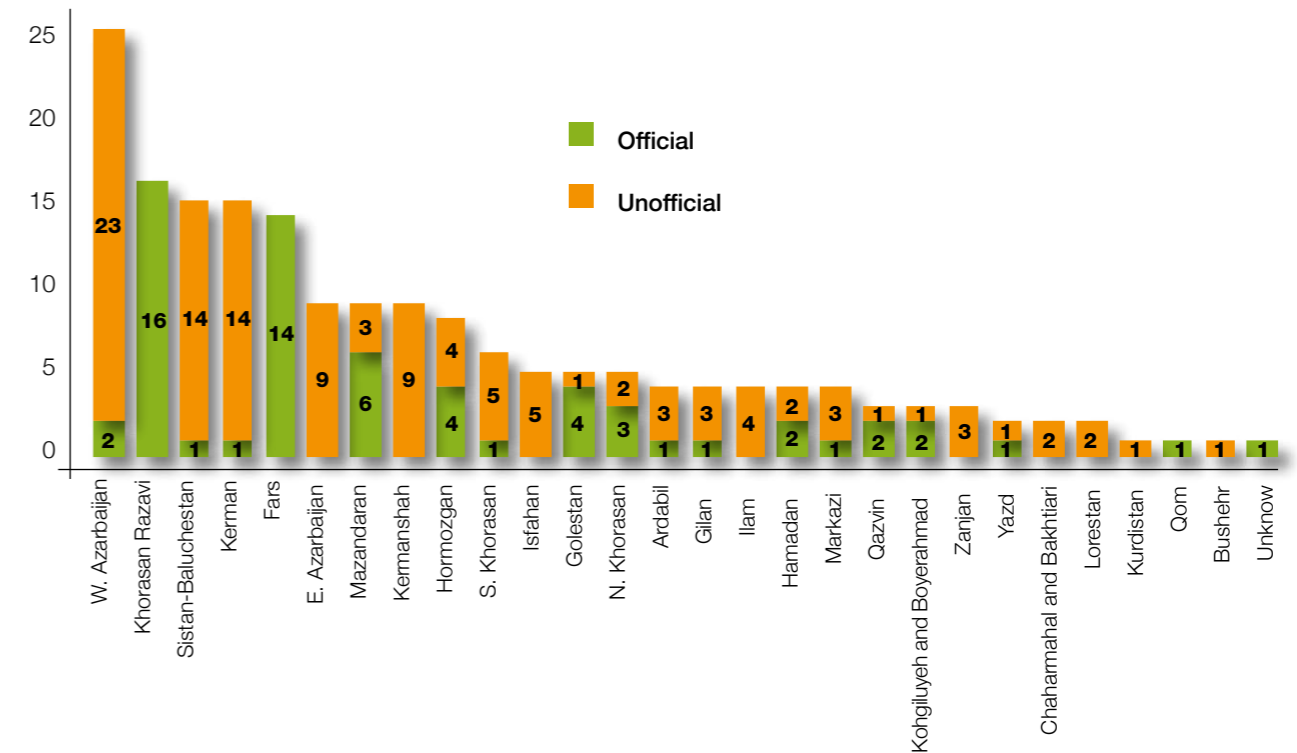
The diagram above shows the official (green) and unofficial/unannounced (yellow) executions in the three prisons of Karaj (Alborz province) which house prisoners from the provinces of Tehran and Alborz. However, there are also prisoners from the rest of the country in these prisons. These include the prisons of Rajai Shahr, Ghezelhesar and the Central Prison of Karaj (also called Nedamatgah). All three prisons are located in Alborz Province. Prisoners at Ghezelhesar prison<sup>98</sup> and Nedamatgah are mainly convicted of drug offences while in Rajaishahr<sup>99</sup> the largest number belongs to those convicted of murder and sentenced to *qisas*, in addition to some political prisoners. Most secret or unannounced executions in 2018 were carried out at Rajai Shahr Prison.

<sup>97</sup> <https://iranhr.net/en/articles/2634/>

<sup>98</sup> <http://iranhr.net/en/articles/1204/>

<sup>99</sup> <http://iranhr.net/en/articles/1190/>

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



The diagram above shows the geographical distribution of the official (green) and unofficial/unannounced (yellow) executions in other parts of Iran, excluding the Tehran/Karaj area. The prisons in the provinces of West Azerbaijan (northwest), Khorasan Razavi (northeast), Sistan and Baluchestan (southeast) and Kerman had the highest number of executions. West Azerbaijan, Sistan and Baluchestan and Kerman had the highest number of unannounced executions.

## EXECUTION CATEGORIES

### JUVENILES

#### JUVENILE EXECUTIONS: TRENDS AND LEGISLATIVE REFORMS

In February 2018, noting a surge in the number of juvenile offenders being executed in Iran, the UN High Commissioner for Human Rights Zeid Ra'ad Al Hussein, urged Iran "to abide by international law and immediately halt all executions of people sentenced to death for crimes committed when they were under eighteen." He said that "No other State comes even remotely close to the total number of juveniles who have been executed in Iran over the past couple of decades."<sup>100</sup>

Iran remains one of the few countries sentencing juveniles to death and it executes more juvenile offenders than any other country in the world. In violation of the Convention on the Rights of the Child (CRC), which Iran has ratified, the Iranian authorities executed at least six juvenile offenders in 2018, one juvenile execution more than in 2017. According to IHR's reports, at least 61 juvenile offenders were executed between 2008 and 2018 in Iran. Amnesty International recently reported the execution of 85 juvenile offenders between 2005 and 2018.<sup>101</sup> According to the same report, at least 80 juvenile offenders are on death row in Iranian prisons. The

<sup>100</sup> <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22664&LangID=E>

<sup>101</sup> <https://www.amnesty.org/en/latest/news/2018/01/iran-authorities-execute-man-in-exceptionally-cruel-circumstances/>

Special Rapporteur on Iran noted in his report that several juvenile offenders are on death row.<sup>102</sup>

However, the actual number is significantly higher as there is no information about juvenile offenders in many Iranian prisons.

