

URGENT ACTION

TEEN ARRESTED AT 14 STILL AT RISK OF EXECUTION

Iranian teenager Abolfazl Chezani Sharahi remains at risk of execution after his execution scheduled for 17 January was postponed. He was 14 years old at the time of the crime of which he was convicted. Since 2014, he has been subjected to the anguish of being transferred to solitary confinement in preparation for his execution four times.

The execution of Iranian teenager **Abolfazl Chezani Sharahi**, aged 19, was scheduled to take place on 17 January 2018 in Qom prison. The authorities postponed it hours before it was due to take place without stating a reason and after international pressure mounted. He remains at risk of execution.

Abolfazl Chezani Sharahi was sentenced to death on 17 September 2014, after Branch 1 of the Criminal Court in Qom province convicted him of murder for the fatal stabbing of a young man during a fight on 26 December 2013. He was 14 years old at the time of the crime. In sentencing him to death, the court held that he had reached the age of adult criminal responsibility as per Article 147 of the 2013 Islamic Penal Code, which sets this age at 15 lunar years (14 years and six months) for boys and 9 lunar years (8 years and 8 months) for girls. The court also cited an opinion from the Legal Medicine Organization of Iran that stated he had "mental maturity" at the time of the crime. The verdict was upheld by the Supreme Court in November 2014. In 2015, Abolfazl Chezani Sharahi submitted a request for retrial noting his young age and the fact that the medical panel assessing his maturity at the time of the crime did not include a child psychology specialist. Branch 33 of the Supreme Court rejected the request for retrial in October 2015.

The Convention on the Rights of the Child, which Iran ratified in 1993, is unequivocal in its absolute prohibition on the use of the death penalty for crimes committed by individuals below 18 years of age. Amnesty International opposes the death penalty in all cases without exception regardless of the nature of the crime, the characteristics of the offender, or the method used by the state to kill the prisoner. The death penalty is a violation of the right to life and the ultimate cruel, inhuman and degrading punishment.

Please write immediately in English, Persian or your own language urging the Iranian authorities to:

- Cancel any plans to execute Abolfazl Chezani Sharahi and ensure that his death sentence is commuted without delay;
- Immediately establish an official moratorium on executions of all juvenile offenders and commute their death sentences without delay;
- Amend Article 91 of the 2013 Islamic Penal Code to completely abolish the use of the death penalty for crimes committed by individuals below the age of 18, in line with Iran's human rights obligations under the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child.

PLEASE SEND APPEALS BEFORE 2 MARCH 2018 TO:

Deputy Secretary General of the High
Council for Human Rights
Kazem Gharib Abadi
Esfandiar Boulevard
Tehran, Islamic Republic of Iran

Spokesperson of the Legal and Judicial
Parliamentary Commission
Haj Hassan Norouzi
Islamic Consultative Assembly
Baharestan Square
Tehran, Islamic Republic of Iran

Email: info@hasan-noroozi.ir
And copies to:
Qom General Prosecutor
Mehdi Kaheh
Office of the Prosecutor
Saheli Street (Shaheed Lavasani)
Qom, Islamic Republic of Iran

Also send copies to diplomatic representatives accredited to your country. H.E. Hamid Baeidinejad, Embassy of the Islamic Republic of Iran, 16 PRINCES GATE LONDON SW7 1PT, Tel: 02072254208 or 02072254209 Email: iranconsulate.lon@mfa.gov.ir

Please check with your section office if sending appeals after the above date.

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INTERNATIONAL**



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ADDITIONAL INFORMATION

The 2013 Islamic Penal Code is not consistent with its use of calendars. It references the solar calendar for children convicted of crimes that fall in the category of *ta'zir* (crimes for which fixed penalties are not provided in Islamic law) and the lunar calendar for children convicted of crimes that fall in the categories of *qesas* (retribution-in-kind) or *hodud* (crimes which carry fixed penalties as prescribed by Islamic law).

Born on 16 January 1999, Abolfazl Chezani Sharahi was 14 years and 11 months old at the time of the crime. However, the authorities have argued that he was 15 years and five months under the Islamic lunar calendar, which is referenced in certain provisions of the 2013 Islamic Penal Code.

The discrepancy resulting from the use of different calendars is not relevant in the case of Abolfazl Chezani Sharahi, as there is no dispute that he was under the age of 18 at the time of the crime. The Convention on the Rights of the Child, which Iran ratified in 1993, is unequivocal in its absolute prohibition on the use of the death penalty for crimes committed by individuals below 18 years of age.

Under Iranian law, juvenile offenders who are convicted of murder or crimes that fall in the category of *hodud* are treated and punished in the same way as adults once they are 14 years and six months old in the case of boys and eight years and eight months old in the case of girls. Since the adoption of the 2013 Islamic Penal Code, judges have been given discretion not to sentence juvenile offenders to death if they determine that they did not understand the nature of the crime or its consequences, or their “mental maturity” was in doubt (article 91).

This provision violates well-established principles of juvenile justice, which state individuals under 18 years of age should always be treated as less mature and culpable, and should never face the same penalties as adults.

Between 2005 and 2018, Amnesty International has recorded the execution of 86 individuals in Iran who were below 18 years old when the crime of which they were convicted took place, including four individuals in 2017 and one so far in 2018. The real number is likely much higher.

Amnesty International has also identified the names of at least 80 individuals on death row who were below 18 when the crimes of which they were convicted took place. Many have spent prolonged periods on death row – in some cases more than a decade. Some have had their executions scheduled and then postponed or stayed at the last minute on multiple occasions, adding to their torment.

Name: Abolfazl Chezani Sharahi

Gender m/f: male

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