

ANNUAL REPORT ON THE DEATH PENALTY IN IRAN 2019



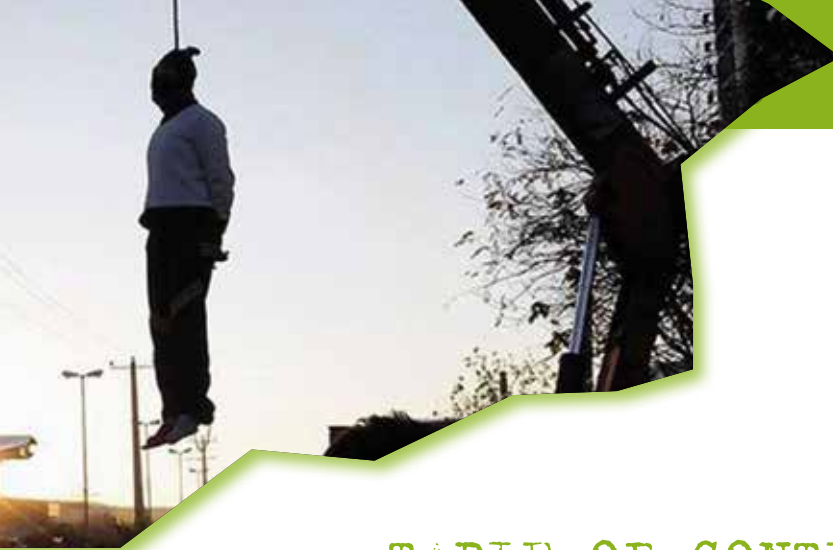


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Cover picture: A public execution in Jahrom city, Fars province, on March 14, 2019. Photo: Rokna.net

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)¹ and ECPM² 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 <http://iranhr.net/en/>
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FOREWORD BY ROBERT BADINTER

Throughout history, societies claiming to respect sacred law have executed men, women and young people because they had violated a supposedly divine order. It is in the name of God, that followers of these deadly regimes deny human beings their right to life, which according to their religion, is a gift from God.

From the Aztec human sacrifices to the stakes of the Inquisition; from martyrs thrown to the lions to tortured blasphemers, this bloody chain wound its way back in time in diverse societies, which nonetheless, have one thing in common: they kill in the name of a law they consider as divine. Thus, they reveal themselves to be more sacrilegious than those they put to death.

Iran of today is a cruel example of this alienation. It is not that the Iranian people are bloodthirsty. But the facts are there and they are undeniable in their barbarity. It is in the Islamic Republic of Iran that the highest number of executions per capita is recorded. It is in the Islamic Republic of Iran that the highest proportion of women and juveniles are executed. These odious practices distort the true face of Islam, a religion that professes the pre-eminence of love and life over hate and death.

For those of us who are secular and abolitionist, such practices dishonour the power which devotes itself to them and humiliate the nation in the name of which these legal murders are implemented. Iran and its people, heirs to a long and glorious history, deserve better than this bloody record. The inevitable and imminent day when the death penalty will disappear from Iran will be a day of jubilation, a victory for life over death, for all abolitionists – and first of all in Iran.

Robert Badinter
Honorary Chair of ECPM, former Minister of Justice, France.

PREFACE

The 12th annual report on the death penalty by Iran Human Rights (IHR) and ECPM (Together Against the Death Penalty) provides an assessment and analysis of the death penalty trends in 2019 in the Islamic Republic of Iran. It sets out the number of executions in 2019, the trend compared to previous years, the legislative framework and procedures, charges, geographic distribution and a monthly breakdown of executions. Lists of the female and juvenile offenders executed in 2019 are also included in the tables.

The report also looks into the abolitionist movement within Iran, including the forgiveness movement and its contribution to limiting the use of the death penalty, the artists and film-makers attempting to promote abolition, and the authorities' attempt to promote the death penalty and crackdown on human rights defenders.

In 2019, Iran had its fourth Universal Periodic Review (UPR). In March 2020 there will be an opportunity for Iran to engage in a constructive dialogue on human rights. Recommendations on the death penalty given in this round, are included at the end of the report.

The 2019 report is the result of hard work from IHR members and supporters who took part in reporting, documenting, collecting, analyzing and writing its content. We are especially grateful to IHR sources inside Iran who, by reporting on unannounced and secret executions in 27 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 executions 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 circumstances³. The current report does not include suspicious deaths of prisoners, nor the hundreds who were killed as a result of direct attempted shooting by the security forces at the protestors during the November nationwide protests.

ECPM supports the elaboration, editing process, publication and distribution of this report. Problems of transparency over the data and information on the death penalty in Iran should be overcome by a strong strategy of distribution and dissemination. The aim of this report for IHR and ECPM is to bring out the facts and make them known, in order to allow a change of national and international views on the situation of the death penalty in Iran, one of "the world's leading first executioner."

3 See below in Sources, p.10

2019 ANNUAL REPORT AT A GLANCE

- At least 280 people were executed in 2019, 7 more compared to 2018
- 84 executions (30%) were announced by official sources. In 2018 and 2017, respectively 34% and 21% had been announced by the authorities
- 70% of all executions included in the 2019 report, i.e. 196 executions, were not announced by the authorities
- At least 225 executions (80% of all executions) were for murder charges (it is the second highest number in 10 years)
- At least 30 people (approximately 11%) were executed for drug-related charges
- 13 executions were conducted in public spaces
- At least 4 juvenile offenders were among those executed
- At least 15 women were executed
- At least 55 executions in 2019 and more than 3,581 executions since 2010 have been based on death sentences issued by the Revolutionary Courts
- At least 374 prisoners sentenced to death for murder charges were forgiven by the families of the murder victims - a significant increase compared to previous years

INTRODUCTION

The 12th Annual Report on the Death Penalty in Iran, by IHR and ECPM, is being published while thousands of Iranians are mourning the loss of their loved ones who were killed by the Islamic Republic's security forces in the November 2019 nationwide protests. The crackdown on the civil society has been unprecedented and many human rights defenders and lawyers have been sentenced to heavy prison sentences.

This report shows that at least 280 people were executed in 2019 in Iran. This is approximately at the same level as in 2018 when at least 273 people were executed according to our report. In 2018 we observed a 47% drop in the number of executions compared to 2017. The significant decrease was due to implementation of the new amendments to the Anti-Narcotics Law, reducing the number of drug-related executions from 230 in 2017 to 24 in 2018. According to this report, at least 30 people were executed for drug-related charges in 2019 which is slightly higher than 2018 but significantly lower than the average yearly drug-related executions which was 360 between 2010 and 2017. This indicates that the changes in the Anti-Narcotics Law that were enforced at the end of 2017 have led to limitation in the use of the death penalty for drug-related charges for two consecutive years. It is important to emphasize that sustained international pressure was detrimental in forcing the Iranian authorities to implement reforms in the Anti-Narcotics Law leading to this significant decrease. The Iranian authorities have admitted on several occasions that the political cost of drug-related executions has become too high.⁴ Despite the restriction of the use of the death penalty for drug offences, the Islamic Republic of Iran remains the world's biggest executioner after China.

As in 2018, the majority of those executed in 2019 in Iran were charged with murder and sentenced to *qisas* (retribution in kind). At least 225 people were executed for murder charges in 2019. This is the second highest number of annual *qisas* executions in the last 10 years. The Iranian authorities claim that *qisas* is the right of the plaintiff who can decide whether the

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

convict should be executed or not, and thus put the responsibility of the death sentence on the shoulders of the murder victim's family. Commenting on the Iranian authorities' use of the *qisas* law, Mahmood Amiry-Moghaddam, Director of IHR, said: *"Besides being an inhumane punishment, qisas represents a serious violation of the rights of the murder victims' families who, from being victims of violence grieving for the loss of their loved ones, are converted by the state to executioners"*. IHR and ECPM call for the removal of *qisas* from penal law and underline that punishment is the responsibility of states and not ordinary citizens.

In violation of their international obligations, the Iranian authorities continue executions of juvenile offenders. At least four juvenile offenders were executed in 2019 and several are in danger of execution. The Iranian authorities also continue their practice of public executions. Commenting on the public executions, Raphaël Chenuil-Hazan, Executive Director of ECPM, said: *"Iran is one of the last countries practicing public executions. This shameful practice must end. We call on the international community, especially the EU, to put the issue of the death penalty in general and public executions in particular at the top of their demands in their dialogue with the Iranian authorities"*.

More than 70% of the executions in this report were not announced by the Iranian authorities. Thus, the total number of executions, and the number of children executed in 2019, might be much higher than the figures presented in this report. Lack of transparency and accountability in the Iranian judicial system must also be addressed by the international community with regard to the bloody crackdown of the nationwide protests in November 2019. During the 3 days of protests in more than 100 cities across Iran, hundreds of people were shot to death by the security forces. IHR's researchers have concluded that at least 324 people were killed, most of them as a result of bullets to their head, neck or chest, and at least 10,000 were arrested during and in the following few weeks. Reuters reported that 1,500 people were killed during the protests. However, the Iranian authorities still have not publicized the number of victims of the November protests, nor has anyone been held accountable for the killings. IHR has also received reports about the inhumane conditions under which those arrested have been held. ECPM, IHR and several other human rights NGOs have called for a special session of the UN Human Rights Council (HRC) to address the Iran protests and to appoint a UN fact-finding mission investigating the number of those killed, situation of those arrested as a step towards holding those responsible for the crimes committed.

The United Nations High Commissioner for Human Rights, Mrs Bachelet, called on Iran to address multiple human rights violations: *"At least 7,000 people have reportedly been arrested in 28 of Iran's 31 provinces since mass protests broke out on 15 November"*, and the High Commissioner said she is *"extremely concerned about their physical treatment, violations of their right to due process, and the possibility that a significant number of them may be charged with offences that carry the death penalty, in addition to the conditions under which they are held."*⁵

Following the November protests, the Iranian authorities once again displayed their systematic violations of due process and the rule of law. Lack of access to lawyer after the arrest, televised confessions, and reports of torture are reminders of the fact that sustainable improvements in the status of human rights are not possible without fundamental changes in Iran's judicial system. IHR and ECPM are concerned that many of those appearing on the televised confessions might be sentenced to death based on the confessions they have made most probably under pressure. Several human rights NGOs including IHR and ECPM have called on the EU to put sanctions on the Iranian State Broadcaster for taking part in producing and broadcasting forced confessions.

In March 2019, the Islamic Republic's Supreme leader Ali Khamenei appointed Ebrahim Raeisi as the new Head of the Judiciary. Raeisi is known for playing a key role in the mass-execution

5 <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25393&LangID=E>

of several thousand political prisoners in the summer of 1988. The 1988 mass-executions have been widely recognized as crimes against humanity. Commenting on the appointment of Ebrahim Raeisi as the head of Iran's judiciary, Mahmood Amiry-Moghaddam, Director of IHR, said: *"Ebrahim Raeisi should be investigated and put on trial for his direct involvement in the extra-judicial executions of several thousand political prisoners. His appointment as the head of Iran's judiciary is not a promising sign for establishment of rule of law and improvement of human rights."* In November 2019, the Swedish police arrested an Iranian individual for involvement in the 1988 mass-executions in one of the prisons. ECPM and IHR welcome this move and call for a UN investigation into the mass-executions of 1988.

Iranian society has entered a new phase as people are struggling for fundamental changes. 2019 started with smaller protests and ended in the largest and bloodiest protests in Iran since the 1980s. There are no indications that the protests will stop at this point. IHR and ECPM are concerned that with increasing protests and anger among the people, the authorities will use even more violence, and above all will increase use of the death penalty as their only and most efficient weapon to confront the unrest. The international community and especially Iran's European dialogue partners must play a more proactive role in preventing the use of violence by the Iranian authorities against its own citizens.

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 meet minimum international standards. Iranian leadership and all organs involved in the crackdown must be held accountable by the international community.

IHR and ECPM call on the Iranian authorities to seriously consider the recommendations made in this report and the UPR recommendations made by the members of the HRC. Imposing a five-year moratorium on the death penalty, releasing all prisoners of conscience including imprisoned human rights defenders and lawyers, granting freedom of assembly and serious reforms in the judicial system in accordance with international standards are among the recommendations that the Iranian authorities must adopt as first steps towards fundamental and peaceful reforms.

SOURCES

There is a lack of transparency over law and the numbers of sentences and executions. The number of executions presented in this report is based on official information and documented cases. It is a minimum and there could have been more executions. 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 NGOs⁶ 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 this report.

It is important to emphasize that the charges mentioned in this report are those issued by the Iranian judiciary.

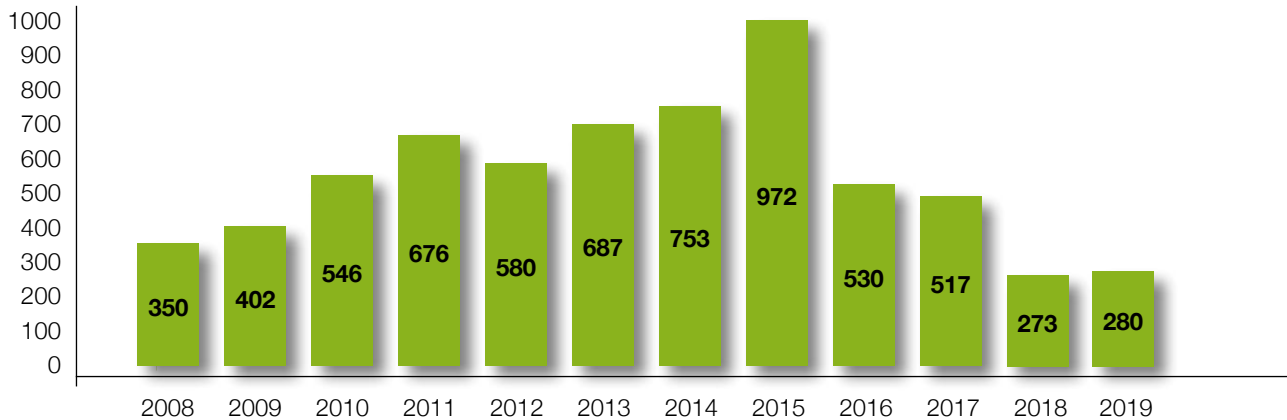
Many of the trials leading to death sentences are unfair according to international standards. The use of torture to force confessions is widespread in Iran. Due to the lack of transparency in the Iranian judiciary, most of the charges mentioned in this report have not been confirmed by independent sources.

The report does not include extra-judicial killings inside or outside prison.

6 Sources include Human Rights Activists News Agency, Kurdistan Human Rights Network, The Baloch Activists Campaign, and Human Rights and Democracy Activists in Iran

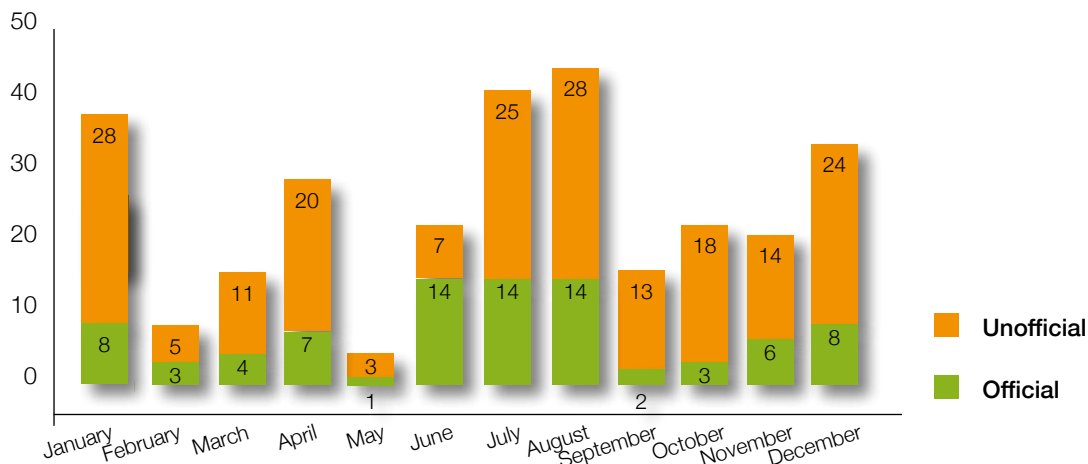
FACTS AND FIGURES

EXECUTION TRENDS IN THE LAST 12 YEARS



Since IHR's first annual report in 2008, the Iranian authorities have executed at least 6,566 people, an average of more than 547 executions every year. The number of executions in 2019 is slightly higher than in 2018 and is significantly lower than the average number of documented annual executions since 2008.

MONTHLY BREAKDOWN OF EXECUTIONS IN 2019



The monthly breakdown of executions illustrates the high proportion of execution cases not announced by official sources (unofficial) throughout the year. In 2019, one execution was reported by the Iranian media during the Muslim month of Ramadan which fell between May 5 and June 3 and during the Iranian New Year Holidays (19 March to 1 April). IHR's overview of the execution trends in the last 10 years shows that execution numbers are low in the weeks before Parliamentary or Presidential elections, and during Iranian New Year holidays (March 21 and April 3) and the Muslim holy month of Ramadan. The numbers are high when the authorities expect protests.⁷ With 39 and 42 monthly executions, the months of July and August were the bloodiest months in 2019. A sharp increase in the number of executions was observed in December, following the November protests. Many people who were arrested during these protests could face the death penalty.