International pressure on Iran's execution of juvenile offenders increased during the first decade of the 21<sup>st</sup> century. As a consequence of the criticism from the international community and internal civil society, Iran made changes regarding juvenile offenders in the Islamic Penal Code (IPC). However, these changes have not led to a decrease in the number of juvenile executions. The new Islamic Penal Code (IPC), adopted in 2013, explicitly defines the "age of criminal responsibility" for children as the age of maturity under *shari'a* law, meaning that girls over nine lunar years of age and boys over fifteen lunar years of age are eligible for execution if convicted of "crimes against God" (such as apostasy) or "retribution crimes" (such as "intentional murder"). Article 91 of the IPC says that juvenile offenders under the age of 18 who commit *hodoud* 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. This Article 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. In the period from 2016 to 2018, IHR identified 17 cases where the death sentences of juvenile offenders were converted based on Article 91 (of which five were in 2018). In the same period, at least 16 juvenile offenders were executed according to IHR reports and several are in danger 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 those under 18.

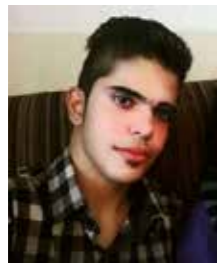
The UN Special Special Rapporteur on the situation of human rights in Iran states in his report regarding Article 91: "Building upon the amendment, the Special Rapporteur calls upon the Government to introduce a further amendment which, affirming the lack of mental development of a juvenile, absolutely prohibits the execution of persons who were under the age of 18 at the time of their offence."<sup>103</sup>

Some facts about juvenile executions in 2018:

- 6 were executed (one more than in 2017)
- 2 girls were among those executed - both child brides charged with murdering their husbands
- 5 juveniles had their death sentences converted based on Article 91

## JUVENILE OFFENDERS EXECUTED IN 2018

### AMIR HOSSEIN POURJAFAR



Amir Hossein Pourjafar, who was charged with rape and murder when he was less than 16 years old, was executed at Rajai Shahr Prison on 4 January 2018. Amir Hossein Pourjafar's lawyer had previously told an official source: "Amir Hossein was born on 17 December 1999 so technically he wasn't even 16 at the time of murder, i.e. on 11 April 2016". The Criminal Court of Tehran issued the death sentence of Amir Hossain Pourjafar based on an assessment by the forensics which stated that the defendant was mentally mature at the time of crime and he was aware of the nature of the crime and the consequences of his action.<sup>104</sup>

102 Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran A/73/398 <http://undocs.org/A/73/398>

103 Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran A/73/398 <http://undocs.org/A/73/398>, par. 17

104 <https://iranhr.net/en/articles/3172/>

### ALI KAZEMI

Ali Kazemi, a juvenile offender who committed a murder at the age of 15, was hanged on 30 January 2018 at Bushehr Central Prison.<sup>105</sup> The murder was reportedly committed seven years ago and Ali Kazemi was 22 at the time of the execution. Ali Kazemi was hanged at Bushehr Central Prison (Southern Iran).



### MAHBOUBEH MOFIDI



Mahboubeh Mofidi, nicknamed Newly Bride by the Iranian media at the time of her arrest, was accused of killing her husband at the age of 17.<sup>106</sup> Mahboubeh Mofidi was charged with poisoning her husband with the help of her brother-in-law (the victim's brother) on 17 December 2013, a month after their marriage ceremony. The juvenile offender was arrested

a few months after the murder when the result of forensic toxicology was issued. The Prosecutor of Noshahr had said in an interview with the official media: "The woman was arrested and she confessed to the murder with the help of one of her relatives. She said that she fell in love with her brother-in-law after her marriage and they finally decided to get married". The Prosecutor continued: "The victim's brother carried out the plan and provided aluminium phosphide in capsules, and his wife made him take the pills which resulted in his death."

On condition of anonymity, one of Mahboubeh Mofidi's relatives told IHR that "Mahboubeh was the victim of fratricide. She was deceived by her husband and married him but his evil brother tricked her after the marriage so that he could kill his brother. Mahboubeh didn't know what exactly was inside the capsules and trusted her brother-in-law."<sup>107</sup>

### ABOLFAZL CHAZANI SHARAHI



Abolfazl Chazani Sharahi, a juvenile offender charged with murder at the age of 15, was executed on 27 June at Qom Central Prison in Iran.<sup>108</sup> Abolfazl Chazani Sharahi, son of Asghar, was born on 19 January 1999, and he was only 15 at the time of the crime. Abolfazl was examined by a forensic physician at the request of his public defender on 20 July 2014. According to the report, "the defendant, 15 years and five months old, committed murder in the winter last year and he is mentally mature and understands the nature of his action (murder)." An Iranian newspaper confirmed his execution 43 days after the sentence was carried

out.<sup>109</sup> The United Nations High Commissioner for Human rights had strongly condemned this execution<sup>110</sup>

### ZEINAB SEKANVAND

Zeinab was 17 years old when she was arrested in 2012. She was charged with murdering her husband. She was executed on 2 October 2018 at Urmia prison.<sup>111</sup> Iranian media outlets have not reported the execution so far. Zeinab was born on 22 June 1994 and was arrested on 1 March 2012 for the murder of her husband. She was sentenced to death by Branch 2 of Urmia's Criminal Court. Her death sentence was con-



105 <https://iranhr.net/en/articles/3216/>

106 <https://iranhr.net/en/articles/3221/>

107 <https://iranhr.net/en/articles/3221/>

108 <https://iranhr.net/en/articles/3361/>

109 Ghanoon daily website: <https://goo.gl/GM8SQA>

110 <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=23279&LangID=E>

111 <https://iranhr.net/en/articles/3504/>

firmed by Branch 8 of Iran's Supreme Court. Zeinab was reportedly married to a man when she was 15 years old and, according to sources close to her, she was abused by her husband. IHR has obtained parts of the text of Zeinab's court verdict. According to the document, Zeinab was physically abused by her husband and she filed a complaint with the Iranian authorities. However, the Iranian authorities reportedly did not follow up on her complaint. Zeinab Sekaanvand spent the first two years of her imprisonment at Khoy Prison (West Azerbaijan province, northwestern Iran). However, when she was sentenced to death, she was transferred to the women's ward of Urmia Central Prison. She was scheduled to be executed in October 2016 but her death sentence was postponed.

