

# URGENT ACTION

## IRANIAN TEENAGER'S EXECUTION STILL PENDING

**Iranian teenager Alireza Tajiki is at continued risk of execution. The authorities did not carry out his scheduled execution on 15 May after a global outcry. However, they have not committed to not rescheduling the execution. Alireza Tajiki had been sentenced to death for a crime he says he did not commit. He was 15 years old at the time of the crime.**

In the days leading up to 15 May, a worldwide campaign was mobilized to call for **Alireza Tajiki's** execution to be stopped. It was halted in the final 24 hours before it was due to take place. The authorities did not explain the reasons behind their decision and may still reschedule the execution of Alireza Tajiki, who remains on death row.

Alireza Tajiki, now 19, was sentenced to death in April 2013 on charges of murder and "*lavat-e be onf*" (forced male-male anal penetration). He has consistently denied the charges and said that the "confessions" on which the Provincial Criminal Court in Fars Province relied to convict him were extracted through torture. The Supreme Court quashed the death sentence in April 2014 due to a lack of forensic evidence linking Alireza Tajiki to the sexual assault. The Supreme Court ordered the Provincial Criminal Court to carry out further investigations. It also instructed the lower court to examine Alireza Tajiki's "mental growth and maturity" at the time of the crime in light of the juvenile sentencing provisions in Iran's 2013 Islamic Penal Code.

In November 2014, the Provincial Criminal Court resentenced Alireza Tajiki to death, referring to an official medical opinion that stated he had attained "mental maturity". However, the lower court's decision made no reference to the concerns raised by the Supreme Court about the lack of forensic evidence, suggesting that the investigation that the Supreme Court ordered was not carried out. The court also relied once again on Alireza Tajiki's forced "confessions" as proof of his guilt, without conducting any investigation into his claims of torture. Alireza Tajiki was denied access to a lawyer throughout the investigation process. He was held in solitary confinement for 15 days, without access to his family. He said that during this period he was subjected to torture and other ill-treatment, including severe beatings, floggings, and suspension by arms and feet, to make him "confess". Despite all these flaws, the Supreme Court upheld the sentence in a paragraph-long ruling in February 2015.

### **Please write immediately in Persian, English, Arabic, French, Spanish or your own language:**

- Urging the Iranian authorities to immediately halt any plans to execute Alireza Tajiki and ensure that his death sentence is quashed and he is granted a fair retrial without recourse to the death penalty;
- Calling on them to establish an official moratorium on executions with a view to abolishing the death penalty;
- Urging them to investigate the allegation that Alireza Tajiki was subjected to torture and other ill-treatment; and ensure that "confessions" obtained from him under torture are not used as evidence in court;
- Reminding them that the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child, both of which Iran has ratified, strictly prohibit the use of the death penalty for crimes committed by persons below 18 years of age.

### **PLEASE SEND APPEALS BEFORE 29 JUNE 2016 TO:**

Office of the Supreme Leader  
Ayatollah Sayed 'Ali Khamenei  
Salutation: Your Excellency

Head of the Judiciary  
Ayatollah Sadegh Larijani  
Salutation: Your Excellency

**And copies to:**  
Prosecutor General of Tehran  
Abbas Ja'fari Dolat Abadi

Please send your appeals to the care of diplomatic representatives accredited to your country, listed below. If there is no Iranian embassy in your country, please mail the letter to the Permanent Mission of the Islamic Republic of Iran to the United Nations, 622 Third Avenue, 34th Floor, New York, NY 10017, United States.

Mohammad Hassan Habibollahzadeh, Embassy of the Islamic Republic of Iran, 16 PRINCES GATE, LONDON, SW7 1PT, Fax: 02072254208 or 02072254209, Email: iranemb.lon@mfa.gov.ir, Salutation: His Excellency

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

**AMNESTY  
INTERNATIONAL**



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### ADDITIONAL INFORMATION

Alireza Tajiki was arrested along with several other young men in May 2012 on suspicion of murdering and raping his friend who was stabbed to death. He was held in solitary confinement in a police station run by the *Agahi* (the investigative arm of Iran's police) in Shiraz, Fars Province, for 15 days, and then transferred to the city's Centre of Correction and Rehabilitation, a detention facility used for holding individuals below 18 years of age. He was held there until early May 2016, when he was transferred to Shiraz's Adel Abad Prison and placed in solitary confinement in preparation for his execution. He was removed from solitary confinement on 15 May, after his execution was halted at the last minute.

The second Supreme Court verdict of February 2015, which upheld Alireza Tajiki's death sentence, was only seven lines long and did not refer to any of the flaws previously identified by the court. It simply stated that "the request for appeal is unjustified considering the content of the court file, the reasoning of the court of first instance, and the attainment of knowledge about the guilt of the accused." The Head of the Judiciary approved the decision later that year. Amnesty International is concerned that the principle of "the knowledge of judge" (*elm-e ghazi*) in Iranian law allows judges to make their own subjective and possibly arbitrary determination of guilt in the absence of conclusive evidence.

The minimum age of criminal responsibility in Iran has been set at nine lunar years for girls and 15 lunar years for boys. From this age, a child who is convicted of crimes that fall within the category of *hodud* (offences against God carrying inalterable punishments prescribed by Shari'a law) or *qesas* (retribution-in-kind connected with a criminal act) is generally convicted and sentenced in the same way as an adult. However, 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 juvenile offenders did not understand the nature of the crime or its consequences, or their "mental growth and maturity" are in doubt. The criteria for assessing "mental growth and maturity" are unclear and arbitrary. Judges may seek expert opinion from the Legal Medicine Organization of Iran (a state forensic institution) or rely on their own assessment even though they may lack expertise on issues of child psychology.

The UN Committee on the Rights of the Child reviewed Iran's implementation of the Convention on the Rights of the Child in January 2016. The Committee's Concluding Observations express "serious concern" that the exemption of juvenile offenders from the death penalty is "under full discretion of judges who are allowed, but not mandated to seek forensic expert opinion and that several persons have been resentenced to death following such retrials". Since the adoption of the 2013 Islamic Penal Code, Amnesty International has documented the cases of at least eight individuals who were under the age of 18 at the time of the crime and have been retried, found to have sufficient "mental growth and maturity" at the time of the crime and sentenced to death again. They are Himan Uraminejad, Salar Shadizadi, Hamid Ahmadi, Sajad Sanjari, Siavash Mahmoudi, Amir Amrollahi, Amanj Veisee, and Fatemeh Salbehi. The execution of Fatemeh Salbehi, who was 17 years old at the time of the commission of the crime, was carried out in October 2015. Amnesty International is aware of at least two other cases— those of Milad Azimi and Alireza Pour Olfat – in which individuals have been sentenced to death for the first time under the 2013 Islamic Penal Code for an offence committed when they were under the age of 18. Amnesty International has recorded at least 73 executions of juvenile offenders between 2005 and 2015. According to the UN at least 160 juvenile offenders are now on death row (See *Growing up on death row: The death penalty and juvenile offenders in Iran*, <https://www.amnesty.org/en/documents/mde13/3112/2016/en/>).

Name: Alireza Tajiki  
Gender m/f: m

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