⁷ <https://iranhr.net/en/articles/982/>

EXECUTIONS UNDER HASSAN ROUHANI'S PRESIDENTIAL PERIOD

This 2019 annual report is being published 30 months into the second term of Hassan Rouhani's presidential period. According to reports by IHR at least 3,780 people have been executed during the 6.5 years of the presidency of Hassan Rouhani. This is significantly higher than the number of reported executions during the 8 years of Ahmadinejad's presidency. Although the President does not have a direct role in issuing or implementing executions, Hassan Rouhani has not ever criticized or expressed concern about the sharp rise in the number of executions during his presidency.



The figures above show the reported execution numbers during the two presidency terms of Mahmoud Ahmadinejad (from June 2005 to June 2013) and 6.5 years of the presidency of Hassan Rouhani (July 2013 to December 2019). The figures are based on reported numbers and the actual numbers are probably higher. There are bigger margins for error for the numbers under the first round of Ahmadinejad's presidency.



A review of Mr. Rouhani's 6.5 years as President shows that the average monthly number of the executions under his presidency was 48, compared to an average of 35 monthly executions during the two periods of the previous president, Mahmoud Ahmadinejad.

IRAN'S NEW HEAD OF THE JUDICIARY: INVOLVED IN CRIMES AGAINST HUMANITY

According to Article 156 of the Iranian Constitution "*The Judiciary shall be an independent power that protects individual and social rights*". However, Article 157 of the Constitution undermines the impartiality and independence of the judiciary and states: "*the Head of the Judiciary is directly appointed and supervised by the Supreme Leader*", who under the Constitution is the Head of State and has the country's highest political power.



Picture: Supreme leader Ali Khamenei (left) and Ebrahim Raeisi the newly appointed Head of the Judiciary

On March 7 2019, Supreme leader Ali Khamenei appointed Ebrahim Raeisi as the new Head of the Judiciary after Sadegh Amoli Larijani. Ebrahim Raeisi has the highest record of human rights violations among those who have headed the Iranian judiciary in the last three decades. His appointment has led to outrage among human rights groups.⁸ Raeisi has served in several key positions in the Iranian judiciary, such as Deputy Head of Judiciary from 2004 to 2014, and Prosecutor and Deputy Prosecutor of Tehran in the 1980s and 1990s.

During the mass-execution of political prisoners in the summer of 1988, Ebrahim Raeisi served on a four-person committee, known as the “death committee”. Based on an order by the Supreme Leader of the time, Ayatollah Khomeini, the Committee implemented the execution of several thousands of political prisoners in a few months. The prisoners, most of whom had already been tried and were serving their prison terms, had to go through short interviews with the death committee who decided whether they should be executed or not. According to different sources, between 5,000 and 30,000 prisoners were executed in implementation of the decisions made by the death committees across the country. Ebrahim Raeisi served on the committee responsible for the prisons near Tehran where the largest number of political prisoners was being held. The extrajudicial executions of the political prisoners in 1988 are considered by many distinguished lawyers and rights organizations to be crimes against humanity.⁹

As the Deputy Head of the Judiciary, Ebrahim Raeisi was also involved in the crackdown that followed the 2009 post-electoral protests including mass-arrest of thousands of activists, many of whom were subjected to torture and sentenced to long prison terms. Raeisi publicly defended the trials and executions of Arash Rahmanipour and Mohammad Reza Ali-Zamani who were executed on January 28, 2010 for their involvement in the protests¹⁰, although they had been arrested several months before the protests.¹¹ He insisted that they were arrested in connection with the protests.¹²

LEGACY OF SADEGH LARIJANI, FORMER HEAD OF THE JUDICIARY

Sadegh Amoli Larijani served as the Head of the Judiciary from August 14, 2009 to March 7, 2019 in Iran’s darkest decade with regard to human rights violations since the 1990’s.

8 <https://www.hrw.org/news/2019/03/07/iran-serious-rights-violator-lead-judiciary>

9 <https://www.theguardian.com/world/2012/oct/18/iran-tribunal-investigates-massacre>

10 <https://iranhr.net/en/articles/533/>

11 <https://www.latimes.com/archives/la-xpm-2010-feb-08-la-fg-iran-lawyer8-2010feb08-story.html>

12 <https://shahrvand.com/archives/1828>



A detailed description of the role of Judiciary in the massive injustice conducted by the Judiciary and the corruption it is accused of under the leadership of Larijani is beyond the scope of this report. Here we provide a short overview of death penalty-related facts while Sadegh Amoli Larijani was the Head of the Judiciary:

- More than 5,778 people were executed;
- More than 56 juveniles were executed;
- More than 132 women were executed;
- More than 3,250 people were executed for drug-related charges;
- More than 154 people were executed for affiliation to banned opposition groups.

LEGISLATIVE FRAMEWORK

INTERNATIONAL TREATIES RATIFIED BY IRAN¹³

Iran ratified the International Covenant on Civil and Political Rights (ICCPR) in 1975, the International Covenant on the rights of 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 International Covenant against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.

Article 6§2 of the ICCPR¹⁴ 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."*

Art 6§5 of 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.*

Art 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."*

Art 7 of the ICCPR bans *torture and cruel, degrading and inhumane punishments*, and Art 14 provides the right to a fair trial 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.

In a recent General Comment on Article 6 of the ICCPR¹⁵, the United Nations Human Rights Committee stated that *"The term 'the most serious crimes' must be read restrictively and appertain only to crimes of extreme gravity, involving intentional killing. Crimes not resulting directly and intentionally in death, such as attempted murder, corruption and other economic and political crimes, armed robbery, piracy, abduction, drug 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. 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, establishing political opposition groups, or offending a head of state. 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."*

13 <http://indicators.ohchr.org/>

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

15 CCPR/C/GC/36, 30.10.2018,
https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/1_Global/CCPR_C_GC_36_8785_E.pdf

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

In a yearly supplement to his quinquennial report on capital punishment, the United Nations Secretary General reaffirm this position: *“States parties to the Covenant that have not yet abolished the death penalty may only impose it for the ‘most serious crimes’. The Human Rights Committee has expressed the view that this means crimes of particular gravity involving intentional killing. States should remove from national laws any application of the death penalty to crimes not involving intentional killing, such as drug-related offences or terrorism-related crimes not involving intentional killing. The death penalty should especially not be imposed as a sanction for forms of non-violent conduct such as apostasy, blasphemy, adultery and consensual same-sex relations.”*¹⁶

Iran has not made any reservations while ratifying the ICCPR. However, the death penalty is still imposed for crimes that do not meet the threshold of “most serious crimes”.

Art 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”*.

However, upon ratification, Iran made the following reservation: *“If the text of the Convention is or becomes incompatible with the 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 Resolution of the United Nations General Assembly calling for a universal moratorium on the use of the death penalty. In December 2018, Iran voted against the Resolution once again.¹⁷

DEATH PENALTY ACCORDING TO IRANIAN LAW

Chapter III of the Constitution of the Islamic Republic of Iran contains provisions relating to the rights of the people. In this Chapter, Article 22 states: *“The 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.¹⁸

Many of the charges punishable by death can not be considered as “most serious crimes” and do not meet the ICCPR standards.¹⁹ 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 the Anti-Narcotics Law and its amendments.

¹⁶ <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G19/255/61/PDF/G1925561.pdf?OpenElement>

¹⁷ During the vote of the text of the Resolution by the Third Committee, Iran underlined all measures were taken in the country to limit use of the death penalty to most serious crimes.

¹⁸ 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,

¹⁹ Article 6, International Covenant on Civil and Political Rights

ISLAMIC PENAL CODE & OFFENCES PUNISHABLE BY DEATH

In April 2013, the Iranian Parliament finally passed the new Islamic Penal Code (IPC). On May 1, 2013 the IPC was ratified by the Guardian Council – and was communicated to the government for enforcement on May 29, 2013. The new IPC has retained the death penalty in 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 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 endeavor to judge each case on the basis of the codified law*”. In the event of the absence of such law, he has to deliver his judgment on the basis of authoritative Islamic sources and authentic fatwa that can carry the mandatory death penalty. He, on the pretext of the silence of or deficiency of law in the matter, or its brevity or contradictory nature, cannot refrain from admitting and examining cases and delivering his judgment.

In February 2019, the Secretary General of the United Nations urged the Iranian Government “to abolish the mandatory death penalty”²⁰.

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

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

In *Lavat* (Penetrative male homosexual sex) cases, 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 by death 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).

In June 2019, when asked by a journalist “*Why are homosexuals executed in Iran because of their sexual orientation?*” Iranian Foreign Minister Mohammad Javad Zarif responded: “*Our society has moral principles. And we live according to these principles. These are moral principles concerning the behavior of people in general. And that means that the law is respected and the law is obeyed.*”²¹ According to some human rights activists, many people have been executed for homosexuality since the 1979 Islamic revolution.

20 Report of the Secretary-General, Situation of human rights in the Islamic Republic of Iran, Human Rights Council, 40th session, 8 February 2019 (GE.19-01989(E))

21 <https://www.dw.com/en/iran-defends-execution-of-gay-people/a-49144899>

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 with relations with 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, the 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 the judges more power to interpret the law as they see it.

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 honor killings in Iran.²² 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 Iranian law. If a Bahai follower is murdered, the family does not

22 Kazeminia Samaneh, Bagheri Mostafa, New IPC Encourages Honour Killing, 2015, https://www.civilica.com/Paper-ICESAL01-ICESAL01_111

receive blood money (*diya*), and the offender is exempt from *qisas*.²³ In 2013, there were two reported Baha'i murder cases. On April 23rd, Saeedollah Aqdasi was murdered in his house in Miandoab (Northwestern Iran)²⁴ and Ataollah Rezvani was shot in Bandar Abbas (Southern Iran) on August 24th.²⁵ Neither of these cases has been properly investigated.²⁶

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 Press 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 has failed to specify the *hudud* offences and has only mentioned the death sentence for fourth-occasion theft in Article 278. Nevertheless, Articles 220-288 have defined *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.

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 the alternative of imposing the death penalty upon the approval the Chief Justice "*if it is not possible to perform stoning*".

JUVENILES & THE DEATH PENALTY

The new IPC retains the death penalty for juveniles. Although Articles 89-95 suggest corrective measures and alternative punishments for children and juveniles, Article 91 is very clear that the offences punishable by *hudud* or *qisas* are exceptions to this rule. It is important to note that almost all juvenile offenders executed over the past 7 years were sentenced to death based on *qisas* and *hudud* charges.

Article 91 provides that for offences punishable by *hudud* or *qisas*, mature persons younger than 18 shall be sentenced to the punishments stipulated in Articles 89-95. If they do not understand the nature of the offence committed or its prohibition or if there are doubts about their maturity or development of their reasoning.

The Article leaves it to the discretion of the judge to decide if a juvenile offender had understood the nature of the offence and was mature at the time of committing the offence and thus whether to impose the 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 do not have criminal responsibility, 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

23 <https://tinyurl.com/txkgzxb>

24 <https://www.hra-news.org/?p=31137>

25 http://www.bbc.co.uk/persian/iran/2013/08/130819_u04_bahai_rezvani_killing.shtml

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

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 chairperson 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 the 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."*²⁷

The juvenile offenders executed in 2019 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 were aiming 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 the 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 offences²⁸, including: a fourth conviction for drug-related offences in several instances; planting opium poppies, coca plants or cannabis seeds with the intent to produce drugs; smuggling more than five kilograms of opium or 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 into Iran, dealing, producing, distributing and exporting more than 30 grams of heroin, morphine, cocaine or their derivatives.

The new amendment to the Iranian Anti-Narcotics Law which was enforced on November 14, 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 in prison for drug-related offenses should be commuted to up to 30 years in prison and a fine²⁹. Death sentences should be restricted to those convicted of carrying (not only using) weapons, acting as the ringleader, providing financial support, or using minors below the age of 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.^{30 31}

The complete translation of the new amendments to the Anti-Narcotics Law is available in the Annual Report on the Death Penalty 2017.³²

Implementation of this amendment has led to a significant decrease in the total number of executions. However, the number of executions for drug-related charges is still high.

27 <https://iranhr.net/fa/articles/3654/>

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

29 Id. art. 45 1.

30 Id. art. 45(a)-(c)

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

32 Annual Report on the Death Penalty in Iran, 2017, pp 43-44,
https://iranhr.net/media/files/Rapport_iran_2018-gb-090318-MD2.pdf

PROCEDURES

A broader discussion on legal procedures and due process in Iran is beyond the scope of this report and can be found elsewhere³³. 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 bans 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. Head of the Judiciary is directly selected 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 selected by the Head of the Judiciary based on their ideological affiliation and political background, turning the Judiciary into a political organ 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 the procedures are necessarily followed in every death penalty case.

FROM ARREST TO PROOF OF GUILT

ACCESS TO A LAWYER

Article 35 of the Iranian Constitution grants access to lawyers. The Criminal Procedure Code drafted in 2013 and the amendments of 2015 address, among others things, a suspect's access to a lawyer in the pre-trial phase.³⁴ 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 select 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 select 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 with security and political cases.³⁵

33 <https://fpc.org.uk/publications/ihrdueprocess/>

34 <https://iranhrdc.org/amendments-to-the-islamic-republic-of-irans-code-of-criminal-procedure-part-1/>

35 <https://www.rferl.org/a/lowering-the-bar-tehran-white-list-excludes-most-lawyers-from-politically-charged-cases/29276192.html>

Following objections from lawyers,³⁶ the Iranian Parliament's judiciary committee tried to propose a bill to change the law. The proposed bill removes the phrase "*to select their attorneys from a list approved by the Head of the Judiciary*". However, it imposes new limitations, including the possibility of limiting the right to access a lawyer for 20 days (can be extended by order of the judge for an unspecified duration) for defenders subject to Article 302 of the Code. Several lawyers expressed their concern regarding this limitation. Some of these concerns are published in interviews with IHR's legal journal, *Hoghohe-e-ma*.³⁷

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

TORTURE DURING 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 death row prisoners IHR has been in contact with have witnessed that they were subjected to torture in order to confess to the crime they were charged with. This is not limited only to those with political or security-related charges. 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 given 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 why he had confessed to a murder he had not committed. He answered: "*They beat me up so much that I thought if I falsely do not confess, I would die during the interrogation.*"³⁸

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.

REVOLUTIONARY COURTS

The Revolutionary Courts were established in 1979 to deal with the officials of the former regime but they continue to operate and are responsible for the vast majority of the death sentences issued and carried out over the last 41 years in Iran.³⁹ The Courts are not transparent and Revolutionary Court judges are known for greater abuse of their legal powers than other judges.⁴⁰ 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 focused on Iran's juridical system, 45% of those interviewed reported that they were not permitted to present a defense; in 43% of cases trials lasted only minutes and 70% of interviewees reported that coerced information or

36 <https://iranhr.net/media/files/HoghoheMa-No79.pdf>

37 <https://iranhr.net/media/files/101.pdf>

38 <https://iranhr.net/en/articles/1038/>

39 Iran's Revolutionary Courts: 38 years of unfair trials and arbitrary executions, *The Globe Post*, February 2018

40 "Six Judges accused of leading role in Iranian crackdown on free speech", *The Guardian*, July 2014, <https://www.theguardian.com/world/2014/jul/31/six-judges-iran-crackdown-journalists-activists>

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 by reproaching or interrogating defendants and limiting their ability to speak and present a defense.⁴¹ A Resolution presented at the European Parliament set out that the Iranian courts regularly fail to ensure fair trials, with the denial of access to legal counsel and denial of visits by representatives from consulates, the UN or humanitarian organisations, and permit the use of confessions obtained under torture as evidence; there are no independent mechanisms for ensuring accountability within the judiciary, and serious concerns remain over the politicisation of judges, particularly those presiding over Revolutionary Courts.⁴²

In a series of interviews with the IHR bi-weekly Farsi law journal *Hoghogh-e-ma*,⁴³ several prominent Iranian lawyers and jurists in the country questioned the constitutionality of Iran's Revolutionary Courts and called for their dissolution.⁴⁴

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 made.⁴⁵ Other ways of proving guilt include **testimony by eyewitness** (only by two men; a woman's testimony is worth half of the man's). Witness testimonies are also used to prove guilt in the absence of confession. In addition, according to the Islamic Penal Code, when confessions or testimony by eyewitnesses are missing in a case, the 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***.⁴⁶ The law requires that rulings based on a judge's "knowledge" derive from evidence, including circumstantial evidence, and not merely personal belief that the defendant is guilty of the crime.⁴⁷ 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".⁴⁸ **Qassameh, or sworn oath** is another way to prove a crime (murder or injury) in Islamic jurisprudence (*fiqh*) which is practiced in Iran.⁴⁹ *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 the 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 May 23, 2017.⁵⁰

41 A/HRC/25/61

42 https://www.europarl.europa.eu/doceo/document/TA-9-2019-0112_EN.pdf

43 <https://iranhr.net/media/files/93.pdf>

44 <https://iranhr.net/fa/journals/57/>

45 <https://eaworldview.com/2016/07/iran-daily-terrorist-confessions-on-state-tv/>