TABLE 1: LIST OF JUVENILE OFFENDERS EXECUTED IN 2018

	Date	Name	Age*	Charge	Place	Source	Comment
1	04/01/2018	AmirHosein Pourjafar	16	Murder	Alborz- Rajaei Shahr Karaj	Fars	Official
2	30/01/2018	Ali Kazemi	15	Murder	Bushehr- Bushehr	IAS	Unofficial
3	30/01/2018	Mahbobe Mofidi	17	Murder	Mazandaran- Noshahr	IHR	Official
4	27/06/2018	Abolfazl Chazani Sharahi	15	Murder	Qom- Qom	IHR	Official
5	02/10/2018	Zinab Sakanvand	17	Murder	W. Azerbaijan- Urmia	IHR	Unofficial
6	14/11/2018	Omid Rostami	16	Murder	Alborz- Rajaeishahr Karaj	IHR	Unofficial

\* Age at the time of committing the offence

## WOMEN

According to reports gathered by IHR, at least five women were executed in 2018 in Iran. Only two of the executions were announced by official sources.

All five women executed in 2018 had been sentenced to death on murder charges.

The surname of one of the women has not been revealed, despite the fact that the execution was officially announced.

Some facts about the women executed in 2018:

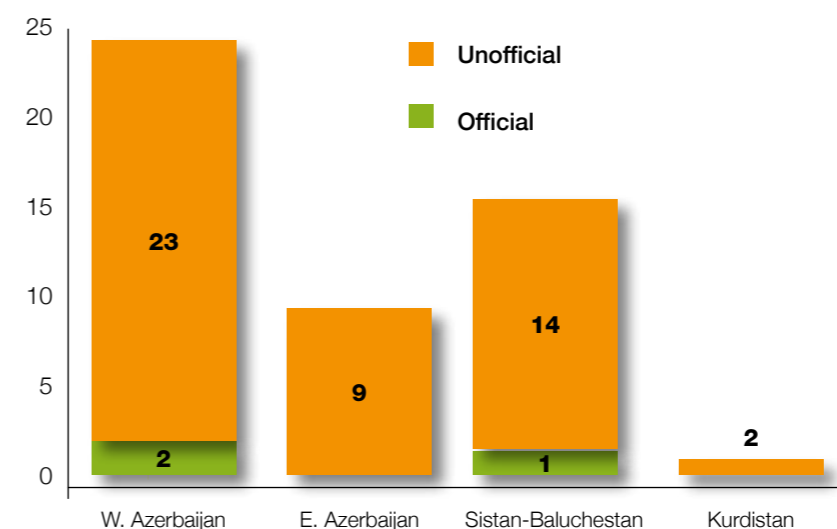
- 5 executions but only 2 announced by the authorities
- 2 of them were juvenile offenders
- All were sentenced to death for murder charges
- At least 3 were charged with murdering their husbands - 2 were child brides

TABLE 2: LIST OF WOMEN EXECUTED IN 2018

	Date	Name	Age	Charge	Place	Source	Comment
1	30/01/2018	Mahbobe Mofidi	17	Murder	Mazandaran- Noshahr	IHR	Official
2	04/07/2018	Goli Hajipour	Unknown	Murder	W. Azerbaijan- Urmia	IHR	Unofficial
3	02/10/2018	Zinab Sakanvand	17	Murder	W. Azerbaijan- Urmia	IHR	Unofficial
4	13/11/2018	Sharare Elyasi	Unknown	Murder	Kurdistan- Sanandaj	IHR	Unofficial
5	22/12/2018	Noushin- ?	25	Murder	Unknown	IHR	Official

## ETHNIC MINORITIES

The 2018 report and all previous reports indicate that ethnic minorities, especially Kurds and Baluchis, are over-represented in death penalty statistics. An exact differentiation of executions based on the ethnicity is not possible for several reasons. Usually people who are executed in the ethnic regions come from these regions. However, the executions of people who belong to different ethnic groups are not implemented exclusively in their respective regions. Moreover, information about those executed does not always include their ethnicity. However, a look at the number of people in different ethnic regions shows that the number of executions in areas such as West Azerbaijan (where most of the Kurdish prisoners are held) and Baluchestan is higher than the average (see the geographical distribution and number of executions per capita charts).



In addition, prisons in the ethnic regions of Iran have a high percentage of unannounced or secret executions

As in the last four years, most of the executions conducted in the ethnic regions of Iran in 2018 were not announced by the official Iranian media. Specifically, 27 of the 50 executions IHR has managed to confirm in the provinces of East and West Azerbaijan, Kurdistan and Baluchestan were not announced by official Iranian sources.

On the other hand, an absolute majority of executions for political affiliation involve ethnic groups, particularly Kurds (see the section about *Moharebeh*). An overview of the IHR reports between 2010 and 2018 shows that, among the 118 people who have been executed for affiliation with banned political and militant groups, 65 were Kurds (55%), 29 were Baluchis (25%) and 15 were Arabs (13%). It is important to note that most of those executed from ethnic groups were *Sunni* Muslims.

There are several reasons for the overrepresentation of ethnic groups among those executed: greater opposition to the authorities among the people leading to an increased need by the authorities to use violence and create fear; the presence of militant groups in these areas making it easier for the authorities to issue death sentences under the pretext of fighting terrorism; and there is less visibility by the media and human rights groups on the situation in certain ethnic regions. Besides poverty, a poor socio-economic situation and the lawlessness and arbitrariness present in the Iranian judiciary are even more serious in the ethnic regions.



In 2018, IHR received reports about the possible execution of several Ahwazi Arab prisoners in the prison of Ahwas. Further investigations confirmed that at least four prisoners were killed but could not confirm whether these prisoners were executed or were killed while undergoing torture. Therefore, these four prisoners have not been included in this report.<sup>112</sup>

## FOREIGN CITIZENS

In 2018, IHR reported on the executions of 16 foreign citizens. Most of them were Afghan citizens. The actual number is higher than reported here. Following protests by Afghan civil society and some parliamentarians in 2012 to 2013, the Iranian authorities often do not announce the execution of Afghans. The same is probably true for other foreign citizens as the issue can be internationally sensitive. In 2016, three Turkish citizens were executed for drug-related charges. None of the executions were announced and, despite knowing about the cases, the Turkish Government did not show any public reaction to the executions. It is not known to what extent foreign citizens on death row in Iran receive consular support from their respective authorities.

