

URGENT ACTION



UANetwork Office AIUSA 600 Pennsylvania Ave SE, Washington DC 20003 T. 202.544.0200 F. 202.675.8566 E. uan@aiusa.org amnestyusa.org/urgent/

Note: Please write on behalf of these persons even though you may not have received the original UA when issued on April 29, 2008. Thanks!

15 August 2008

Further Information on UA 114/08 (29 April 2008) and follow-ups (8 May 2008; 12 June 2008; 25 July 2008)
– Imminent execution

IRAN **Behnoud Shojaee (m), aged 20, juvenile offender**

Behnoud Shojaee is again in imminent danger of execution: his family was unable to afford the *díyeh*, or financial compensation, required to obtain a pardon. His execution, which was due to take place on or around 12 August has been postponed until the end of August 2008.

Behnoud Shojaee was sentenced to *qesas* (retribution) by Branch 74 of the Criminal Court in Tehran on 2 October 2006, after he was found guilty of killing a boy named Omid the previous year, when he was 17. Behnoud Shojaee had no legal representation at his trial.

He was twice granted a stay of execution by the head of the judiciary, Ayatollah Mahmoud Hashemi Shahroudi, to allow time for further negotiations over *díyeh* between his and Omid's families. However, although the Omid's family agreed to reduce the *díyeh* they demanded, from US\$2,085,000 to US\$625,000, this is still more than Behnoud Shojaee's family can afford.



BACKGROUND INFORMATION

Since 1990 Iran has executed at least 35 juvenile offenders, eight of them in 2007 and four in 2008.

The family of a murder victim has the right either to insist on execution, or to pardon the killer and receive financial compensation. A convicted murderer has no right to seek pardon or commutation from the state, in violation of Article 6(4) of the International Covenant of Civil and Political Rights (ICCPR).

The execution of juvenile offenders is prohibited under international law, as stated in Article 6 (5) of the ICCPR and the Convention on the Rights of the Child (CRC), of which Iran is a state party to and so has undertaken not to execute anyone for crimes committed when they were under 18.

On 8 July 2008, during a press conference in Geneva, Switzerland, Amnesty International published a joint statement with over 20 other international and regional human rights organizations calling on Iranian authorities to stop imposing the death penalty for crimes committed by juvenile offenders, and to uphold their international obligation to enforce the absolute prohibition on the death penalty in such cases. See *Iran: Spare four youths from*

Amnesty International's mission is to undertake research and action focused on preventing and ending grave abuses of the rights to physical and mental integrity, freedom of conscience and expression, and freedom from discrimination, within the context of its work to promote all human rights.

execution, immediately enforce international prohibition on death penalty for juvenile offenders, available at:
<http://www.amnesty.org/en/for-media/press-releases/iran-spare-four-youths-execution-immediately-enforce-international-prohi>

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible:

- expressing concern that Behnoud Shojaee is at risk of execution for a crime committed when he was under 18;
- calling on the authorities to commute his death sentence;
- reminding them that Iran is a state party to both the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child, which prohibit the use of the death penalty against those under the age of 18 at the time of offense, and that to execute Behnoud Shojaee would therefore be a violation of international law;
- urging the authorities to pass legislation to abolish the death penalty for offenses committed by people under the age of 18, so bringing Iran's domestic law in line with its obligations under international law.

APPEALS TO:

Head of the Judiciary

Ayatollah Mahmoud Hashemi Shahroudi
Howzeh Riyasat-e Qoveh Qazaiyeh / Office of the
Head of the Judiciary
Pasteur St., Vali Asr Ave., south of Serah-e Jomhouri,
Tehran 1316814737,
ISLAMIC REPUBLIC OF IRAN
Email: info@dadgostary-tehran.ir
(In subject line write: FAO Ayatollah Shahroudi)
Salutation: Your Excellency

Leader of the Islamic Republic

His Excellency Ayatollah Sayed 'Ali Khamenei,
The Office of the Supreme Leader
Islamic Republic Street - Shahid Keshvar Doust Street
Tehran, ISLAMIC REPUBLIC OF IRAN
Email: info@leader.ir
Salutation: Your Excellency

COPIES TO:

President

His Excellency Mahmoud Ahmadinejad
The Presidency
Palestine Avenue, Azerbaijan Intersection
Tehran, ISLAMIC REPUBLIC OF IRAN
Fax: 011 98 21 6 649 5880
Email: dr-ahmadinejad@president.ir
(via website) <http://www.president.ir/email/>

Director, Human Rights Headquarters of Iran

His Excellency Mohammad Javad Larijani
C/o Office of the Deputy for International Affairs
Ministry of Justice,
Ministry of Justice Building, Panzdah-Khordad (Ark)
Square,
Tehran, ISLAMIC REPUBLIC OF IRAN
Fax: 011 98 21 5 537 8827
(please keep trying)

Iran does not presently have an embassy in the
United States. Instead, please send copies to:

Iranian Interests Section
Embassy of Pakistan
2209 Wisconsin Ave NW
Washington DC 20007
Fax: 1 202 965 1073
Email: requests@daftar.org

PLEASE SEND APPEALS IMMEDIATELY.

Check with the AIUSA Urgent Action office if sending appeals after 26 September 2008.