46 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

47 Article 211 New Islamic Penal Code

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

49 Articles 313 and 336 New Islamic Penal Code

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

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 increasing debate around the issue of *Qassameh* inside Iran⁵¹ and in the Farsi media outside the country.⁵²

TELEVISED CONFESSIONS

Ever since the establishment of the Islamic Republic more than 40 years ago, the Iranian authorities have aired so-called confessions by detainees on the State broadcaster as a means of propaganda and justification for heavy sentences for political opponents and activists. Televised confessions are often extracted after physical or psychological torture, lengthy solitary confinement, threats or promises of reduction in the gravity of sentence. Often the so-called confessions are aired before any trial and later used by judges as the main evidence to issue a sentence. Kurdish prisoners Zaniar and Loghman Moradi were sentenced to death for assassination of a cleric, and their confessions supporting the charges were broadcasted by Iranian media. They later denied the charges and told IHR and other human rights organizations that they had been subjected to physical torture, threats of rape against them and their family members and lengthy solitary confinement.⁵³ They were executed in September 2018.⁵⁴ False televised confessions have also been used to sentence prisoners to death for espionage. In 2012, Iranian State television aired a documentary featuring 14 individuals confessing to spying for Israel and involvement in the assassination of several Iranian nuclear scientists.⁵⁵ Maziar Ebrahimi, one of those who appeared in the documentary and who later fled to Germany, told the BBC in August 2019 that he had agreed to “confess” to crimes dictated to him by the Intelligence Ministry interrogator after being tortured for 40 days.⁵⁶ Majid Jamali Fashi was executed in Tehran in May 2012 after his “confessions” of spying for Israel were aired by Iranian State television.⁵⁷ In July 2019, Amnesty International published a statement about the Iranian authorities’ use of “detention, prolonged solitary confinement, and threats against family members” in order to extract forced video “confessions” from women arrested for campaigning against the country’s compulsory hijab law.⁵⁸ Reporters from State television have reportedly taken part in forcing detainees to give confessions. In December 2019, the labor rights activist Sepideh Gholian wrote on her Twitter account that she has filed charges against Ameneh Zabihpour, one of the reporters of Iranian State television, for her role in the production of a so-called documentary for which Gholian and some other activists had to make forced confessions that incriminated them.⁵⁹ But the Iranian authorities have charged Sepideh Gholian for accusing the State media reporter instead.⁶⁰ Following the nationwide protests of November 2019, Iranian media broadcast so-called confessions by several individuals about their role in the organization of the protests during which several hundred people were killed. These confessions can potentially be used by the authorities to issue heavy sentences including death sentences for the detainees. On January 30, 2020 thirteen human rights groups, including IHR and ECPM, urged the European Union to adopt restrictive measures against Iran’s State broadcaster (IRIB) and its officials for the production and broadcasting of forced confessions of dissidents, often used in court as incriminating evidence.⁶¹ The human rights groups signing the statement said that their concern is “*compounded and rendered more urgent by the fact that in the framework of the widespread waves of crackdowns and mass violations of human rights in Iran observed during recent unrests and uprisings in*

51 Tabnak, September 15, 2018

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

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

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

55 <https://www.yjc.ir/fa/news/4047313>

56 <https://www.bbc.com/news/world-middle-east-49284659>

57 <https://iranhr.net/en/articles/828/>

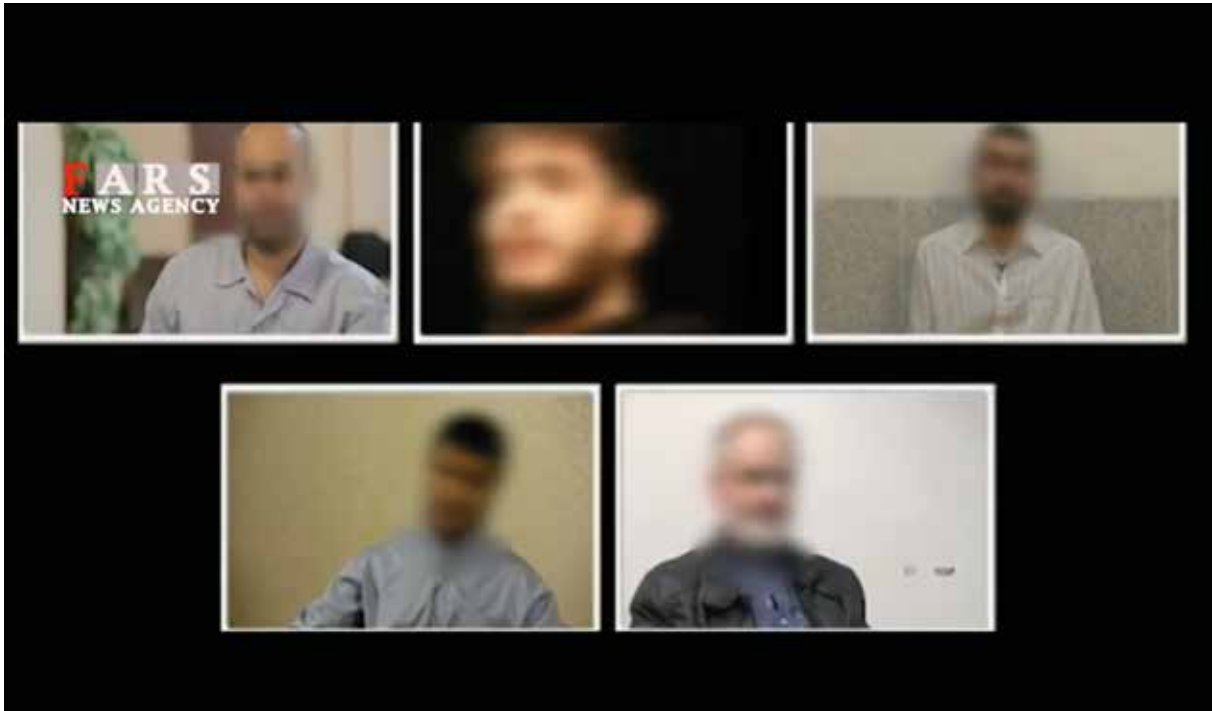
58 <https://www.amnesty.org/en/latest/news/2019/07/iran-cruel-campaign-to-extract-propaganda-confessions-from-protesters-against-compulsory-veiling/>

59 <https://en.radiofarda.com/a/labor-activist-s-twitter-deactivated-after-suing-state-tv-reporter-for-forced-confessions/30345730.html>

60 <https://en.radiofarda.com/a/iran-activist-charged-for-accusing-tv-reporter-in-forced-confessions-case/30426148.html>

61 <https://justice4iran.org/14803/>

November 2019, many detainees identified by the authorities as alleged leaders face the risk of forced televised confessions, and the content being used against them for harsh sentences, even risking the possibility of facing the death penalty". According to this statement, since mid-November 2019 nationwide protests, the IRIB has already broadcasted at least 22 forced televised confessions that they obtained from detainees.



Picture of televised confessions of five people who allegedly participated in the November protests, Source: Fars News Agency.

PROCEDURES OF THE DEATH PENALTY

After being sentenced to death, prisoners are held in prison. It might take weeks, months and sometimes years from receiving the final verdict to implementation of the death sentence. All death sentences must be approved by the Supreme Court whose chief 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 followed, 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 the family the day before the execution. IHR has published a short report based on witness interviews about death row conditions and the prisoners' last hours.⁶²

METHODS OF EXECUTION

The Iranian Penal Code has described several execution methods, including hanging, firing squads, crucifixion, and stoning. Hanging has been the main method of execution and the only

⁶² <https://iranhr.net/en/articles/3512/>

method used since 2010. However, a recent directive by the Head of the Judiciary published in June 2019 gives a detailed description of how death sentences by hanging, stoning and crucifixion should be implemented.⁶³

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.

In murder cases where the defendant is sentenced to *qisas*, the plaintiff must be present at the scene of 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 issuing the death sentence, and in case of *qisas* death sentence, the presence of the plaintiff (family members of the victim) in addition to the judge is mandatory for the execution.

When carried out in public spaces, executions are 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 for death to occur. As discussed in more detail below, the Human Rights Committee observed that public executions are contrary to the provisions of the ICCPR and that failure to respect Article 7 would inevitably render the execution arbitrary in nature and thus also in violation of Article 6 of the ICCPR.

No implemented stoning punishments have been reported since 2010. This is mainly due to increasing international pressure during the last decade reaching a peak following the campaign to save Sakineh Ashtiani in 2010.⁶⁴

63 <https://rc.majlis.ir/fa/law/show/1152670>

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

EXECUTIONS IN PRACTICE

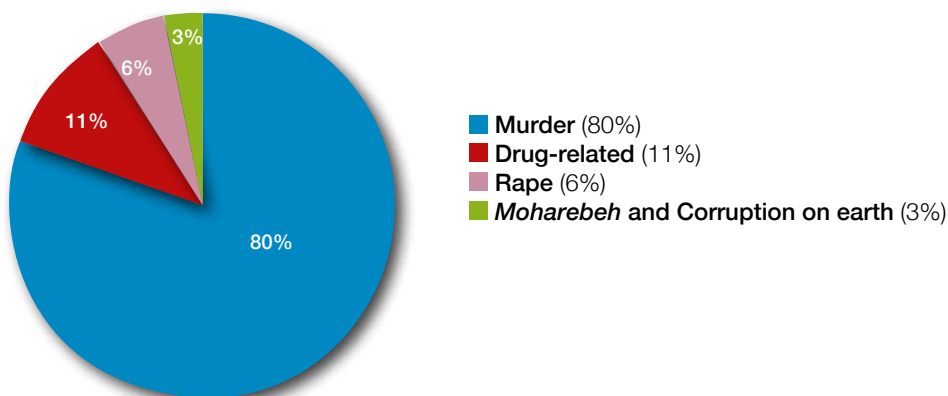
In this section we will review on the basis of which laws death sentences were issued, which Courts issued death sentences for executions and the way the 2019 executions were carried out.

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 2019.

It is important to emphasize that lack of due process of law, 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 solely based on official charges by the Iranian authorities and have not been confirmed by independent sources.

EXECUTIONS IN 2019 BASED ON CHARGES



The chart above shows what charges were used for executions in 2019. For the third year in a row murder charges counted for the majority of executions.

Murder charges were the most common charge used for implemented death sentences, counting for 80% of all executions. Drug charges were used for 11%, rape and sexual assaults for 6% and *moharebeh*, corruption on earth charges were used for 3% of all executions in 2019.

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 in more detail executions based on charges and look into some cases.

EXECUTIONS FOR MOHAREBEH, CORRUPTION ON EARTH AND REBELLION IN 2019

Due to their vague definition, the charges of *moharebeh* (waging war against God) and “*lfsad 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 2017.⁶⁵ As of February 2020 Djalali remains on the death row. In September 2019, the European Parliament raised again its concerns about the situation of Djalali in a Resolution⁶⁶.

ROUHOLLAH ZAM



On October 13, 2019, IRGC announced that Rouhollah Zam, 46, the founder of the Amad News website and Telegram channel, was captured by its intelligence organization in a deception operation. Later, his wife said that Zam was tricked into travelling to Iraq, where most probably IRGC was able to kidnap him.⁶⁷

Given the political refugee status of Zam in France, the move may be considered a violation of the 1951 UN Refugee Convention.⁶⁸

Among 17 charges against Zam, there is “*lfsad fel Arz*” or “Corruption on Earth” which is punishable by death in Iran.

Reporters Without Borders (RSF) has expressed its “extreme concern” about the Amad News website editor Rouhollah Zam’s trial, which began in Tehran on 10 February. Mentioning his kidnap in Iraq by Revolutionary Guards and his forcible returned to Iran, RSF describes the trial as follows: “*nearly empty courtroom and a visibly tired Zam sitting opposite Aboulghasem Salevati, a judge widely regard as one of the worst executioners of Iranian journalists. There is no sign of a defence lawyer*”.

RSF called on Agnes Callamard, the UN Special Rapporteur on extrajudicial, summary or arbitrary killings, Seong-Phil Hong, the head of the Working Group on Arbitrary Detention, and Javaid Rehman, the UN Special Rapporteur on the human rights situation in Iran “to intervene quickly in this case”.⁶⁹

⁶⁵ <https://iranhr.net/en/articles/3102/>

⁶⁶ European Parliament resolution of 19 September 2019 on Iran, notably the situation of women’s rights defenders and imprisoned EU dual nationals (2019/2823(RSP)) (P9_TA(2019)0019)

⁶⁷ <https://en.radiofarda.com/a/iran-guards-say-many-collaborators-of-a-dissident-website-have-been-identified-/30232975.html>

⁶⁸ <https://www.unhcr.org/3b66c2aa10>

⁶⁹ <https://rsf.org/en/news/amadnews-director-facing-possible-death-penalty-tehran-trial>

SUPREME COURT UPHELD DEATH SENTENCE FOR 7 KURDISH SUNNI PRISONERS



2020 has also begun with upholding the death sentence of 7 Kurdish Sunni prisoners charged with *moharebeh* by the Iranian Supreme Court. Anvar Khezri, Kamran Sheikheh, Farhad Salimi, Ghassem Abesteh, Khosrow Besharat, Ayyub Karimi and Davoud Abdollahi are the seven prisoners who have been detained for almost a decade. They were sentenced to death for “*moharebeh* by having connection to Salafi groups” by judge Mohammad Moghiseh at branch 28 of Tehran Revolutionary Court. The Supreme Court once denied upholding the

verdict but sent it to another branch of the Revolutionary courts headed by judge Abolqasem Salavati. Both aforementioned judges have been criticized by the EU and the US for violation of human rights.^{70 71} Abolqasem Salavati sentenced them to death and the Supreme court eventually upheld the verdict. The seven Sunni prisoners have reportedly been accused of involvement in the assassination of the former Imam of a mosque in Mahabad. One of the defendants has penned a letter from prison, denying the charges and reports about “10 years of torture and conspiracy of security agents” against the group of seven prisoners.⁷²

In 2019, at least 9 people were executed under *moharebeh* and corruption on earth charges. This is a sharp decrease compared to 2018 when 38 people were executed for such charges.

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

- 9 people executed for *moharebeh*, corruption on earth and rebellion charges;
- 7 executions were announced by official sources;
- 4 people were hanged in public;
- 1 person was charged with espionage;
- 6 people were charged with armed robbery;
- 2 people were charged with alleged links to terrorist groups - the defendants had denied the allegations.

EXECUTED FOR MOHAREBEH IN 2019

GHASSEM BEIT-ABDULLAH AND ABDULLAH KARMOLLAH-CHAB: TORTURED TO CONFESS



Abdullah Karmollah-Chab and Ghassem Beit-Abdullah were two Iranian citizens belonging to the Arab ethnic minority. According to Iranian official media outlets, the two were hanged at Dezful prison on the morning of August 4, 2019.⁷³ An Iranian official told ISNA, “by forming a terrorist group, these people acted against stability and security, committed murders, and bought arms. Four years ago, they shot dead two pilgrims in Dezful and wounded three”.

70 <https://home.treasury.gov/index.php/news/press-releases/sm862>

71 <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:100:0001:0011:EN:PDF>

72 <https://www.radiofarda.com/a/30422242.html>

73 ILNA Website, <https://tinyurl.com/sk9eefq>

However, both the defendants denied the accusation of being involved in any act of terrorism. They claimed the charges were imposed by the security forces because of their religious activities.⁷⁴ Abdullah Karmollah-Chab and Ghassem Beit-Abdullah were followers of Sunni Islam which is suppressed by the Shia establishment in Iran.

Amnesty International had previously reported: “*confessions they have said were obtained under torture and other ill-treatment, including electric shocks and mock executions, were used to convict them*”.⁷⁵

Abdullah Karmollah-Chab and Ghassem Beit-Abdullah told the judge in branch 1 of Ahvaz Revolutionary Court that the so-called confessions were extracted under torture. The judge refused to take the claim into consideration.⁷⁶

JAMAL HAJI-ZAVAREH: ACCUSED OF SPYING



Photo: HRANA - identified as “Jalal”⁷⁷

Seyyed Jamal Haji-Zavareh was executed in Tehran in June 2019. He was accused of spying for the U.S. and sentenced to death for the charge of “spying for an enemy state”.

Prior to his arrest on September 5, 2017, Seyed Jamal (also known as Siavash) Haji-Zavareh was an employee of Aerospace Force of the Islamic Revolutionary Guard Corps (IRGC). He was arrested along with his wife, Leila Tajik.

A well-informed source told IHR, “*Jamal was held in a place called the death cell. He was tortured severely.*”

Jamal’s wife, Leila Tajik, was sentenced to 15 years of imprisonment and is held at Kachouei prison of Tehran. “*They could not have a lawyer of their own choice*”, the source said, “*Siavash (Seyed Jamal) was in solitary confinement at an unknown place owned by the Iranian Ministry of Intelligence.*”⁷⁸

MEHDI CHERAGHIFAR: HANGED FOR ARMED ROBBERY— STOLEN GOODS WERE GIVEN BACK AND NO ONE WAS HURT

Mehdi Cheraghifar was hanged in public on the morning of Thursday, May 23. This was a rare move because the Iranian authorities are usually reluctant to carry out executions during the month of Ramadan, Muslims’ fasting month.