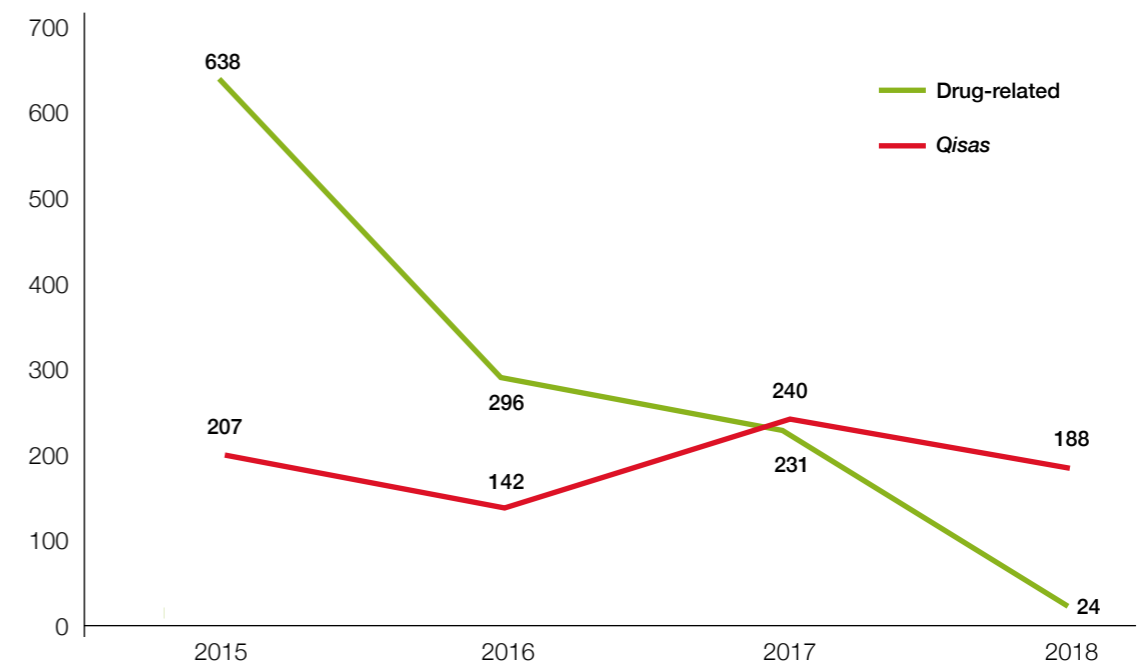
Some facts about foreign citizens who were executed in 2018 in Iran:

- 16 executions were reported
- 14 Afghan citizens were among the reported executions
- 1 Pakistani citizen executed
- 1 Iraqi citizen was among those executed
- All reported executions were on the basis of murder charges

According to IHR's estimates, the number of foreign citizens, especially Afghans and Pakistanis, executed is much higher than reported here. IHR is investigating the number of foreign citizens on death row in Iran. This issue will be addressed further in a future report.

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

In 2018, we witnessed the most significant decrease in the number of executions in the last decade. Although the number of drug-related executions had the largest reduction, there was also a notable reduction in the number of *qisas* executions and public executions. It is not known whether the relative reduction in the number of *qisas* and public executions was a result of a political decision. But there is no doubt that the large reduction in the number of drug-related executions was a direct result of the legislative reforms of 2017.



While the number of drug-related executions has dropped significantly since 2015, the number of *qisas* executions has fluctuated in both directions. In 2018, the number of both drug-related and *qisas* executions dropped.

Experience over the past two decades has shown that the international community and Iranian civil society are the main driving forces behind any reforms towards restricting use of the death penalty in Iran. On the few occasions we have witnessed policy changes either in law or in practice, the authorities have unwillingly given in to external pressure. The halting of stoning and the recent amendments to the Anti-Narcotics law are two processes which will be discussed in the following sections.

112 <https://iranhr.net/en/articles/3545/>

## HOW WAS THE PRACTICE OF STONING AS A PUNISHMENT HALTED?

After nearly two decades of isolation, with the election of Mohammad Khatami as the President in 1996 relations between Iran and EU entered a new era. The serious human rights situation in Iran was an obstacle for full normalisation of EU-Iran relations. Publication of stoning footage by an opposition group<sup>113</sup> received much attention in the international media and was in strong contrast with the reformist image of the new Iranian Government. As a condition to upgrading economic relations, EU issued certain human rights demands, including a moratorium on stoning.<sup>114</sup> The Iranian authorities informed the EU that a moratorium on stoning had been in effect since the end of 2002.<sup>115</sup> However, the practice of stoning continued secretly and stoning remained in the Iranian Penal Code. Human rights activists launched a campaign called “Stop Stoning Forever” to raise awareness about the continuous practice of stoning.<sup>116</sup> Newly established Iranian human rights NGOs in the Diaspora, such as IHR<sup>117</sup>, contributed to the awareness campaign about stoning aimed at European governments.<sup>118</sup> It was after the massive global campaign for Sakineh Ashtiani<sup>119</sup> that Iran stopped stoning in practice.

However, Iranian officials do not like abandoning the implementation of a punishment because of pressure from the international community. In a meeting with the Heads of Police on 15 January 2019, Iran’s Chief Prosecutor, Mohammad Jafar Montazeri, said: “I am very sorry that the Islamic Republic has stopped implementing certain *hodoud* punishments in order to avoid condemnation by the international community”.<sup>120</sup>

## LESSONS FROM THE PROCESS OF CHANGING THE ANTI-NARCOTICS LAW

The first mention of a need for change in anti-drugs legislation came on 4 December 2014 when Javad Larijani, Head of the judiciary’s “High Council for Human Rights”, said in an interview with France 24: “no one is happy to see that the number of executions is high.” Javad Larijani continued: “We are crusading to change this law. If we are successful, if the law passes in Parliament, almost 80% of executions will go away. This is big news for us, regardless of Western criticism.”<sup>121</sup> Almost at the same time, the Head of the judiciary, Ayatollah Sadegh Larijani, addressed the need for a change in legislation in a meeting with judiciary officials.

However, nine months earlier in March 2014 the same Javad Larijani had addressed the UN’s Human Rights Council about drug-related executions, saying: “We expect the world to be grateful for this great service to humanity”. He continued: “Unfortunately, instead of celebrating Iran, international organisations see the increased number of executions caused by Iran’s assertive confrontation with drugs as a vehicle for human rights attacks on the Islamic Republic of Iran.”<sup>122</sup> This last statement has been the Islamic Republic’s official position for many years.

It is unlikely that the Iranian judiciary has suddenly, in less than nine months, come to recognise the fact that the death penalty does not deter drug crimes.

