

# URGENT ACTION



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11 September 2008

UA 252/08 Death Penalty

IRAN Bahman Salimian, now aged 27; juvenile offender

Juvenile offender Bahman Salimian is at imminent risk of being executed. He was sentenced to *qesas* (retribution) by Branch 33 of the Supreme Court for the murder of his grandmother, committed in 1996 when he was 15 years old. His execution had been scheduled to take place on 28 August 2008 in Esfahan prison, central Iran. The execution was halted by the judicial authorities on 25 August to allow for further reconciliation attempts in order to negotiate a pardon from the only relative who still insists that the execution is to go ahead.



Throughout his trial, Bahman Salimian repeatedly claimed that his 70 year-old grandmother had talked of committing suicide so he killed her to minimize her suffering. On hearing Bahman Salimian's unusual motive for the murder the trial judge ordered that Bahman Salimian be psychologically assessed. Experts concluded that he was suffering from a psychological disorder and, accordingly, the judge sentenced him to five years' imprisonment and the payment of *díyeh* (financial compensation, also called 'blood money') to be paid by his parents. Some members of the grandmother's family appealed the sentence and demanded the death sentence for Bahman Salimian's crime and Branch 33 of the Supreme Court overturned the lower court's verdict and he was sentenced to *qesas*.

On 25 August, the Head of the Judiciary of Esfahan province, Gholam Reza Ansari, announced that Bahman Salimian's execution was to be suspended as two of his uncles had pardoned him. Gholam Reza Ansari ordered the relevant officials to try as hard as possible to obtain the pardon of the remaining uncle, which would spare Bahman Salimian from execution.

Bahman Salimian has spent the last 12 years in prison due to the disagreement within the victim's family regarding his pardon or execution. Under the Iranian *qesas* law, if one member of the victim's family refuses to pardon the accused and, the other family members have received the appropriate amount of *díyeh*, then the death sentence will be implemented.

## BACKGROUND INFORMATION

Since 1990 Iran has executed at least 37 juvenile offenders, eight of them in 2007 and six so far in 2008. The execution of juvenile offenders is prohibited under international law, as stated in Article 6 (5) of the International Covenant on Civil and Political Rights (ICCPR) and the Convention on the Rights of the Child (CRC), to which Iran is a state party to and so has undertaken not to execute anyone for crimes committed when they were under 18.

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**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.**

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

For more information about executions of child offenders in Iran, please see: *Iran: The last executioner of children* (MDE 13/059/2007, June 2007), <http://web.amnesty.org/library/index/engmde130592007>

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

- expressing concern that Bahman Salimian is at risk of execution for a crime committed when he was under 18;
- calling on the authorities to commute his death sentence;
- reminding the authorities that Iran is a state party to the International Covenant on Civil and Political Rights (ICCPR) and the Convention on the Rights of the Child (CRC), which prohibit the use of the death penalty against people convicted of crimes committed when they were under 18

**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

**COPIES TO:**

**Director, Human Rights Headquarters of Iran**

His Excellency Mohammad Javad Larijani  
Howzeh Riassat-e Ghoveh Ghazaiyeh  
(Office of the Head of the Judiciary)  
Pasteur St, Vali Asr Ave., south of Serah-e Jomhouri,  
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int\_aff@judiciary.ir  
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**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

**Phone:** 202 965 4990  
**Fax:** 202 965 1073  
**Email:** requests@daftar.org

**PLEASE SEND APPEALS IMMEDIATELY.**

**Check with the AIUSA Urgent Action office if sending appeals after 23 October 2008.**