Mehdi Cheraghi was sentenced to death on the charge of *moharebeh* (waging war against God) through armed robbery. Mehdi’s co-defendant, Bahman Varmazyar, was executed on April 18, 2018, at Hamadan prison. Bahman and Mehdi were among four people who robbed a jewellery shop on April 30, 2015. One of the four was arrested by people at the scene and the rest were arrested 15 days later.⁷⁹

During the robbery, no one was killed or wounded. The jewels and gold were also given back to the shop owner. However, branch 2 of Hamadan Revolutionary Courts sentenced two of

74 <https://iranhr.net/fa/articles/3869/>

75 <https://www.amnesty.org/en/documents/mde13/0321/2019/en/>

76 <https://iranhr.net/fa/articles/3869/>

77 <https://www.hra-news.org/2019/hranews/a-21520/>

78 <https://iranhr.net/en/articles/3788/>

79 <https://iranhr.net/en/articles/3754/>

the offenders to death for the charge of *moharebeh* (waging war against God) through armed robbery. The Iranian Supreme Court upheld the verdict.⁸⁰

EXECUTIONS FOR RAPE AND SEXUAL ASSAULTS IN 2019

Rape and sexual assault are among charges which according to the IPC are punishable by death. In 2019 at least 16 people were hanged for rape charges (23 in 2018 and 19 in 2017). Also in rape cases there are reports of torture and forced confessions.

Some facts about those executed for rape charges:

- 16 people executed on rape charges;
- 11 executions were announced by official sources;
- 2 people were hanged in public.

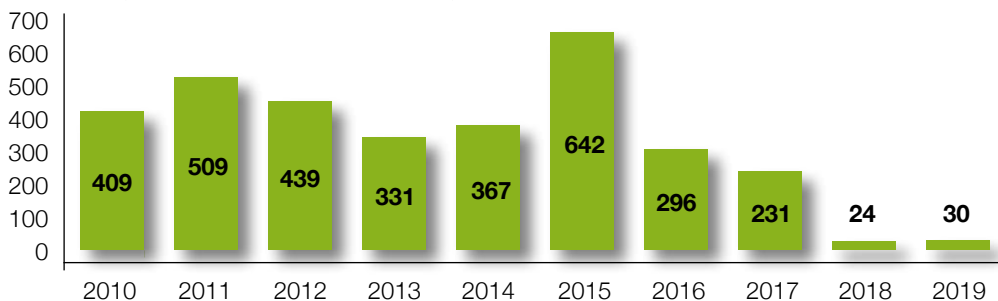
EXECUTIONS FOR DRUG-RELATED CHARGES IN 2019

According to reports gathered by IHR, at least 30 people were executed for drug offences in 2019. This represents a 25% increase compared to 2018 and a 90% reduction compared to 2017. This shows that the amendments to the Anti-Narcotics law which were enforced in November 2017 have, for two years in a row, led to a significant decrease in the number of executions for drug offences.

Some facts about the drug-related executions in 2019:

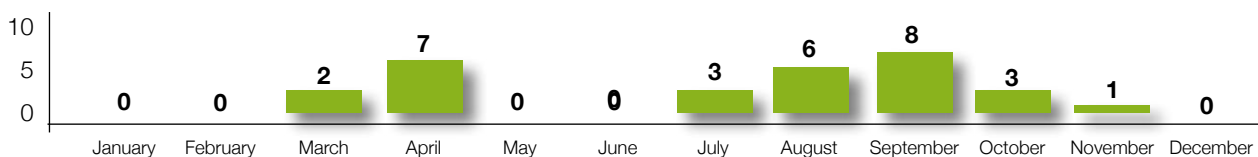
- 30 people were executed - 6 more than 2018;
- Only 1 of the drug-related executions was announced by official sources;
- Executions took place in 12 different provinces.

DRUG-RELATED EXECUTIONS 2010-2019



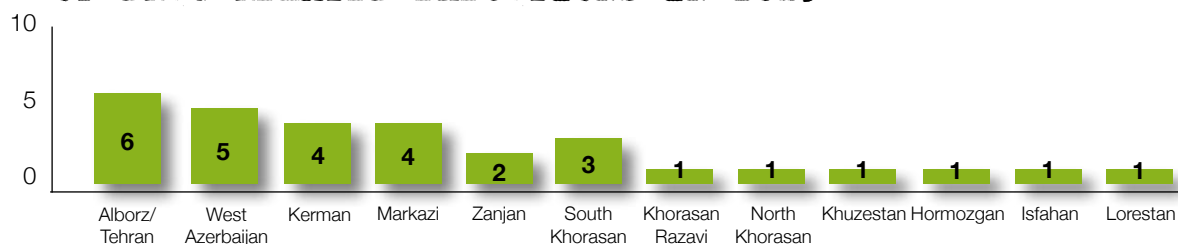
According to IHR reports, at least 3,278 people were executed for drug offences between 2010 and 2019. This gives an average of 328 drug-related executions per year. The diagram above shows that the number of drug-related executions in the last two years has been significantly lower than the "average" since 2010.

MONTHLY EXECUTIONS FOR DRUG-RELATED CHARGES

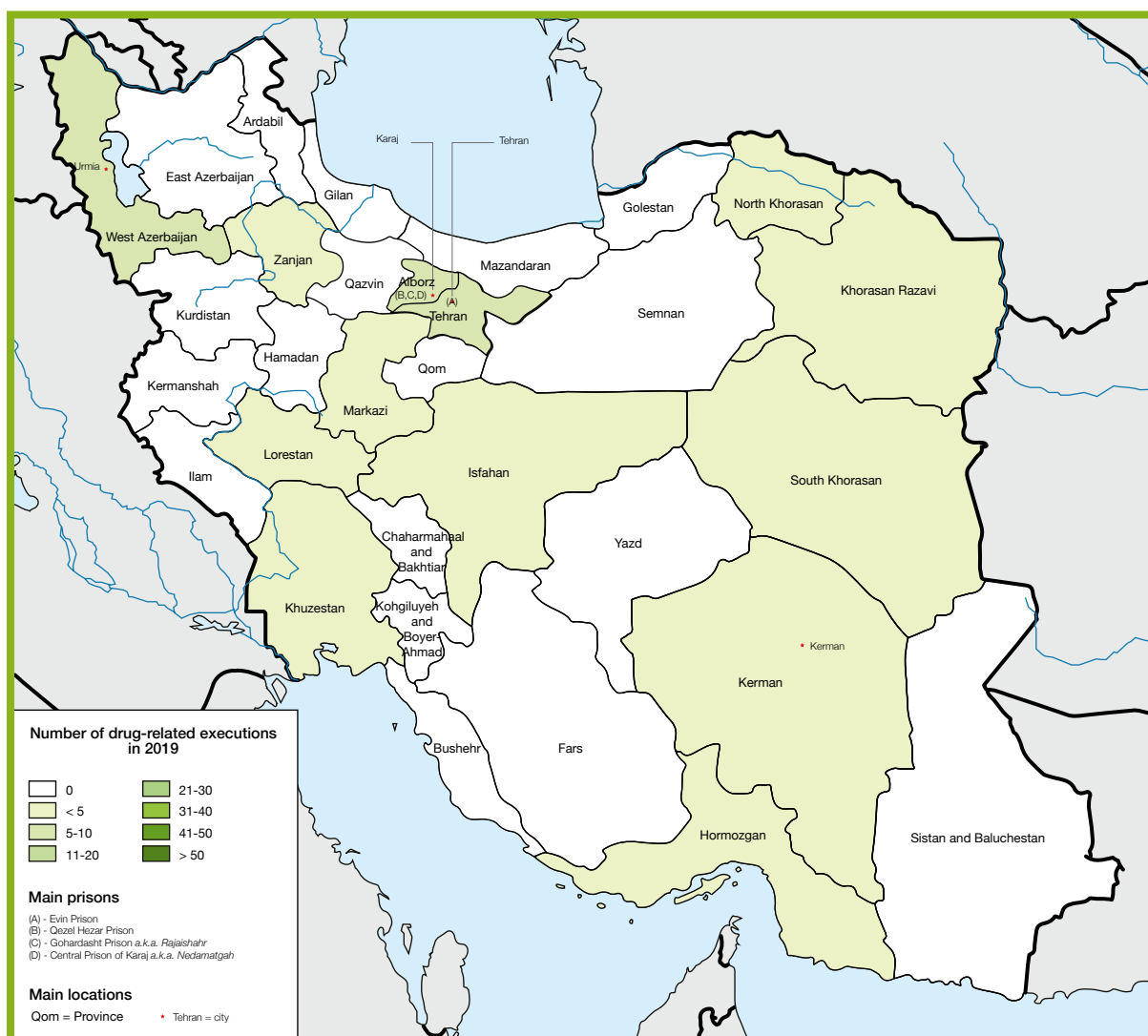


80 <https://iranhr.net/fa/articles/3754/>

GEOGRAPHIC DISTRIBUTION OF DRUG-RELATED EXECUTIONS IN 2019



In 2019, IHR reported drug-related executions in 12 provinces, compared to 7 in 2018 and 22 provinces where such executions took place in 2017. This might indicate that the review process following enforcement of the new amendments to the Anti-Narcotics Law has come to an end in many of the provinces.



EXECUTED ON THE BASIS OF DRUG CHARGES IN 2019



Two men, one of them with an academic background, were hanged for drug-related charges at the prison of the Iranian city of Kerman on October 6, 2019.

According to IHR sources, the prisoners were identified as Abdolkhakim Shahbakhsh and Assadollah Alizehi both belonging to the Baluchi ethnic group.

“Asadollah Alizehi was a former political prisoner and activist when he was studying science at university. He had been arrested for his political activities before. However, due to financial pressures his path of life was changed”, Baluch activist Habibollah Sarbazi told IHR, *“this is the case for many people, even professionals and university graduates at the Iranian province of Sistan and Baluchistan”*. According to the Baluchi Activists Campaign, the two were sentenced to death for smuggling drugs and involvement in clashes with police.⁸¹

TWO YEARS AFTER ENFORCEMENT OF THE NEW AMENDMENTS
TO THE ANTI-NARCOTICS LAW: THE PROCESS, IMPACT,
SHORTCOMINGS AND THE FUTURE

More than two years ago, on November 14, 2017, a new amendment to the Iranian Anti-Narcotics Law came into force. This led to a significant drop in the number of drug-related executions in 2018 and 2019. However, as mentioned in the annual report of 2018, IHR expressed its worries about *“disproportionation between crime and punishment: most prisoners whose death sentences were commuted have been sentenced to 30 years in prison and 200 million Tomans fine, regardless of the type and degree of the crime”*.⁸²

It seems Iranian MPs decided to address the issue in Parliament on December 22, 2019. On that day, members of Parliament voted to reduce the jail term for drug offenders by half for those who are arrested for the first time for drug offenses.⁸³ By coming into force, the bill can solve the aforementioned disproportion between crime and punishment.

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 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.⁸⁴ 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 by the new amendments to the Anti-Narcotics Law.

For more details, please see the report by IHR “Execution trends six months after the Anti-Narcotics Law” published in May 2018 and the annual report on the death penalty in Iran 2018.⁸⁵

81 <https://iranhr.net/en/articles/3968/>

82 IHR Annual Report on the Death Penalty in Iran, 2018, Page 30 https://iranhr.net/media/files/Rapport_iran_2019-GB-BD.pdf

83 <https://www.irna.ir/news/83603397>

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

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

EXECUTIONS FOR MURDER CHARGES: QISAS IN 2019

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 9 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 (see page 18 of this report).⁸⁶

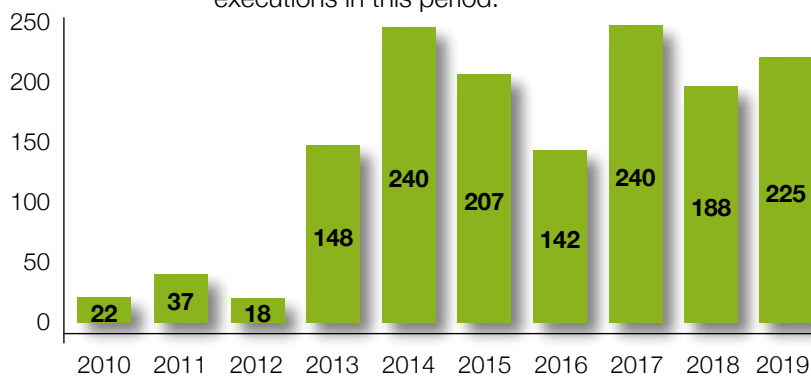
In addition to the inequality of citizens before the law, there are many reports on the violation of due process in *qisas* cases. Use of torture to extract confessions and hasty trials without sufficient time to conduct independent investigation of the evidence are examples of such practice.

Murder charges were the most common charge and *qisas* executions counted for the most common execution category in 2019. Some facts about *qisas* executions in 2019:

- 225 executions were carried out for *qisas* (188 in 2018);
- 65 *qisas* executions were announced by official sources (28%);
- 68 *qisas* executions were carried out in one prison;
- 4 people executed were juveniles (under 18 years of age) at the time of offence;
- 15 people among those executed for murder charges were women;
- 6 people were hanged in public.

QISAS EXECUTIONS SINCE 2010

According to the IHR reports, there have been at least 1,467 *qisas* executions (murder charges) between 2010 and 2019 with murder charges. The diagram below shows the trend of *qisas* executions in this period.



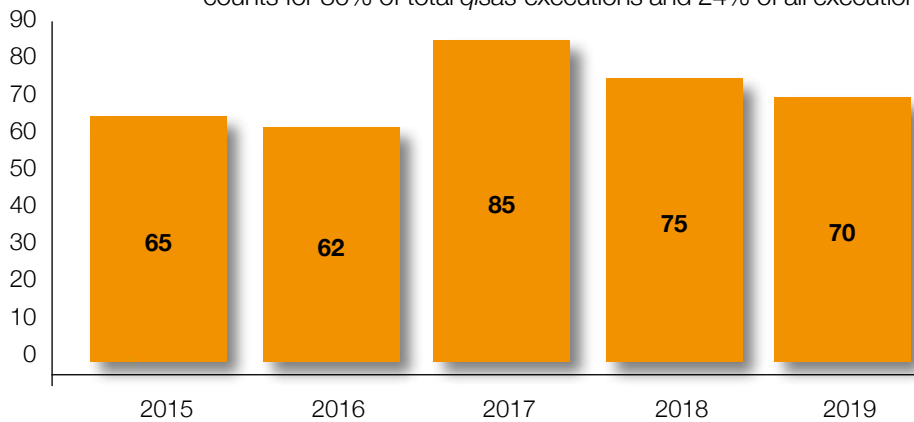
The number of *qisas* executions, which was relatively low between 2010-2012, increased dramatically in 2013 and since then has remained relatively high. The increase in the number of *qisas* executions coincides with increasing international criticism of Iran’s drug-related executions. In 2019, at least 225 people were subjected to *qisas* executions, 19% more than in 2018 and still among the highest in the last 9 years.

RAJAI SHAHR PRISON: A MAJOR SITE FOR QISAS EXECUTIONS

The detailed geographical distribution of *qisas* executions will be provided in the section “Forgiveness movement” on page 36 of this report. However, the reports in the last five years show

⁸⁶ Annual report on the death penalty in Iran - 2013, page 11.

that a significant portion of all *qisas* executions every year are carried out in 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 2019, at least 68 *qisas* sentences were carried out in Rajai Shahr prison. This counts for 30% of total *qisas* executions and 24% of all executions for all charges in the country.



The diagram above shows the number of implemented *qisas* death sentences in Alborz/Tehran prisons since 2015. Rajai Shahr Prison (located in Alborz Province) is the prison where the most *qisas* executions are implemented. 68 of 70 *qisas* executions of Alborz/Tehran prisons were carried out in Rajai Shahr.

In a report published by IHR the World Day Against the Death Penalty, the last hours of a death row prisoner at Rajai Shahr Prison is described.⁸⁷

SOME OF THE QISAS CASES IN 2019

EXECUTION OF A WOMAN WITH POSSIBLE MENTAL DISABILITY

On July 17, 2019, the Islamic Republic News Agency (IRNA) published a news piece about the execution of a 43-year-old woman. She was sentenced to *qisas* for murdering a five-year-old boy in northern Iran.⁸⁸ IHR sources revealed the identity of the woman as Zahra Safari-Moghaddam. Quoting the woman, IRNA stated that she had been under stress when committing the murder. Sources told IHR that Zahra was suffering from a mental disability.⁸⁹

MILAD DARZADEH AND REZA SARANI: QISAS OR RETALIATION FOR A SUICIDE ATTACK?

Milad Darzadeh was sentenced to *qisas* for murder. However, his family were trying to win the consent of the plaintiff for his release. In *qisas* cases, the plaintiff has the possibility of forgiving or demanding *diya* (blood money).

However, a day after a suicide attack on an IRGC bus and the death of 27 Revolutionary guards by the Sunni Baluchi group Jaish A-Adl on February 14, 2019, the authorities suddenly executed Milad Darzadeh who was also a Sunni Baluchi but without any connection to the group.