113 <http://www.iran-e-azad.org/stoning/women.html>

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

115 <https://tinyurl.com/ybmgsn8l>

116 <http://www.wluml.org/action/update-iran-stop-stoning-forever-campaign>

117 <https://iranhr.net/en/articles/603/>

118 [https://www.nrk.no/urix/store\\_---steining-stanset-1.2757658](https://www.nrk.no/urix/store_---steining-stanset-1.2757658)

119 <https://iranhr.net/en/articles/460/>

120 <https://www.radiofarda.com/a/reducing-violent-punishment-in-iran/29712960.html>

121 <http://www.france24.com/en/20141204-interview-mohammad-javad-larijani-secretary-human-rights-council-iran-air-strikes-jason-rezaian>

122 <http://tn.ai/302871>

Iran has used the death penalty for drug crimes since the very beginning of the Islamic Republic in 1979 and both the crime rate and drug abuse have been increasing in the past three decades.

However, international attention on the death penalty for drug offences is rather new. In recent years, a growing number of global institutions and agencies have expressed public concern about Iran’s use of the death penalty for drug offences and called for an end to international cooperation with Iranian counter-narcotics efforts. European aid to the United Nations Office for Drugs and Crimes (UNODC) and Iran has been widely criticised.

International NGOs which have urged UNODC to freeze counter-narcotics funding to Iran include Reprieve, Harm Reduction International, Human Rights Watch, Amnesty International, Iran Human Rights and Ensemble Contre la Peine de Mort.<sup>123</sup>

Moreover, the UN Special Rapporteur on the situation of human rights in Iran, who was appointed in 2011, has significantly contributed to sustained focus on the issue of drug-related executions in Iran. Besides the annual reports where the human rights in general and the death penalty in particular have been addressed, the UN Special Rapporteurs have issued several public statements calling on Iran to abolish the death penalty for drug offences which are not regarded as the “most serious” crimes by the ICCPR which Iran has ratified.

Increasing criticism and awareness led to decisions by individual State donors to withdraw funding from UNODC operations in Iran. In 2013, Denmark withdrew support for such efforts, stating that “donations are leading to executions”<sup>124</sup>. The United Kingdom subsequently did the same, citing “the exact same concerns” as Denmark<sup>125</sup>. Ireland also took similar action with the then Foreign Minister explaining that “we have made it very clear to UNODC that we could not be party to any funding in relation to where the death penalty is used so liberally and used almost exclusively for drug traffickers”<sup>126</sup>.

In October 2015, the European Parliament passed a Resolution with a 569 to 38 majority condemning Iran’s high rate of drug-related executions and calling on the European Commission and Member States “to reaffirm the categorical principle that European aid and assistance, including to UNODC counter-narcotics programs, may not facilitate law enforcement operations that lead to death sentences and the execution of those arrested”.

So, international pressure on the Iranian authorities and thus the increased political costs of continuous executions of drug offenders are most likely the factor which triggered the sudden change in the Iranian authorities’ rhetoric and attitude towards use of the death penalty. This in turn created a space for public debate and encouraged civil society, lawyers and MPs to push forward the process for changing legislation.

The Iranian authorities have admitted on several occasions that the political cost of drug-related executions has become too high. In a recent meeting with the General Secretary and other high ranking officers of Iran’s Drug Control Headquarters, the Head of the Iranian Parliament, Ali Larijani, said: “The death penalty must be the last way of combating drug problems”, and continued, “the costs of executions are very high, you must not underestimate the costs”.<sup>127</sup>

It is too early to know whether the change in the Anti-Narcotics law will also lead to a reduction in the number of drug-related executions in the future. The international community must monitor the process of commuting death sentences closely. Calling for transparency in this process is crucial.

123 <https://www.hrw.org/news/2014/12/17/un-freeze-funding-iran-counter-narcotics-efforts>

124 The Copenhagen Post, 9 April 2013: Denmark ends Iranian drug crime support

125 Clegg, Nick, 2013. Writing to Maya Foa of Reprieve. [Letter] (Personal Communication 17 December)

126 <http://www.rte.ie/news/2013/1108/485366-ireland-anti-drug-iran/>

127 Mehr News Agency, 5 December 2018: <https://goo.gl/c4Us7D>

UNODC, which has been cooperating with the Iranian authorities in fighting drugs, must be given access to the list of all death row prisoners for drug offences and participate in monitoring and evaluating the process.

The EU and countries which have been funding UNODC projects in Iran must not resume funding until clear results are achieved. Moreover, the issue of due process for drug offenders must be a top priority in future talks with the Iranian authorities.

## STRATEGIES TO RESTRICT THE SCOPE OF THE DEATH PENALTY BEYOND DRUG OFFENCES IN IRAN

The examples of a halt in the practice of stoning and the changes to the Anti-Narcotics law show that:

- 1) Sustained international pressure is essential
- 2) Creating awareness and mobilisation of civil society is very important

At this time, putting an end to the execution of juvenile offenders and stopping the practice of public executions seem to be the most reachable goals. Both the international community and civil society inside Iran are sensitive to these issues. Moreover, Iran is among the very few countries in the world practicing such executions.

Another important step would be to push for legal reforms which promote due process and the rule of law. Many of those executed would be saved even within current Iranian law if the standards for due process of law had been respected by the Iranian authorities. As mentioned earlier in the report, Iran is obliged to respect the principles of due process and fair trials both through the international conventions it has ratified and its own Constitution.

Changing the *qisas* law might seem more challenging. Partly because the Iranian authorities consider death sentences for murder (*qisas*: retribution in kind) as a red line which should not be crossed. The Iranian authorities claim that *qisas* (retribution in kind) is a private right which the authorities cannot deny or control. On 11 November 2017, following the first round of the Iran - EU talks after the nuclear negotiations, Iranian Deputy Foreign Minister Majid Takht-Ravanchi told the Iranian media: "The Islamic Republic of Iran will not cross its red lines, especially regarding capital punishment and *qisas* (retribution) in human rights talks with the European Union".<sup>129</sup> Moreover, most retentionist countries still practice the death penalty for murder and, therefore, it would take longer to establish a broad international consensus around a total abolition for murder cases. However, supporting abolitionist Iranian civil society might lead to a significant reduction in the number of *qisas* executions.

The Iranian abolitionist movement and campaigns will be discussed briefly in the following section.