Reza Sarani who was also executed on the same week in Sistan and Baluchistan province for murder charges, was disabled following a stroke.⁹⁰

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

88 <https://www.irna.ir/news/83399416/>

89 <https://iranhr.net/en/articles/3836/>

90 <https://iranhr.net/fa/articles/3644/>

A QISAS CASE: CHILDREN AGAINST THEIR MOTHER

According to IHR sources, on the morning of July 23, 2019 two women were hanged for murder charges at Urmia prison, West Azerbaijan province. IHR could identify them as Arasteh Ranjbar and Nazdar Vatankhah. They were held in prison for 15 years before the execution was carried out.

*“Arasteh Ranjbar was sentenced to death for killing her husband. Her own children were the plaintiff. Nazdar Vatankhah who was the victim’s sister, was sentenced to death as the conspirator in the same case”, sources told IHR.*⁹¹

This means the children of the victim agreed to the execution of their own mother and aunt after 15 years in prison. In this way, the State has put the pressure of killing a mother and aunt on the shoulders of children. This could have serious psychological consequences and contribute to the spread of violence throughout society.

A QISAS CASE: UNCLE AGAINST HIS NEPHEW



On April 27, 2019, death-row prisoner Nouroollah Zanganehvandi was executed at the Iranian western city of Kermanshah’s prison. He was in prison for seven years for murdering his cousin. His maternal uncle was the plaintiff and refused to give his consent. Thus, the nephew was hanged at the age of 38. He was the father of two young children.⁹²

Photo: Nouroollah’s obituary notice obtained by IHR

“I HAD NO INTENTION OF KILLING, JUST PUSHED THE VICTIM”

There is a lack of a classification of murder by degree in Iran which results in issuing a death sentence for any kind of murder regardless of intensity and intent.

According to a report of the Kurdistan Center for Democracy and Human Rights, confirmed by IHR, death-row prisoner Shahin Samadi (34) was hanged at Iranian northwestern city of Maragheh’s prison on May 4, 2019.

Shahin emphasized in court that he only pushed the victim and had no intention of killing him. The victim’s head hit a hard metal object on the floor and died eventually. However, Shahin was sentenced to *qisas* and the court did not take the intention into consideration.⁹³

THE FORGIVENESS MOVEMENT

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

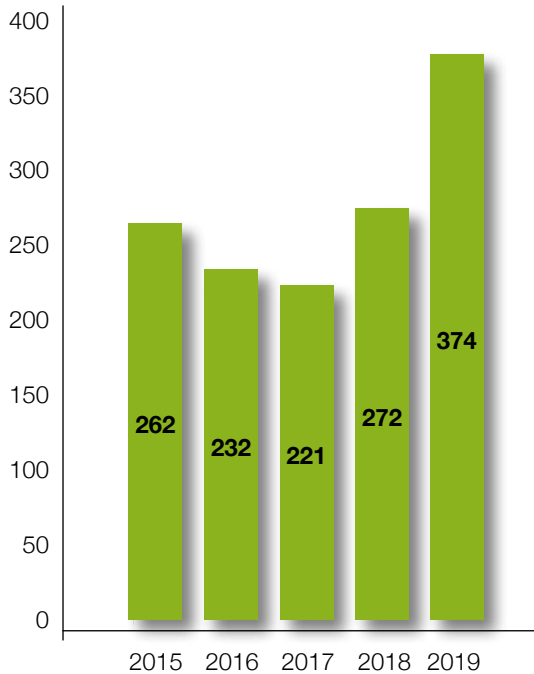
91 <http://iranhr.net/en/articles/3844/>

92 <https://iranhr.net/fa/articles/3736/>

93 <https://iranhr.net/en/articles/3733/>

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 murder convicts outnumber those who chose the death penalty.⁹⁴

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 the 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 has identified 374 forgiveness cases in 2019, compared to 272 cases in 2018, 221 cases in 2017, 232 cases in 2016 and 262 cases in 2015. Thus, forgiveness trends are increasing.

In 2019 the 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 folds higher than the numbers presented in this report. On November 19, 2019, Iranian Judiciary spokesperson, Gholamhossein Esmaili, told reporters that from the beginning of the Iranian calendar year (starting on March 21, 2019) the plaintiff in 346 *qisas* cases forgave the death-row prisoners, representing a 15% increase in the number of forgiveness cases compared to the year before. Thus, according to the spokesperson, they are not subject of execution anymore.⁹⁵



Photo: In April 2019, people in Marivan city, Kurdistan province, gathered to ask the plaintiff of a *qisas* case to forgive Ahmad Irani, a death-row prisoner. Source: Iran Human Rights⁹⁶

94 <https://iranwire.com/en/features/4581>

95 <https://www.mizanonline.com/fa/news/569177>

96 <https://iranhr.net/fa/articles/3719/>

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

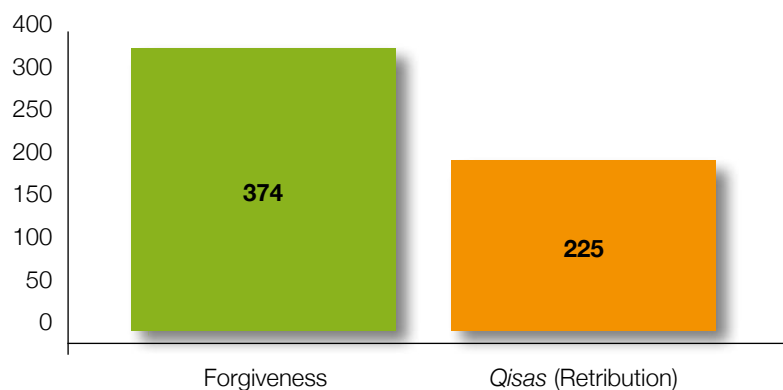
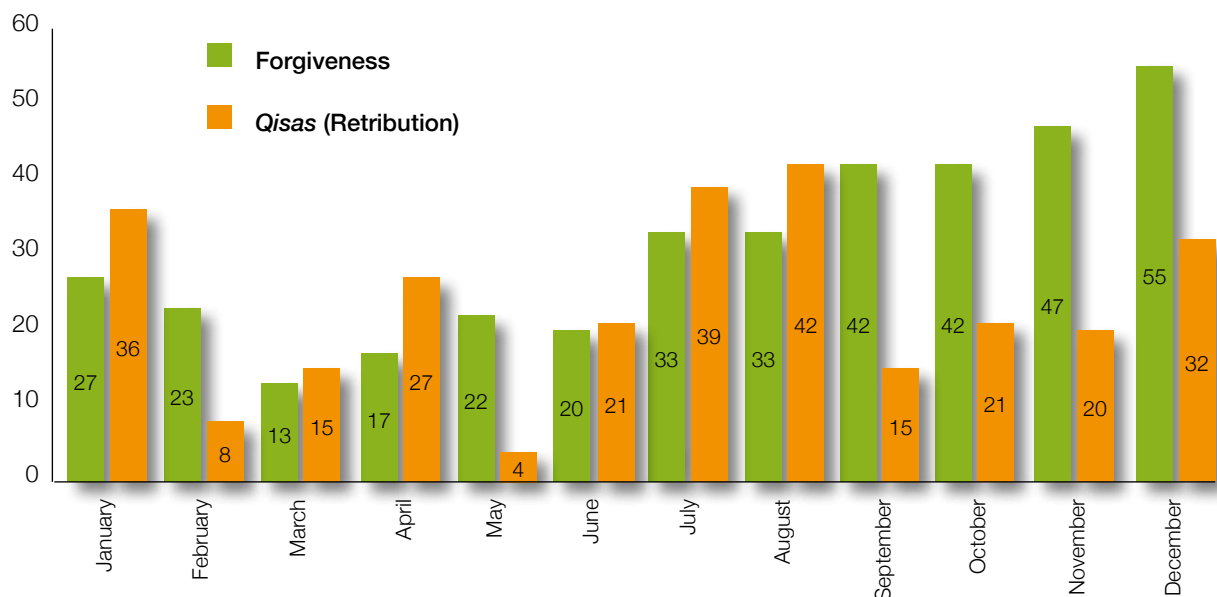


Diagram showing the number of implemented retribution death sentences and forgiveness cases in 2019.

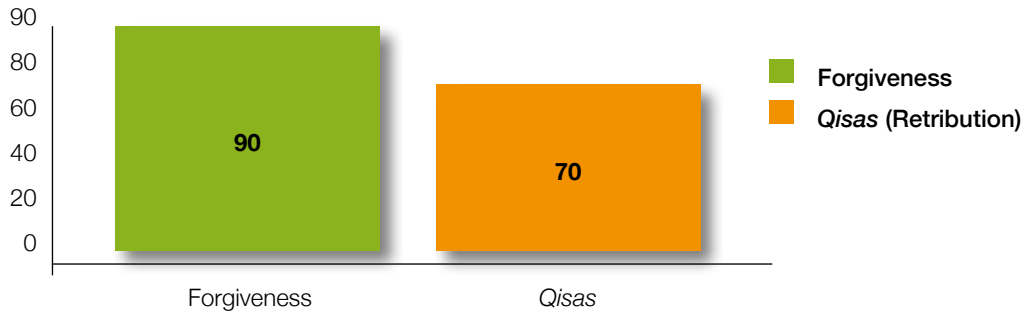
QISAS (RETRIBUTION) AND FORGIVENESS: MONTHLY BREAKDOWN



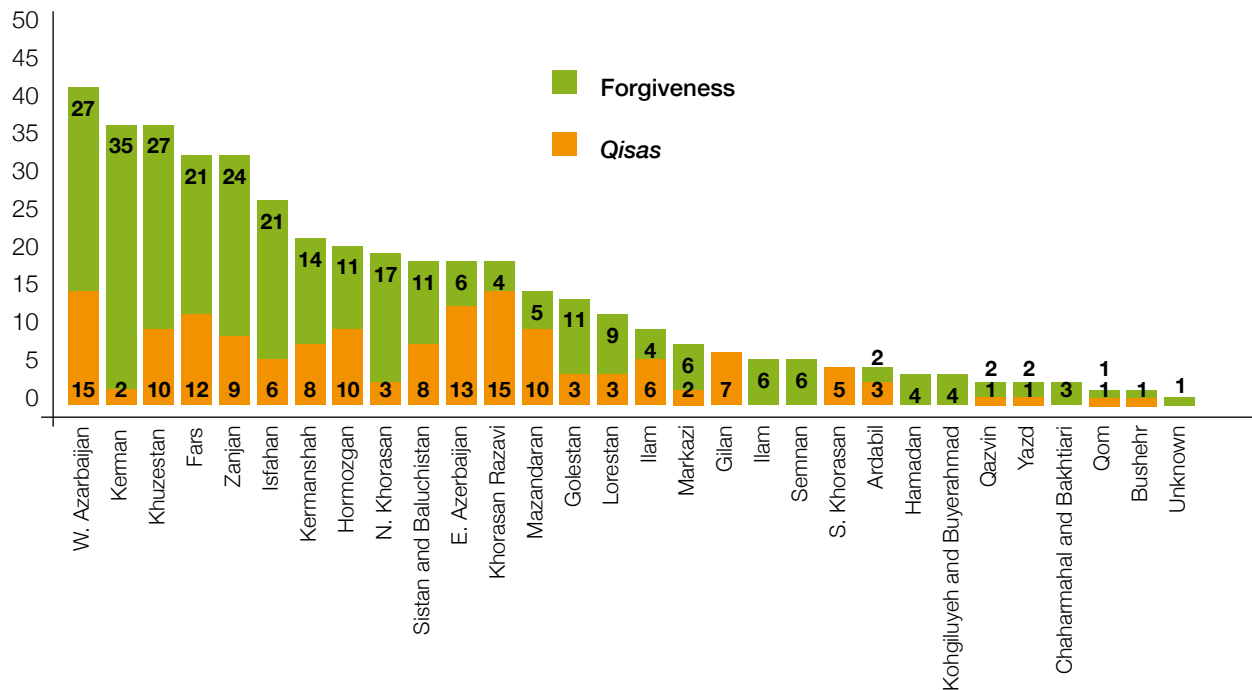
The diagram above shows the monthly breakdown of implemented *qisas* (retribution) death sentences compared to “forgiveness” cases.

QISAS AND FORGIVENESS: GEOGRAPHIC DISTRIBUTION

In 2019, IHR recorded forgiveness cases in 28 of the 31 provinces in Iran. In comparison, *qisas* death sentences were reported from 25 of the provinces. In most provinces the number of forgiveness cases was higher than *qisas* executions.



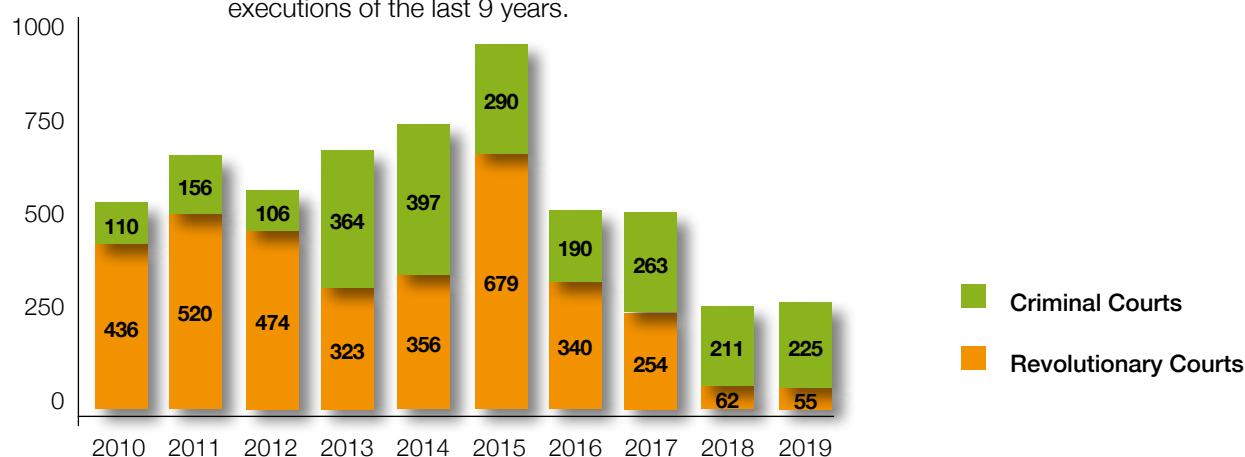
Prisons in the Tehran and Karaj (Alborz) area were the sites of the highest number of both forgiveness and *qisas* cases in 2019 in Iran.



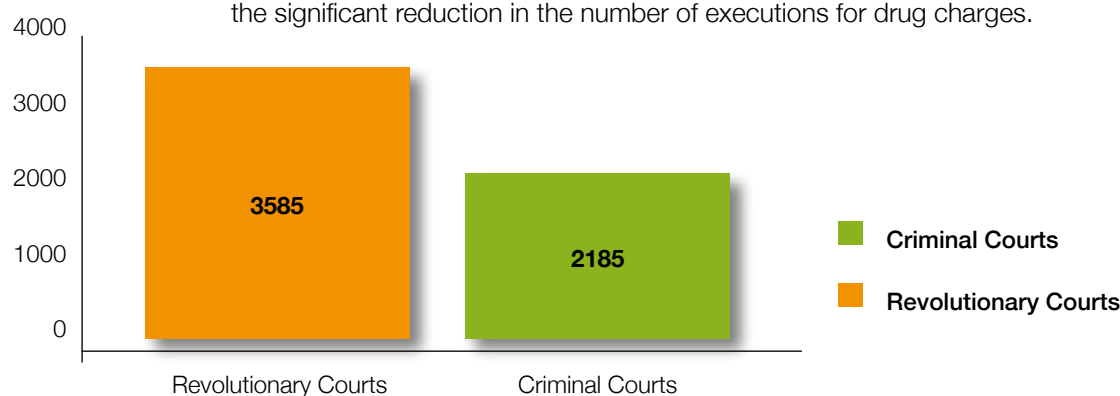
The number of implemented *qisas* executions was higher than forgiveness in 9 provinces, while in the rest of the provinces the forgiveness numbers were either equal or higher than *qisas* executions.

SHARE OF THE REVOLUTIONARY AND CRIMINAL COURTS IN EXECUTIONS IN 2019

As mentioned in the previous section, rape and murder (*qisas*) cases fall within the jurisdiction of Criminal courts, while cases of *moharebeh*, corruption on earth and rebellion charges as well as drug-related cases fall under the jurisdiction of 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 share of the Revolutionary Courts and the Criminal Courts in the implemented executions of the last 9 years.



At least 55 of the 280 executions in 2019 (20%) 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 the years prior to 2018. This is due to the significant reduction in the number of executions for drug charges.



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.⁹⁷ However, data collected by IHR shows that even in the 4th decade after the Islamic Revolution the Revolutionary Courts have been responsible for the majority of death sentences leading to executions in Iran.

97 Inside Iran's Revolutionary Courts, BBC News, 2015, <http://www.bbc.com/news/magazine-34550377>

PUBLIC EXECUTIONS

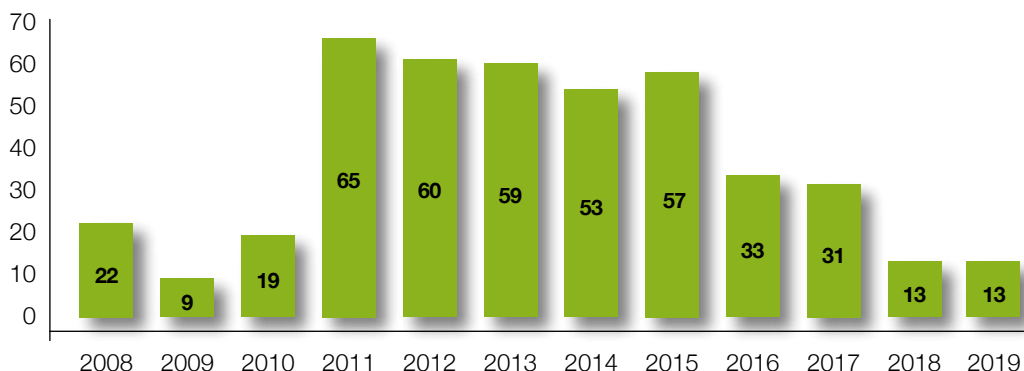
Despite continuous international criticism, Iran is among the few countries where public executions have been organized by the authorities.

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 Iran⁹⁸. During Iran's second UPR⁹⁹, the Government did not accept the recommendations to put an end to public executions.¹⁰⁰

This has also been emphasized in the recent report of the current Special Rapporteur on Human Rights in Iran, Javaid Rehman.¹⁰¹

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 the previous years. However, after 2010 the number of public executions increased dramatically, reaching an average of 50 to 60 public executions between 2011-2015. As in 2018, in 2019 the Iranian authorities executed 13 people in public spaces. This is the lowest number of public executions since 2009 (the year after the moratorium, 9 public executions were implemented). Whether there is a political decision behind this reduction remains to be seen.

PUBLIC EXECUTIONS SINCE 2008



The diagram above shows public executions since 2008. The numbers of public executions in 2018 and 2019 were the same and significantly lower than the number in the previous seven years. Whether it is a permanent change or not remains to be seen. However, public executions were conducted in 2 more provinces than in 2018.

GEOGRAPHIC DISTRIBUTION OF PUBLIC EXECUTIONS

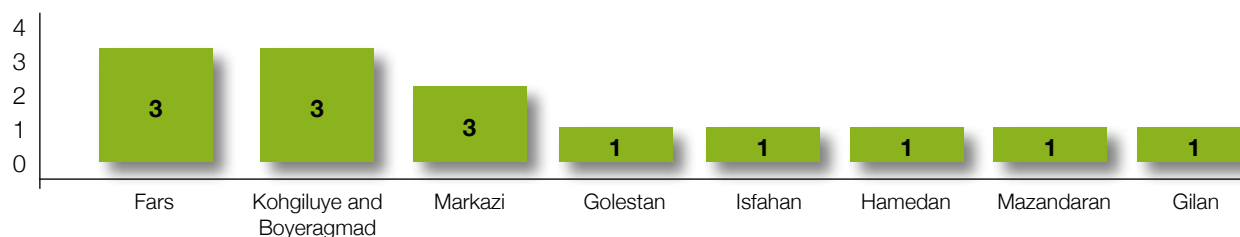
Public executions were conducted in 8 different provinces in 2019, compared to 6 provinces in 2018. Fars province (Southern Iran) tops the public executions as in 9 of the last 10 years.

98 EU strategy towards Iran after the nuclear agreement-EU Parliament text adopted 25 October 2016

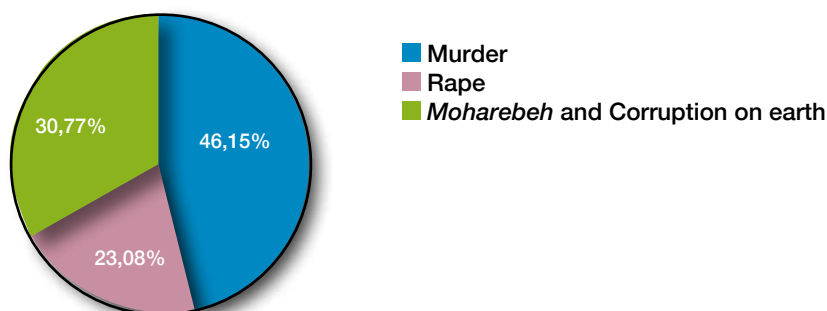
99 Outcome of the universal periodic review: Islamic Republic of Iran, A/HRC/DEC/28/108, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/107/16/PDF/G1510716.pdf?OpenElement>

100 UPR-info: Hungary, Norway and Germany called for a moratorium or immediate end to public executions

101 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>



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.



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*”.¹⁰²

A directive published by the Head of the Judiciary in June 2019 states that the presence of children under the age of 18 years is banned, unless expressly approved by a judge.¹⁰³ However, photos taken from the execution scene in previous years demonstrate that children are often present at these events. Executions are often announced in advance and take place early in the morning in front of dozens of citizens. In 2019, children watching the public executions. Nonetheless, all the reports, information and testimonies reveal that in 2019 executions were carried out in public spaces such as popular parks 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.

CHILDREN WATCHING AN EXECUTION IN ISFAHAN PROVINCE



Photo shows a child who was among those who watched an execution on January 15, 2019 in Falavarjan city, Isfahan province.¹⁰⁴

¹⁰² <http://en.humanrights-iran.ir/news-22714.aspx>

¹⁰³ <https://rc.majlis.ir/fa/law/show/1152670>

¹⁰⁴ <https://iranhr.net/en/articles/3615/>



Authorities setting up the execution stage before midnight in a popular park in Falavarjan city, Isfahan province. Photo: Majid Hojati

A large crowd gathered in the park watching an execution. Falavarjan city, Isfahan province¹⁰⁵



As in all other public executions, there are many children present among the crowd. Pictures showing close-ups of three of the children watching the execution in Falavarjan city .



IRANIAN STATE TV PROMOTING A PUBLIC EXECUTION IN RASHT



The public execution in Rasht (October 2, 2019) was broadly covered by the official media. Here is a picture published on the websites of State TV.¹⁰⁶ The man was sentenced to death for assassination of a police officer.

Picture showing the reporter with the execution stage in the background while reporting for State TV.¹⁰⁷



¹⁰⁵ doorbin.net, republished on <https://www.mashregnews.ir/photo/928754/>

¹⁰⁶ <https://www.iribnews.ir/fa/news/2537885/>

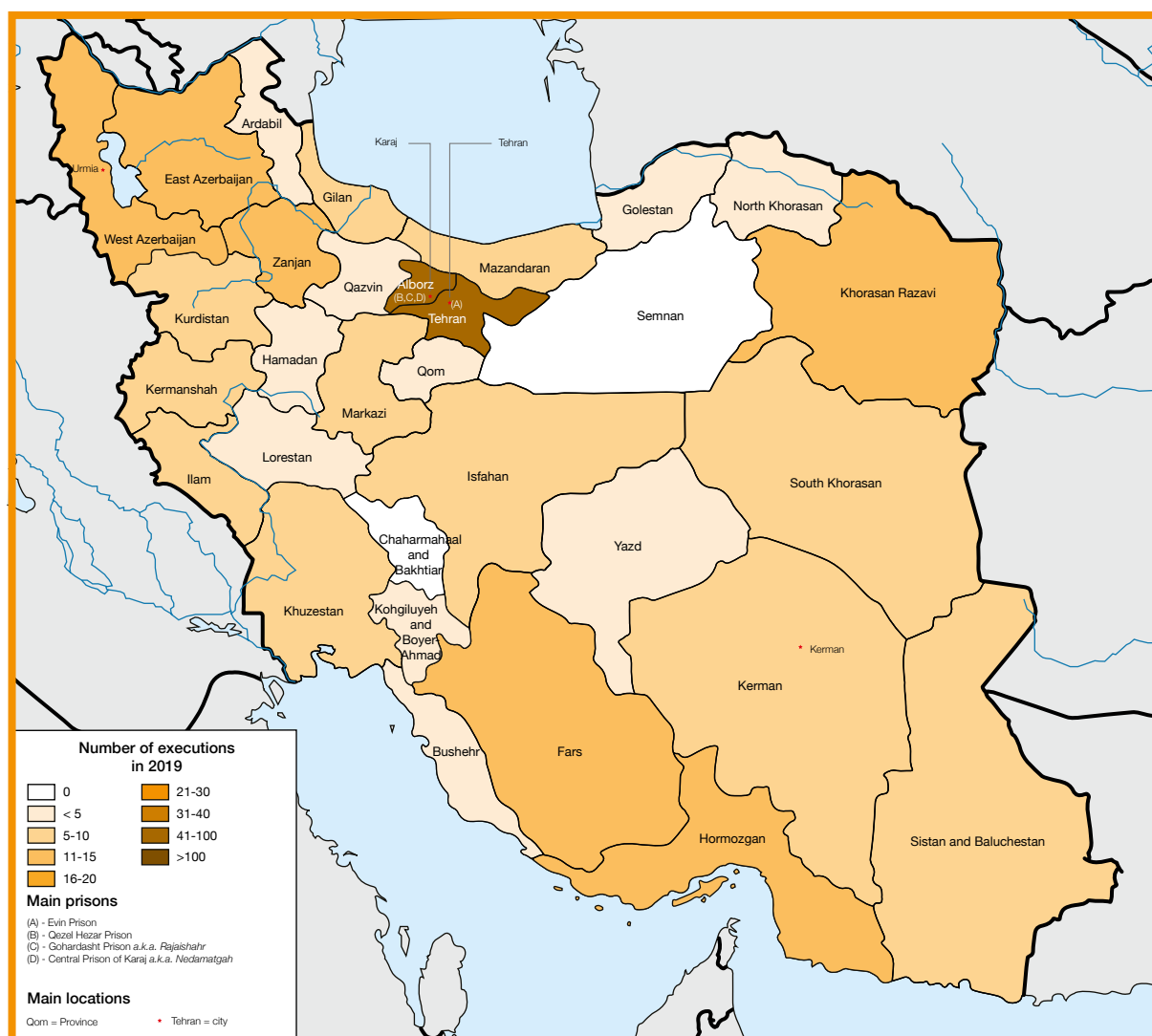
¹⁰⁷ <https://www.iribnews.ir/fa/news/2537885/>

GEOGRAPHIC DISTRIBUTION OF EXECUTIONS

Executions were carried out in all but two of the 31 provinces of Iran in 2019. 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, 70% of the executions included in the 2019 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.

MAP 2: 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, East Azerbaijan and Khorasan Razavi were the sites of the highest number of executions in 2019.

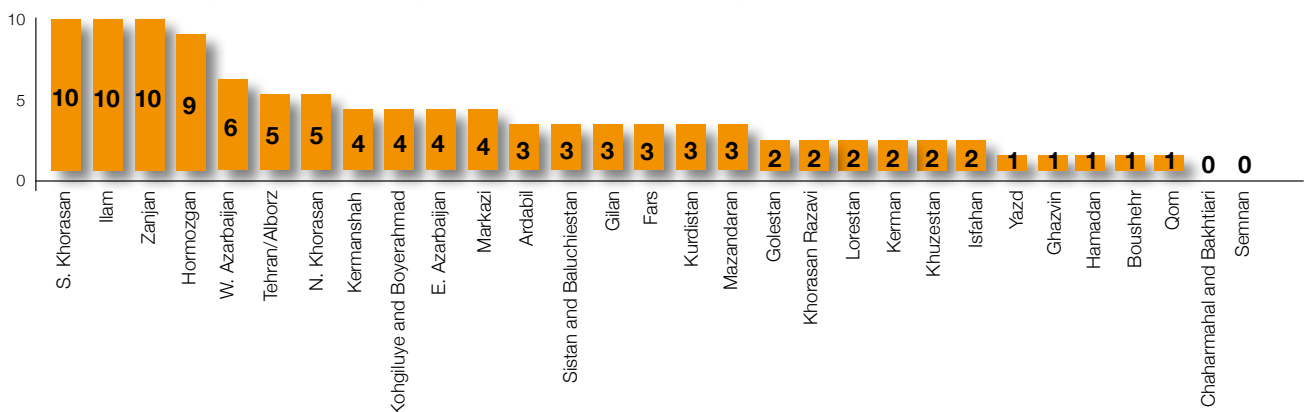


MAP 3: NUMBER OF EXECUTIONS PER CAPITA¹⁰⁸

In 2019, Iran had 3.4 executions carried out per million people. The provinces of South Khorasan, Ilam and Zanjan have the highest execution rate with 10 executions per million inhabitants. The actual numbers are provided in Table 3 at the end of this report.



NUMBER OF EXECUTIONS PER MILLION POPULATION IN EACH PROVINCE IN 2019



¹⁰⁸ Based on amar.org.ir, retrieved 18.02.2018

SECRET AND UNANNOUNCED EXECUTIONS

Approximately 70% of all executions included in the 2019 report, i.e. 196 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 have simply not been announced by the official media. The actual numbers are believed to be much higher.

Some facts about secret or unannounced executions in 2019:

- At least 196 (70%) executions were not announced by official Iranian sources;
- Only 1 of the 30 drug-related executions was announced by official sources;
- Drug offences counted for the charges in 15% of unannounced executions;
- Murder charges counted for 81% of unannounced executions.

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 organizations 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.¹⁰⁹ In many cases, pictures, along with the names of the prisoners, were sent to IHR. Some of these pictures are shown below.



Pictures showing some of the people whose executions were not announced by the official media, but IHR documented their executions.



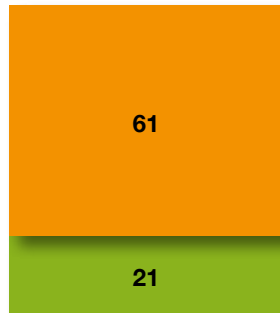
Death or funeral notices are also used as documentation to support reports of unannounced executions received by IHR.

¹⁰⁹ <https://iranhr.net/en/articles/2634/>

GEOGRAPHIC DISTRIBUTION OF ANNOUNCED
AND UNANNOUNCED/SECRET EXECUTIONS

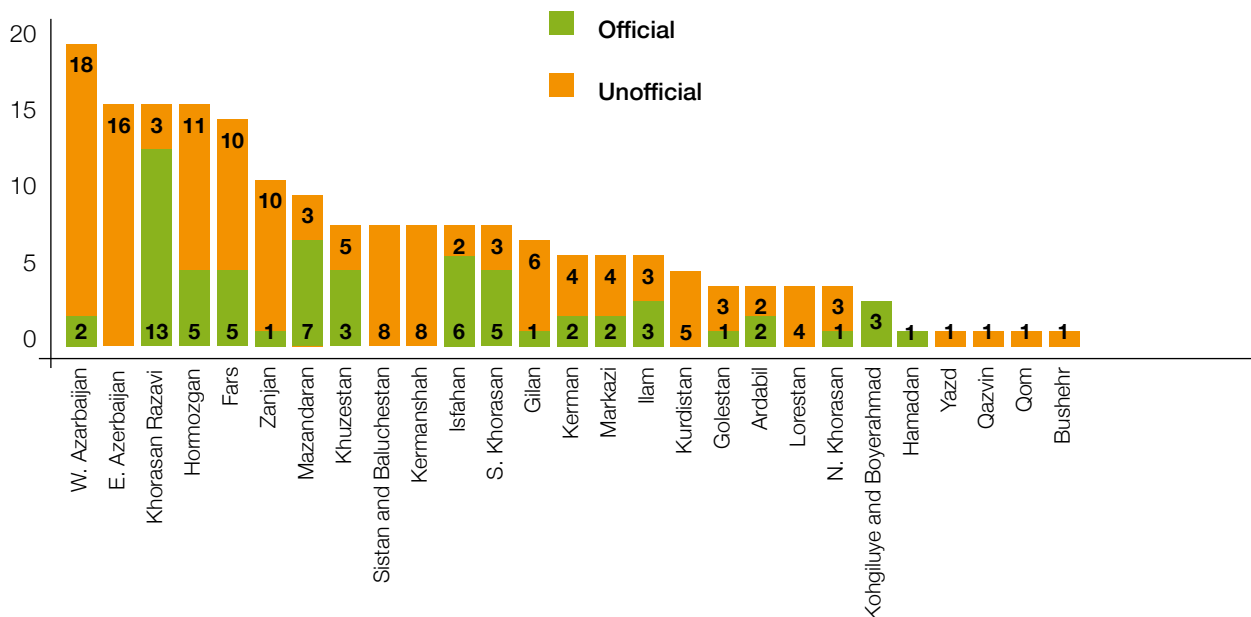
As in previous years, the big prisons in the Karaj/Tehran area were the sites of the highest number of both officially announced and unannounced executions. More details are provided in the following section.

EXECUTIONS IN THE ALBORZ/TEHRAN AREAS



Unofficial
Official

The diagram 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.¹¹⁰ The largest number belongs to those convicted of murder and sentenced to *qisas*. Only two of the executions were carried out in Nedamatgah. No reports of executions in Ghezelhesar were received by IHR in 2019, but some of the prisoners executed in Rajai Shahr prison had been transferred from Ghezelhesar.

GEOGRAPHIC DISTRIBUTION OF EXECUTIONS
IN THE REST OF COUNTRY

The diagram above shows the geographical distribution of official (green) and unofficial/unannounced (yellow) executions in other parts of Iran, excluding the Tehran/Karaj area. The prisons in the provinces of West Azarbaijan (northwest), Khorasan Razavi (northeast), Hormozgan (south) and Fars (south) had the highest number of executions. West Azarbaijan, East Azarbaijan and Zanjan had the highest number of unannounced executions.