## MOVEMENTS PROMOTING ABOLITION AND MOBILISING CIVIL SOCIETY INSIDE IRAN

### THE FORGIVENESS MOVEMENT

As mentioned in the section on *qisas* executions (Pages 33-35), according to the Iranian Penal Code murder is punished by *qisas* (retribution) when the family of the victim can demand a retribution death sentence. But they can also demand blood money (*Diyya*) instead of a death sentence or can simply grant forgiveness.

128 <http://www.iran-newspaper.com/newspaper/item/403376>

This opens an opportunity for citizens to counter the death penalty by promoting forgiveness without being subject to persecution by the authorities. In the past four years, the Forgiveness movement has grown significantly. Civil society groups such as Imam Ali Relief Society<sup>129</sup>, 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. Artists, television celebrities and human rights activists have been publicly calling on citizens to spare the lives of those sentenced to death and the media has been sympathetic in its coverage.<sup>130</sup>

This movement has resulted in the removal of death sentences for hundreds of death row inmates in recent years (see pages 33-35 for the numbers). Additionally, the Forgiveness movement has contributed significantly to promoting abolition and debate around the death penalty as a punishment.

## AWARENESS CAMPAIGNS AGAINST THE DEATH PENALTY IN 2018

There have been many awareness campaigns against the death penalty in recent years in Iran. Two of them will be mentioned here.

### CAMPAIGN TO STOP RAMIN HOSSEIN PANAHI'S EXECUTION

A major international campaign was set up against the execution of the Kurdish political prisoner Ramin Hossein Panahi. The campaign was initiated by Ramin's family members and was spread through social media to many countries and many parts of Iran, especially the Kurdish regions. On some occasions, people chanted slogans against Ramin's execution in larger demonstrations.



At the funeral of an environmentalist on 26 August 2018, hundreds of people in the Kurdish city of Marivan chanted slogans in support of Ramin Hossein Panahi<sup>131</sup>

129 <https://iranhr.net/en/articles/1229/>

130 Iranian stars campaign to save lives of convicts on death row. The Guardian, 23 June 2016, <https://www.theguardian.com/world/2016/jun/23/iranian-stars-shahab-hosseini-campaign-save-lives-convicts-on-death-row>

131 <https://goo.gl/i9NjwH> - <https://www.youtube.com/watch?v=-yrbsAgmwW8>

## “60 SECONDS AGAINST THE DEATH PENALTY” CAMPAIGN

This campaign was started by IHR's TV programme called “edam bas ast” (Directly translated: Enough executions) in December 2018. The TV programme invited Iranian citizens inside and outside Iran to record a video clip of up to 60 seconds where they say why they are against the death penalty. So far several hundred well-known personalities have contributed to the campaign. Among those who have contributed one could mention the Nobel laureate Shirin Ebadi, the former political prisoner and leader of the banned “Democratic Front of Iran” Heshmat Tabarzadi<sup>132</sup>, and the former prisoner of conscience and human rights activist Zartosht Ragheb. The latter two live in Iran. The videos are published on a specific page on the IHR website<sup>133</sup> and are spread through social media. The aim is to encourage debate about the death penalty and promote abolition in Iran.



Nobel Peace Prize Laureate Shirin Ebadi has joined IHR's campaign “60 seconds against the death penalty”.<sup>134</sup>



Former political prisoner and leader of the Democratic Front of Iran (banned) has joined the “60 seconds against the death penalty” campaign and shares his views about the death penalty.<sup>135</sup>



Civil rights activist and former prisoner of conscience talks about why the fight against the death penalty is important in his video for the campaign “60 seconds against the death penalty”. He is holding a placard with the text “Enough executions” which is also name of IHR's TV programme.<sup>136</sup>

132 [https://en.wikipedia.org/wiki/Heshmat\\_Tabarzadi](https://en.wikipedia.org/wiki/Heshmat_Tabarzadi)  
133 <https://iranhr.net/fa/multimedia/#/3/92/1>  
134 <https://iranhr.net/fa/tv/445/>  
135 <https://iranhr.net/fa/tv/446/>  
136 <https://iranhr.net/fa/tv/415/>

## CRACKDOWN ON ABOLITIONIST ACTIVISTS

The Iranian authorities' crackdown on abolitionist civil society continued in 2018 through increased pressure on imprisoned activists and notably Atena Daemi and Narges Mohammadi.

These prisoners have been sentenced to prison for anti-death penalty activities, amongst other charges.

### NARGES MOHAMMADI: SENTENCED TO 10 YEARS IN PRISON FOR BEING PART OF AN ABOLITIONIST CAMPAIGN



Caption: Narges Mohammadi in the first hours of a 3-day furlough

Narges Mohammadi, a distinguished human rights defender, supporter of the anti-death penalty campaign Legam (Step by Step to Abolish the Death Penalty) and Vice-President of the Centre for Human Rights Defenders in Iran, was sentenced by a Revolutionary Court in Tehran for charges related to her human rights activities.

10 years of her sentence was for the charge of “founding an illegal group” for her involvement with the campaign LEGAM (Step by Step to Abolish the Death Penalty). She has also received a 5-year sentence for “gathering and colluding to commit crimes against national security”, and one additional year for “spreading propaganda against the system”.<sup>137</sup>

According to Amnesty International, “Narges Mohammadi requires on-going specialised medical care for serious health concerns which she cannot receive in prison and the authorities have refused to transfer her to a hospital outside Tehran's Evin prison where she is serving her sentence.”<sup>138</sup> For the first time, after more than three years of imprisonment, Narges was given a 3-day furlough in September 2018. However, the furlough was not extended and she went back to prison again.<sup>139</sup>

### ATENA DAEMI: SENTENCED TO SEVEN YEARS IN PRISON BY THE REVOLUTIONARY COURT



Atena Daemi has been sentenced to seven years in prison for peacefully defending human rights, including: writing posts on Facebook criticizing the authorities' execution record; painting anti-death penalty slogans on walls; distributing anti-death penalty leaflets; participating in a peaceful protest against the 2014 execution of a young Iranian woman called Reyhaneh Jabbari; visiting the graves of those killed during the protests following the 2009 presidential election; and sending information about abuses against political prisoners to human rights groups based outside Iran. In the court verdict issued against

137 <https://iranhr.net/en/articles/2904/>  
138 Amnesty International report on Iranian human rights defenders, October 12, 2017  
139 <https://iranhr.net/en/articles/2530/>

her in April 2015 these peaceful activities were cited by Branch 28 of the Revolutionary Court in Tehran as evidence of “gathering and colluding to commit crimes against national security”, “spreading propaganda against the system” and “insulting the Supreme Leader”.