110 <http://iranhr.net/en/articles/1190/>

NOVEMBER PROTESTS AND EXTRAJUDICIAL KILLINGS

Iran's mass popular protests in 2019, which were triggered by a sharp increase in fuel prices on November 15, quickly turned into an outcry against the Islamic Republic establishment.

Iranian security forces' crackdown protests took the lives of hundreds in November 2019.

In a report published in December 2019, IHR could confirm at least 324 deaths, including 14 children, mostly by direct shots security forces in the head, neck or chest.¹¹¹ The identity and story of some of the victims were mentioned in the report with the consent of their families. However, due to the pressure of security forces, many families are reluctant to report their loss. Since December 2019, IHR has received a dozen more documents and a new report will be published in the coming months.

According to a special report published by Reuters on Monday, December 23, 2019, about 1,500 people were killed during the protests.¹¹²

On December 20, 2019, UN experts echoed the call by the UN High Commissioner for Human Rights, Michelle Bachelet, for the Government *"to hold prompt, independent and impartial investigations into all allegations of human rights violations, including the deaths of protesters"*.¹¹³

According to IHR's estimates, at least 10,000 people were arrested during or in the weeks after the protests. Many of the detainees have been kept in inhumane conditions and there are several reports of torture and ill-treatment. Referring to the protesters, the Iranian authorities have threatened that "troublemakers" will be sentenced to death.^{114 115} IHR and ECPM are concerned that some of the death sentences might be implemented in the coming months.



Mohammadhossein Dastankhah, a 15-year-old boy who was shot dead in the Sadra neighbourhood of Shiraz.
(Source: Iran Human Rights)

111 <https://iranhr.net/en/articles/4059/>

112 <https://www.reuters.com/article/us-iran-protests-specialreport/special-report-irans-leader-ordered-crackdown-on-unrest-does-whatever-it-takes-to-end-it-idUSKBN1YR0QR>

113 <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25449&LangID=E>

114 <https://www.isna.ir/news/98083019472/>

115 <https://www.irna.ir/news/83562617>

EXECUTION CATEGORIES

JUVENILES

JUVENILE EXECUTIONS: TRENDS AND LEGISLATIVE REFORMS

Iran remains one of the few countries to sentence 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 four juvenile offenders in 2019. According to IHR's reports, at least 66 juvenile offenders have been executed between 2008 and 2019 in Iran. Amnesty International recently reported the execution of 85 juvenile offenders between 2005 and 2018.¹¹⁶ According to the same report, at least 80 juvenile offenders are on death row in Iranian prisons. However, the actual number is significantly higher as there is no information about juvenile offenders in many Iranian prisons. The international pressure on Iran's execution of juvenile offenders increased during the first decade of the Millennium. 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").¹¹⁷ Article 91 of the IPC says that juvenile offenders under the age of 18 who commit *huddud* 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.¹¹⁸ 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 2016-2019, IHR identified 18 cases where the death sentences of juvenile offenders were converted based on Article 91. In the same period, at least 20 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 under 18 years of age.

According to the report of the UN Secretary General on the situation of human rights in the Islamic Republic of Iran issued in February 2020 pursuant to the General Assembly resolution 74/167, "*United Nations human rights mechanisms have highlighted significant deficiencies with article 91 of the Penal Code and its application.*" The report emphasizes concerns about "*the discretion left to judges in applying article 91, including whether to request a forensic specialist assessment of the maturity of the accused and when to do so, sometimes requesting it years after the alleged offence, and to use any other method deemed appropriate to assess the mental development of the accused.*" The UN Secretary General has also expressed his worries about the vague term of "mental development" in the Penal Code by stating it "*does not define what constitutes the non-realization of the nature of the crime, nor does it define or provide the criteria for assessing "mental development", which increases the risk of arbitrary decision-making.*"¹¹⁹

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

117 Based on the lunar calendar.

118 17, U.N. Doc. A/68/377 (Sept. 10, 2013); Iran Penal Code (2013), Art. 91

119 <https://undocs.org/en/A/HRC/43/20>

International human rights mechanisms have repeatedly called on Iran to put an end to executions of minors. In February 2019, the United Nations Secretary General asked the Iranian authorities “to prohibit the execution of child offenders in all circumstances and to commute their sentences”.

In his annual report of 2020, the Special Rapporteur wrote that “he continues to monitor the situation of child offenders on death row, and has received information that there are at present at least 100 individuals who have been sentenced to death for crimes committed when they were under 18 years of age”.

Some facts about juvenile executions in 2019:

- 4 juveniles (at the time of the crime) were executed;
- All were charged with murder;
- 1 of the juveniles was suffering from mental illness.

JUVENILE OFFENDERS EXECUTED IN 2019

MEHDI SOHRABIFAR AND AMIN SEDAGHAT



On the morning of Thursday, April 25, 2019, two juvenile offenders were executed at Shiraz Central Prison, also known as Adel-Abad Prison.

IHR could identify them as Mehdi Sohrabifar and Amin Sedaghat. Amnesty International had first reported the aforementioned juvenile executions. IHR was able to confirm the facts with some additional information.

Mehdi Sohrabifar was born on October 29, 2001, and Amin Sedaghat was born on September 28, 2001. The

two cousins were arrested in the spring of 2017 for an alleged rape and robbery case. One of their relatives told IHR that they were innocent and the rapist was someone else involved in the robbery. “They were tortured in order to extract false confessions”, the relative added.

According to the documents seen by IHR, Mehdi Sohrabifar had suffered from a mental disability and was studying at a school for exceptional students.¹²⁰

TOURAJ GHASSEMI



According to the Islamic Republic News Agency, on the morning of Sunday, July 28, a man was hanged at Nur prison for murder charges. Nur city’s attorney general said the man was 23 at the time of the execution. “The youngster stabbed and killed a 19-year-old man five years ago.”¹²¹

However, according to a Human Rights Activists in Iran (HRANA) report, the prisoner was 16 at the time of the crime. HRANA identified the man as Touraj Ghassemi.¹²²

120 <https://iranhr.net/en/articles/3723/>

121 <https://www.irna.ir/news/83414038/>

122 <https://iranhr.net/en/articles/3856/>

FARHAD AKBARI

On January 16, 2019, Farhad Akbari was executed at the central prison of the western Iranian city of Ilam. Several sources from Ilam prison told IHR that he was arrested for committing a murder at the age of 16 to 17. However, Iran Human Rights was not able to obtain his birth certificate or other supporting documents to prove Farhad's age. IHR reports this execution as a juvenile offender based on the prisoners who witnessed him as a juvenile at the time of arrest.¹²³

Table 1: List of juvenile offenders executed in 2019

	Date	Name	Age*	Charge	Place	Source	Comment
1	16/01/2019	Farhad Akbari	16	Murder	Ilam-Ilam	IHR	Unofficial
2	27/04/2019	Mehdi Sohrabi Far		Rape	Fars-Shiraz	Rokna	Official
3	27/04/2019	Amin Sedaghat		Rape	Fars-Shiraz	Rokna	Official
4	28/07/2019	Touraj Ghasemi	16	Murder	Mazandaran-Nur	HRANA	Unofficial**

* Age at the time of committing the offence

** Touraj Ghassemi's execution is officially announced. However, being a juvenile - offender is not officially confirmed by the Iranian authorities

WOMEN

According to reports gathered by IHR, at least 15 women were executed in 2019 in Iran. Only 8 of the executions were announced by official sources.

All of the 15 women executed in 2019 had been sentenced to death on murder charges.

Some facts about the women executed in 2019:

- 15 executions but only 8 announced by the authorities;
- 1 was an Afghan citizen;
- All were sentenced to death for murder charges;
- 6 were charged with the murder of their husbands;
- 1 of the women charged with murder of her husband had been married before the age of 18;
- 3 were possibly suffering from mental illness;
- 1 had murdered a man who wanted to rape her.

LEILA ZARAFSHAN



On September 26, 2019, Leila Zarafshan (37) was hanged at Sanandaj prison. She was sentenced to death for murdering her husband and had been in prison for 5 years before her execution.¹²⁴

"Leila was suffering from a mental disability. She killed her husband on their 40th day of marriage. Civil activists had tried to win the consent of the plaintiff but they failed", the source told IHR, "Leila was suffering from a mental disability. She had to be treated not executed."

¹²³ <https://iranhr.net/fa/articles/3717/>

¹²⁴ <https://iranhr.net/en/articles/3953/>

According to sources close to Leila, she had previously been hospitalized for her mental illness. "Despite this, the authorities never provided examination by medical experts and forensics" said the sources. Iranian state media did not announce Leila's execution.

Table 2: List of women executed in 2019

	Date	Name	Age	Charge	Place	Source	Comment
1	30/01/2019	M. A.	Unknown	Murder	Mazandaran-Noushahr	IHR	Unofficial
2	19/06/2019	Fateme Nasiri	Unknown	Murder	Alborz-Rajaeishahr Karaj	Javan Online	Official
3	16/07/2019	Malihe Salehian	Unknown	Murder	West Azarbaijan-Mahabad	IHR	Unofficial
4	23/07/2019	Araste Ranjbar	Unknown	Murder	W. Azerbaijan-Urmia	ISNA	Official
5	23/07/2019	Nazdar Vatankhah	Unknown	Murder	W. Azerbaijan-Urmia	ISNA	Official
6	17/07/2019	Zahra Safari Moghadam	43	Murder	Mazandaran-Noushahr	IRNA	Official
7	25/08/2019	Unknown	34	Murder	Khorasan-e Razavi-Mashhad	Khorasan	Official
8	25/09/2019	Unknown	Unknown	Murder	Alborz-Rajaeishahr Karaj	IHR	Unofficial
9	26/09/2019	Lila Zarafshan	37	Murder	Kurdistan-Sanandaj	IHR	Unofficial
10	09/10/2019	Unknown	Unknown	Murder	Alborz-Rajaeishahr Karaj	IHR	Unofficial
11	04/12/2019	Somaye Shahbazi-Jahrouei	33	Murder	Khozestan-Ahwaz	IHR	Unofficial
12	04/12/2019	Unknown	Unknown	Murder	Alborz-Rajaeishahr Karaj	IHR	Unofficial
13	04/12/2019	Fateme- ?	26	Murder	Alborz-Rajaeishahr Karaj	Javan Online	Official
14	08/12/2019	Maryam- ?	32	Murder	Khorasan-e Razavi-Mashhad	BORNA	Official
15	18/12/2019	Unknown	60	Murder	Alborz-Rajaeishahr Karaj	YJC	Official

ETHNIC GROUPS

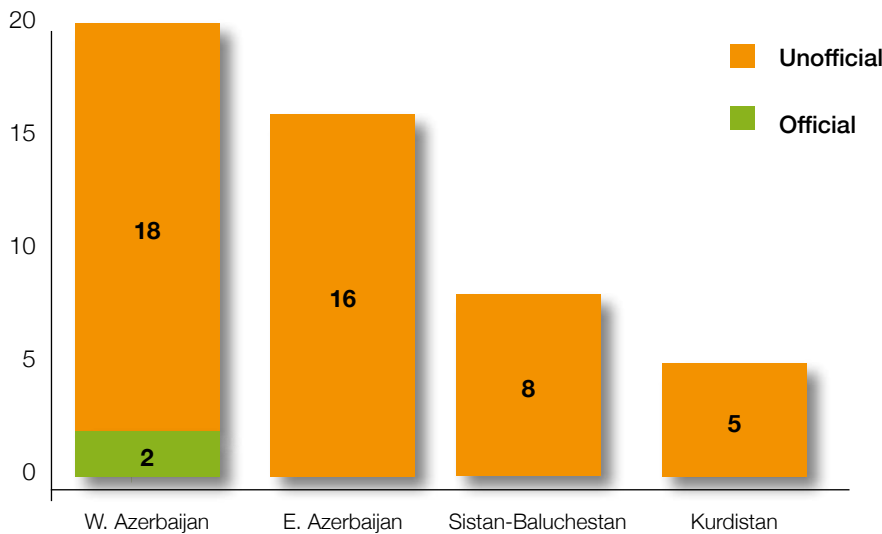
As previous Annual Reports show, ethnic minorities in Iran are over-represented in the death penalty statistics. This is also true in 2019, especially in East Azerbaijan and West Azerbaijan provinces. However, given the fact that the execution of people who belong to different ethnic groups is not implemented exclusively in their respective regions, it is hard to say exactly how many people belonging to ethnic minorities were executed.

For instance, many Kurds have been hanged in Urmia Prison which is located in West Azerbaijan. On the other hand, information about those executed doesn't always include their ethnicity. Executions of Baluchi prisoners are in many cases carried out in prisons outside Baluchestan.

Nonetheless, the considerable fact is the secrecy of executions among four ethnic provinces, W. Azerbaijan, E. Azerbaijan, Sistan and Baluchistan, and Kurdistan.

In 2019, 47 of the 49 executions IHR has managed to confirm in the provinces of East and West Azerbaijan, Kurdistan and Baluchestan, were not announced by official Iranian sources. The trend has also been similar in previous years.

Thus, it is safe to say that an unprecedented level of secrecy in executions is taking place in the Iranian ethnic regions.



On the other hand, the absolute majority of all executions for political affiliation belong to the ethnic groups, particularly the Kurds. An overview of IHR reports between 2010 and 2019 shows that among the 120 people who have been executed for affiliation with banned political and militant groups, 65 were Kurds (55%), 29 Baluchis (25%) and 17 Arabs (14%). It is important to note that most of those executed among the ethnic groups were *Sunni* Muslims.

There are several reasons for the overrepresentation of ethnic groups among those executed.

A higher opposition among people against the authorities leads to an increased need for the authorities to use violence and create fear. Besides, the presence of militant groups in these areas makes it easier for the authorities to issue death sentences under the pretext of fighting terrorism. There is less visibility from the media and human rights groups on the situation in certain ethnic regions. Finally, poverty, poor socio-economic situation and the lawlessness and arbitrariness present in the Iranian Judiciary are even more serious in the ethnic regions.

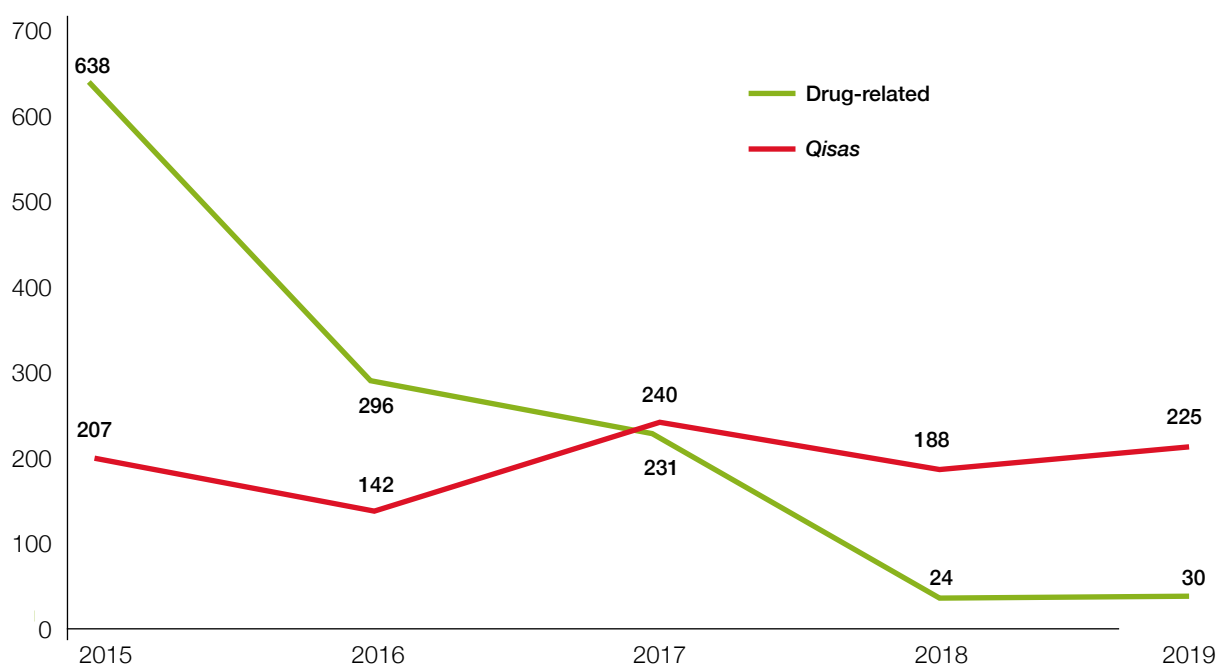
FOREIGN CITIZENS

In 2019, IHR reported on the executions of 6 Afghan citizens. The actual number is probably higher than reported here. Following protests by Afghan civil society and some parliamentarians in 2012-2013, the Iranian authorities often do not announce the execution of Afghans. The same is true for other foreign citizens as the issue can raise international sensitivity. It is not known to what extent death row foreign citizens in Iran receive consular support from their respective authorities.