Branch 28 of the Revolutionary Court in Tehran sentenced her to 14 years in prison after a grossly unfair trial in March 2015 that lasted no more than 15 minutes. In September 2016, Branch 36 of the Court of Appeal in Tehran reduced the sentence to seven years.<sup>140</sup>

## RECOMMENDATIONS

Iran Human Rights (IHR) and ECPM call on the:

### INTERNATIONAL COMMUNITY TO:

- Support the mandate of the Special Rapporteur on human rights in Iran, including support to renew the mandate
- Strongly encourage Iran to respect its international obligations including the ICCPR and the CRC by putting an immediate end to public executions, abolishing the death penalty for offences that do not qualify as the “most serious crimes” by removing mandatory death sentences from the Penal Code, putting an end to sentences and executions for individuals who were under the age of 18 at the time of the crime for which they have been sentenced and ensuring due process
- Encourage Iran to continue to reform national legislation in order to limit the death penalty to crimes that meet Iran’s international treaty obligations and move towards abolition of the death penalty
- Determine bilateral and international funding and cooperation for the achievement of clear results in compliance with human rights standards
- Ensure that any investment, funding, trade or cooperation programmes in Iran are not used to participate in, facilitate or help the commission of executions or any other violation of human rights law
- Call for the protection, an end to harassment and the immediate release of all human rights defenders and anti-death penalty activists including Narges Mohammadi and Atena Daemi who were sentenced to long prison terms for peaceful activities against the death penalty
- Advocate for a moratorium on use of the death penalty and for major reforms within the country’s judicial system which does not meet minimum international standards, including bringing an end to the existence of the Revolutionary Courts
- 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 or voting in favour of the UNGA Resolution calling for a universal moratorium on use of the death penalty in 2020.

### IRANIAN AUTHORITIES TO:

- Impose a 5-year moratorium in order to work progressively towards abolition
- Implement and fully respect the provisions of its international human rights obligations
- Schedule a country visit by the Special Rapporteur on human rights in Iran
- Provide access for the Special Rapporteur on extrajudicial, summary and arbitrary executions, the Special Rapporteur on torture, the Special Rapporteur on the independence of judges and lawyers and 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
- Show complete transparency regarding implemented death sentences and the number of executions including by publishing (or communicating to the UN) a list of all juvenile offenders currently on death row and the list of all prisoners on death row for drug offences
- Cease the criminalisation of human rights advocacy on the issue of death penalty and allow and facilitate a public and open debate about the question of the death penalty in Iran
- Continue to reform national legislation in order to reduce the number of crimes and move towards abolition of the death penalty,
- Release all imprisoned human rights defenders and anti-death penalty activists
- Ensure access by UNODC, which has been cooperating with the Iranian authorities in fighting drugs, to the list of all death row prisoners for drug offences and allow UNODC to participate in monitoring and evaluating the process,
- Ratify the International Convention Against Torture and OP2

<sup>140</sup> <http://www.amnestyusa.org/get-involved/take-action-now/urgent-action-update-anti-death-penalty-activist-violently-arrested-iran-ua-12715>

## ANNEX 1: EXECUTIONS PER CAPITA IN EACH PROVINCE

Province	Population	Total Executions	Executions <i>per capita</i>
S. Khorasan	768,898	6	8
W. Azerbaijan	3,265,219	25	8
Ilam	580,158	4	7
N. Khorasan	863,092	5	6
Alborz/Tehran	15,980,037	93	6
Sistan and Baluchistan	2,775,014	15	5
Kerman	3,164,718	15	5
Kermanshah	1,952,434	9	5
Hormozgan	1,776,415	8	5
Kohgiluyeh and Boyer-Ahmad	713,052	3	4
Ardabil	1,270,420	4	3
Fars	4,851,274	14	3
Zanjan	1,057,461	3	3
Markazi	1,429,475	4	3
Mazandaran	3,283,582	9	3
Golestan	1,868,819	5	3
Khorasan Razavi	6,434,501	16	2
Ghazvin	1,273,761	3	2
E. Azerbaijan	3,909,652	9	2
Hamadan	1,738,234	4	2
Chaharmahal and Bakhtiari	947,763	2	2
Yazd	1,138,533	2	2
Gilan	2,530,696	4	2
Lorestan	1,760,649	2	1
Isfahan	5,120,850	5	1
Boushehr	1,163,400	1	1
Qom	1,292,283	1	1
Kurdistan	1,603,011	1	1
Semnan	702,360	0	0
Khuzestan	4,710,509	0	0

## ANNEX 2: UPR RECOMMENDATIONS ON THE DEATH PENALTY IN 2014

1. Accede to the Second Optional Protocol to the International Covenant on Civil and Political Rights aimed at the abolition of the death penalty (Benin)
2. Ratify the ICCPR-OP2 (Portugal);
3. Amend the Penal Code to exclude drug-trafficking related crimes from those punished by the death penalty (Spain);
4. Consider the cases of all prisoners condemned to death with a view to commuting their sentences and respect their right to challenge the legality of the detention before a tribunal in compliance with international law (Switzerland);
5. Revise the Islamic Penal Code to ensure consistency with its international obligations, including Article 6 of the ICCPR, so that the death penalty is reserved for the most serious crimes, never imposed for crimes committed by persons below eighteen years of age, and never imposed arbitrarily (Canada);
6. Abolish the death penalty (Luxembourg);
7. Consider abolishing the death penalty and ratifying the Rome Statute of the International Criminal Court at its earliest convenience (Cyprus);
8. Amend all laws and practices to ensure that no person under the age of 18 at the time of the crime can be sentenced to death (Belgium);
9. Establish a formal moratorium on the death penalty, and in particular cease all planned executions of juvenile offenders and prohibit the imposition of the death penalty for crimes committed by minors (Australia);
10. Immediately declare an official moratorium on executions, particularly for minors at the time of the crime (Belgium);
11. Abolish the death penalty at least for juvenile perpetrators (Czech Republic);
12. Establish a complete moratorium on use of the death penalty and, short of such a decision, prohibit the death penalty for juvenile offenders and abandon the practice of public executions (Hungary);
13. Outlaw the death penalty for persons convicted of crimes committed before the age of 18, without exception, and implement a moratorium on all executions (Iceland);
14. Establish a moratorium on executions with a view to abolishing the death penalty, and guarantee that no individual under the age of 18 at the time of their alleged crime is sentenced to death, in line with its obligations under the Convention on the Rights of the Child (Ireland);
15. Ban executions of juvenile offenders, while at the same time providing for alternative punishments in line with the new Iranian Penal Code (Italy);

16. Establish a moratorium on the use of the death penalty with a view to its abolition and commute all death sentences for persons under the age of 18 (Lithuania);
17. As a first step, end the execution of minors, in accordance with the commitment made by Iran under the International Covenant on Civil and Political Rights as well as the Convention on the Rights to the Child (Luxembourg);
18. Take immediate measures to abolish the death penalty for crimes committed by persons when they were under the age of 18, and place a moratorium on public executions (Norway);
19. Abolish the death penalty for those under 18 (Paraguay);
20. Prohibit the application of the death penalty to minors at the time of the offence (Spain);
21. Issue an immediate moratorium on the use of death penalty for juveniles and for crimes that do not meet the most serious crimes standards under international law (United Kingdom of Great Britain and Northern Ireland);
22. Urgently establish a moratorium on use of death penalty (The former Yugoslav Republic of Macedonia);
23. Take all the necessary measures to establish a moratorium on the death penalty as a first step towards its total abolition (Uruguay);
24. Consider establishing a formal moratorium on executions of persons condemned to death and examine the possibility of abolishing the death penalty (Argentina);
25. Establish an official moratorium on executions, in particular executions of juvenile offenders who were under the age of 18 at the time of the alleged crime, with a view to reviewing all cases of juvenile prisoners on death row (Austria);
26. Pronounce a moratorium on use of the death penalty with a view to its prompt abolition (Costa Rica);
27. Extend a moratorium on the death penalty and abolish the death penalty; and ratify the Second Optional Protocol to the ICCPR (Estonia);
28. Cease executions and establish a moratorium with a view to abolishing the death penalty (France);
29. Announce a moratorium on the death penalty with a view to its eventual abolition. Pending this, take urgent steps to reduce its application, in line with international minimum standards (Germany);
30. Consider introducing a moratorium on the death penalty, with a view to its abolition, in particular for drug related offences and other crimes that cannot be labelled as the "most serious" ones according to international standards (Italy);
31. Consider a moratorium on the death penalty with a view to abolishing it (Latvia);
32. Establish an immediate moratorium on use of the death penalty with a view to abolishing it (Montenegro);
33. Introduce a moratorium on the death penalty with a view to abolishing it (Poland);
34. Commute the sentences of persons sentenced to death and establish a moratorium on executions as a first step towards abolition of the death penalty (Portugal);
35. Immediately end all public executions (Germany);
36. Eliminate stoning as a form of punishment (Paraguay);
37. Abolish stoning as a form of capital punishment and consider abolishing "apostasy" as a capital offence (Slovakia);
38. Abolish continued use of death penalty, stoning and retribution for murder (Slovenia);
39. Stop all executions (Israel);
40. Increase the legal measures aimed at guaranteeing due process and impartiality in the administration of justice, including the independence of judges and the Bar Association, paying special attention to recommendations concerning the death penalty formulated by the Human Rights Committee, especially in relation to juvenile offenders (Chile);
41. Take measures to ensure due process and fair trials, particularly in any process that would lead to application of the death penalty (Mexico)



Iran Human Rights (IHR) 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 universal abolition of the death penalty is the main goal of IHR.**

**IHR 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, IHR also has a wide network in the ethnic regions which are often not the focus of the mainstream media. In addition, IHR has a network of reporters within many Iranian prisons and among Iranian lawyers and the families of death row prisoners. This enables IHR to be the primary source of many execution reports in different Iranian prisons. IHR has been a member of the World Coalition Against the Death Penalty (WCADP) since 2009 and a member of its Steering Committee since 2011. IHR is also a member of Impact Iran, a coalition of more than 13 Iranian human rights NGOs. IHR'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.

**IHR's core activities include:**

**Fighting for abolition of the death penalty**, by monitoring, reporting, empowerment of abolitionist Iranian civil society and international advocacy

**Promoting due process and the rule of law**, by raising the legal debate in Iran and encouraging legal reforms. IHR 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 a voice to imprisoned human rights defenders and supporting human rights defenders in danger

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

**Creating awareness about the situation of the death penalty in Iran:** Through careful research and monitoring, and continuous reporting, IHR has given a more realistic picture of death penalty trends in Iran. IHR is regarded as a credible source of information and its annual reports are points of reference for the international community<sup>1</sup>, the media<sup>23</sup> and civil society.

**Limiting use of the death penalty in Iran through international campaigns and advocacy:** IHR's 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 empowerment and education of the abolitionist movement inside Iran:** IHR 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>4</sup>, IHR has contributed significantly to educating abolitionists and raising the national debate on the death penalty in Iran.

1 <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N14/518/83/PDF/N1451883.pdf?OpenElement>  
 2 <http://europe.newsweek.com/state-executions-rise-two-day-iran-313562?rm=eu>  
 3 <http://www.dw.com/en/irans-death-penalty-stays-off-global-agenda/a-17705731>  
 4 <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 investigations into death row (in Morocco, Tunisia and the United States). 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 such as Serge Atlaoui and Hank Skinner. **ECPM** supports correspondence with prisoners sentenced to death.

**ADVOCACY WITH THE HIGHEST AUTHORITIES**

**ECPM** is the first NGO devoted to the struggle against the death penalty to have obtained ECOSOC status which guarantees it a presence and the possibility of advocating at the very heart of the UN system. **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 bodies, unions – from across the world. Along with the World Coalition, **ECPM** leads advocacy and public mobilisation campaigns with political decision-makers (the European Union, the African Commission on Human and Peoples' Rights, governments, etc.)

**UNITING ABOLITIONISTS FROM ACROSS THE WORLD**

**ECPM** is the founder and organiser 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 organizations, researchers and journalists come together every three years to strengthen their ties and draw up strategies for the future.

**EDUCATION AND AWARENESS OF 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 of the situation of minorities and vulnerable groups by participating in international solidarity events, 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 organising training sessions and advocating at all political levels for their work to be supported.





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The organisations Iran Human Rights (IHR) and ECPM have been collaborating since 2011 for the international release and dissemination circulation of the annual report on the death penalty in Iran. IHR and ECPM see the death penalty as a benchmark for the human rights situation in the Islamic Republic of Iran.