According to IHR sources, a court in the Iranian city of Mashhad issued death sentence for a Pakistani citizen on September 24, 2019. His name is revealed by sources to be Imran Issac-Bashir, son of Hamdollah. *“Imran was working in a building at the Iranian city of Mashhad. Around 20 months ago, the watchman of the building was murdered by a gang of thieves. Imran says he went to defend the watchman but the thieves ran away and he was arrested for the murder”*, a well-informed source told IHR. 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

The new amendments to the Anti-Narcotics Law, enforced in November 2017 have led to the most significant reduction in the number of implemented death sentences in the Islamic Republic's history. For the second consecutive year, the number of yearly executions for drug offenses was significantly lower than the average in the last 10 years. During the last two years, *qisas* executions have counted for the majority of all executions. Thus, a strong reduction in the use of the death penalty in Iran depends on a change in the *qisas* law and related practices.



While the number of drug-related executions has dropped significantly since 2015, the number of *qisas* executions fluctuated in both directions. In 2019, *qisas* executions had a significant increase compared to 2018.

Experience in the past two decades has shown that the international community and Iranian civil society are the main driving forces behind any reforms towards restriction in the use of the death penalty in Iran. The end of stoning punishments, which were used for adultery, and the reduction in the use of the death penalty for drug offenses are two significant steps the Iranian authorities have taken towards restriction in the use of the death penalty. Common to both is that the changes occurred because of simultaneous domestic campaigns and international pressure. The European Parliament had set an end to stoning as a condition for improving economic relations with Iran.¹²⁵ While the reduction in the use of drug-related executions was a result of a change in the law and can be considered as long-lasting, the end to the stoning punishment should be regarded as temporary since it still exists in law. The latest directive by the Head of the Judiciary on the implementation of punishments published in June 2019

¹²⁵ http://news.bbc.co.uk/2/hi/middle_east/2726009.stm

describes in detail how stoning punishments should be carried out. Thus, stoning punishments can again be implemented if the international human rights mechanisms reduce scrutinizing the human rights situation in Iran. A more detailed description of the events leading to the changes in law and practice in the case of drug-related executions and stoning punishments are described in the IHR and ECPM's annual report on the death penalty in 2018.¹²⁶

CATEGORIES OF THE DEATH PENALTY WITH THE POSSIBILITY OF IMPROVEMENT

JUVENILE EXECUTIONS

Iran is the country with the highest number of juvenile executions in the last 20 years. According to reports by IHR and Amnesty International between 1999 and 2019, the Iranian authorities have implemented 94 of at least 127 (74%) juvenile executions worldwide. Iran has also been the only country implementing juvenile executions every single year in the last 10 years. Both civil society inside Iran and the international community are highly sensitive about the issue of juvenile executions. Due to sustained international pressure in the years between 2007 and 2013 the Iranian authorities introduced some changes in the Penal Code regarding the death penalty for children. However, these changes did not lead to a decrease in the number of child executions by the Iranian authorities. Stronger, coordinated pressure by the international community can lead to abolition of child executions in Iran. Although the Iranian authorities refer to Islamic jurisprudence, which states that the age of "majority" and thus the age of criminal responsibility should be 9 lunar years for girls and 15 lunar years for boys. However, the Iranian authorities already use 18 years of age as the age of majority in other circumstances. For instance, passports are issued to citizens above 18 years of age upon presentation of the birth registration and their national ID card, the Melli Card. But, children below 18 years and unmarried women above 18 years must obtain the permission of their father or closest male relative, and married women must present the husband's permission in order to have a passport issued. Thus, changing the age of criminal responsibility to 18 years would not represent a complex deviation from Islamic Law.

PUBLIC EXECUTIONS

Iran is one of very few countries practicing public executions. The issue has been raised repeatedly by the international community. There has also been a debate among Iranian civil society and even in the Iranian Parliament¹²⁷ about public executions. Even several Iranian ayatollahs have stated that implementation of punishments in public is not a religious necessity and should not be done if the negative side effects are bigger than the benefits.¹²⁸ Negative side-effects include international condemnations. Although the government (led by the president) does not, according to the Iranian Constitution, have the authority to issue and implement death sentences, public executions seem to be the exception to this rule. The government (represented by the local governor) does have the authority to decide whether an execution should be carried out in public or not.¹²⁹ Since the government is the counterpart of Iran's dialogue partners, it is easier to exert pressure on them in order to stop the practice of public executions. Thus, ending the practice of public executions demands focused and sustained pressure from the international community. However, during the last UPR in 2019, there were no recommendations to stop public executions.

126 https://iranhr.net/media/files/Rapport_iran_2019-GB-BD.pdf

127 <https://www.radiofarda.com/a/iran-execution-whipping-law/29314017.html>

128 <https://www.tabnak.ir/fa/news/380428>

129 https://www.parliran.ir/majles/fa/Content/_/5004

QISAS

Unlike public executions, *qisas* (retribution in kind) for murder is mentioned in Islamic Law (*Sharia*) and as long as the Penal Code is based on *Sharia*, the Iranian authorities consider removing it as a red line that they cannot cross. The Iranian authorities claim that *qisas* is a private right which the authorities cannot deny or control. According to the Iranian Penal Code, murder is punishable by *qisas* where the family of the victim can demand a retribution death sentence. Nevertheless, they can also demand blood money (*diya*) instead of a death sentence or can simply grant forgiveness. Although being against *qisas* is considered a serious crime according to Iranian law, promoting forgiveness is regarded as a deed according to Islam. This opens several possibilities to reduce the number of *qisas* executions which counted for more than 80% of all executions in 2019. A brief description of the actions which are believed to contribute to reducing the number of such executions are presented below.

- **Long prison terms for murder convicts forgiven by the plaintiff:** One of the arguments used by those defending *qisas* death sentence is that once forgiven (by paying *diya* for instance), someone who has committed a serious crime and who can be dangerous will be released to the society after a short prison term. This notion makes the plaintiff hesitate in choosing *diya* or forgiveness instead of *qisas*. This issue can be solved by the introduction of a compulsory minimum prison term for all murder convicts who have been forgiven by the plaintiff. The prison term should be long enough to give the plaintiff a feeling that the convict is being punished.
- **One rate for *diya* and government support to cover it if necessary:** The minimum rate of *diya* (blood money) is decided by the authorities. However, there are no upper limits for *diya*. So the plaintiff can ask for an amount which is many folds higher than the minimum rate. As well as adding to the discriminatory nature of *qisas* (the poor are executed while the rich can pay themselves out), this makes it difficult for the State to subsidize at least part of the *diya*.
- **Promoting forgiveness through civil society:** In the past few years an increasing number of civil society groups have been working to promote forgiveness instead of *qisas*. The State and the international community must support these groups.

MOVEMENTS PROMOTING ABOLITION AND MOBILIZING CIVIL SOCIETY INSIDE IRAN

FORGIVENESS MOVEMENT

As mentioned under the section for *qisas* executions (Page 36), according to the Iranian Penal Code, murder is punished by *qisas* (retribution) where the family of the victim can demand a retribution death sentence. But they can also demand blood money (*diya*) instead of a death sentence or can simply grant forgiveness.

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 Society¹³⁰, 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.¹³¹

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

131 "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>

This movement has resulted in the removal of death sentences for hundreds of death row prisoners in recent years (See page 37 for the numbers). Additionally, the forgiveness movement has contributed significantly to promoting abolition and debate around the death penalty as a punishment.

IRANIAN CINEMA AGAINST THE DEATH PENALTY

Despite censorship in Iran, during the past few years, several successful movies were produced with the theme of death penalty in the country. However, media close to the authorities have been quick to attack the directors and producers of those movies.



*A Ballad for the White Cow*¹³² is the most recent production which focused on *qisas* (retribution- in- kind) and its effects on society.

Mashregh News, a website known to be close to IRGC, accused the director - who also wrote the screenplay- of opposing Quran verses and Islamic teachings and threatened that he might be accused of Apostasy for criticizing *qisas*.¹³³

Tasnim News, another IRGC affiliated website, accused the producers of targeting the Iranian Judicial System for political reasons. Tasnim has also criticized Iran's annual Fajr International Film Festival for choosing to show the film during the recent festival.¹³⁴

Another production, *Sheytan Vojud Nadarad* (There Is No Evil), directed by Mohammad Rasoulof, which won the 2020 Golden Bear for Best Film of the 70th Berlinale¹³⁵, focuses on the death penalty. Director Mohammad Rasoulof has been officially banned from filmmaking and barred from leaving Iran since 2017. He could not attend the festival.¹³⁶ Despite the court order, he made *Sheytan Vojud Nadarad* and took the risk of further charges. The award-winning Iranian filmmaker has already been sentenced to one year in prison for "spreading propaganda" against the establishment.¹³⁷



132 <https://www.imdb.com/title/tt11773484/>

133 <https://www.mashreghnews.ir/news/1037720/>

134 <https://www.tasnimnews.com/fa/news/1398/11/14/2194364/>

135 <https://www.berlinale.de/en/festival/awards-and-juries/international-jury.html>

136 <https://www.dw.com/en/why-mohammad-rasoulof-still-makes-films-despite-irans-threats/a-52575195>

137 <https://www.rferl.org/a/award-winning-iranian-filmmaker-rasoulof-sentenced-to-prison-travel-ban/30073293.html>

CRACKDOWN ON ABOLITIONIST ACTIVISTS

The Iranian authorities' crackdown on abolitionist civil society continued in 2019 through increased pressure on imprisoned activists and notably Atena Daemi, Nasrin Sotoudeh and Narges Mohammadi.

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

NARGES MOHAMMADI: SENTENCED TO 16 YEARS IN PRISON - BEATEN AND "EXILED" TO A SMALLER PRISON

Prominent imprisoned human rights defender and member of the anti-death penalty campaign Legam (Step by Step to Abolish the Death Penalty) who is spending her fifth year in prison for her civil activities, was beaten and transferred from Evin prison to a prison in the Iranian city of Zanjan on December 25, 2019. *"The Evin prison chief beat Narges's head a wall several times... This was an exile with beating and verbal abuse"*, wrote Narges husband, Taghi Rahmani, on Twitter.¹³⁸

Narges has been sentenced to 16 years imprisonment by Tehran's revolutionary court. 10 years of her sentence is on 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 five-year sentence for "gathering and colluding to commit crimes against national security", and one additional year for "spreading propaganda against the system".¹³⁹

Narges Mohammadi, the Vice-President of the Centre for Human Rights Defenders in Iran, has continued her human rights activities in jail. She protested against the brutal crackdown of the November 2019 protests in Iran which led to the killing of hundreds of citizens.¹⁴⁰



In order to put more pressure on Narges, the authorities banned her from calling her two children, Ali and Kiana for the past 6 months up to February 2020. Ali and Kiana live in Paris with their father Taghi Rahmani who also lives in exile.¹⁴¹ During the past five years, Narges was given only a three-day furlough in September 2018. However, the furlough was not extended and she went back to prison again.¹⁴²

138 <https://twitter.com/RahmaniTaghi/status/1210134205168050176>

139 <https://iranhr.net/en/articles/2904/>

140 <https://iranhr.net/en/articles/4059/>

141 <https://twitter.com/RahmaniTaghi/status/1228716290447224837>

142 <https://iranhr.net/en/articles/2530/>

ATENA DAEMI: SENTENCED TO SEVEN YEARS IN PRISON- FACING TWO NEW CHARGES



While prominent human rights defender and civil activist Atena Daemi spends around four years in prison without furlough, two security entities filed new separate cases against her for her activities in prison. The intelligence Organization of the Islamic Revolutionary Guard Corps and the State Prisons and Security and Corrective Measures Organization filed separate cases accusing her of “propaganda against the system” by issuing and signing statements from prison and “disturbing the discipline of

prison” Masoumeh Nemati, Atena’s mother, told IHR in February 2020 that she has been banned from face-to-face meetings with her family for the past 11 months. According to Mrs Nemati, even Atena’s lawyer cannot have any access to her until the investigations into the new cases are done.¹⁴³ Atena Daemi has already 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 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.¹⁴⁴

NASRIN SOTOUDEH: SENTENCED TO 33 YEARS IN PRISON AND 148 LASHES



In March 2019, prominent lawyer and human rights defender, Nasrin Sotoudeh, was sentenced to 33 years imprisonment and 148 lashes for seven charges, all related to her human rights advocacy.

Nasrin Sotoudeh’s court verdict was notified to her in Evin prison on Saturday, March 9, 2019.

Branch 28 of Tehran’s Revolutionary Court headed by judge Mohammad Moghiseh issued the verdict in absentia. Her charges were: assembly and gathering against national security, propaganda against the

system, being an effective member of an abolitionist movement called LEGAM (Step by Step to Stop the Death Penalty), encouraging immorality, appearance without proper hijab, and spreading misinformation to affect public opinion.¹⁴⁵

As a lawyer, Sotoudeh is also well-known for representing death-row juvenile offenders, civil and political rights activists, religious minorities and women prosecuted for removing their mandatory headscarf. Sotoudeh is the co-winner of the European Parliament’s 2012 Sakharov Prize for Freedom of Thought.¹⁴⁶

¹⁴³ <https://iranhr.net/fa/articles/4127/>

¹⁴⁴ <http://www.amnestyusa.org/get-involved/take-action-now/urgent-action-update-anti-death-penalty-activist-violently-arrested-iran-ua-12715>

¹⁴⁵ <https://iranhr.net/en/articles/3664/>

¹⁴⁶ <https://www.europarl.europa.eu/news/en/press-room/20121024IPR54366/nasrin-sotoudeh-and-jafar-panahi-winners-of-the-2012-sakharov-prize>

RECOMMENDATIONS

Iran Human Rights (IHR) and ECPM (Together Against the Death Penalty) call on the:

International community to:

- Support the mandate of the Special Rapporteur on human rights in Iran, including support for renewal of his 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 offenses that do not meet the threshold of “most serious crimes”, by removing mandatory death sentences from the Penal Code, by putting an end to sentences and executions of persons who were under the age of 18 at the age of the crime for which they have been sentenced, by ensuring due process;
- Encourage Iran to go towards abolition of the death penalty;
- Determine bilateral and international funding and cooperation for the achievement of clear results in terms of compliance with human rights standards;
- Ensure that any investment, funding, trade, cooperation program in Iran is not used to participate in, facilitate or help the commission of executions, or any other violation of human rights law;
- Call for the protection, the end of harassment and the immediate release of all human rights defenders and anti-death penalty activists including Narges Mohammadi, Atena Daemi and Nasrin Sotoudeh who were sentenced to long prison terms for peaceful activities against the death penalty;
- Advocate for a moratorium on use of the death penalty;
- Advocate for major reforms within the country's judicial system which does not meet minimum international standards, including bringing an end to the practice of forced confession, torture and 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 consider seriously abstaining or voting in favor of the UNGA Resolution calling for a universal moratorium on the 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 to the Special Rapporteur on extrajudicial, summary and arbitrary executions, to the Special Rapporteur on torture, to the Special Rapporteur on the independence of judges and lawyers and to 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 the implemented death sentences and number of executions including by publishing (or communicating to the UN) a list of all juvenile offenders currently on death row and list of all prisoners on the death row for drug offences;
- Cease the criminalization 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.

APPENDIX

APPENDIX 1: EXECUTIONS PER CAPITA IN EACH PROVINCE

Province	Executions per million inhabitants
S. Khorasan	10
Ilam	10
Zanjan	10
Hormozgan	9
W. Azerbaijan	6
N. Khorasan	5
Alborz/Tehran	5
Kermanshah	4
Kohgiluyeh and Boyerahmad	4
Markazi	4
E. Azerbaijan	4
Sistan and Baluchistan	3
Ardabil	3
Fars	3
Mazandaran	3
Gilan	3
Kurdistan	3
Kerman	2
Golestan	2
Khorasan Razavi	2
Lorestan	2
Isfahan	2
Khuzestan	2
Ghazvin	1
Hamadan	1
Yazd	1
Bushehr	1
Qom	1
Chaharmahal and Bakhtiari	0
Semnan	0

APPENDIX 2: UPR RECOMMENDATIONS ON THE DEATH PENALTY IN 2019

- Establish an official moratorium on the executions of minors under the age of 18 at the time of the crime, amend its Penal Code and commute the sentences of juveniles (Switzerland);
- Undertake steps towards introduction of a moratorium on the death penalty, which would allow the Islamic Republic of Iran to consider signature and ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Poland);
- Commute the sentences of persons sentenced to death, establish a moratorium on executions and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Portugal);
- Abolish death sentences for persons under 18 years of age and commute all existing sentences for offenders on death row who had committed a crime while under the age of 18 years (Republic of Moldova);
- Establish a moratorium on the death penalty, in particular in relation to juvenile offenders (Ukraine);
- Abolish the death penalty at least for crimes committed by persons under 18 years of age, in accordance with its obligations under the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child, and commute all death sentences for juvenile offenders (Belgium);
- Take all necessary measures to establish a moratorium on the death penalty by prohibiting its application to persons who were minors at the time of the commission of the crime (Uruguay);
- Impose an immediate moratorium on the execution of minors (Albania);
- Establish a five-year moratorium to work progressively towards the abolition of capital punishment, by allowing open and public debate on the question of the death penalty with all actors in society (Albania);
- Take the necessary measures to eliminate the death penalty from its national legislation and, until such derogation is made, establish an official moratorium on executions of all persons currently sentenced to death (Argentina);
- Establish a formal moratorium on the death penalty, as a step towards its complete abolition, and, as an immediate step, prohibit the application of the death penalty for offences committed by minors (Australia);
- Ensure that the death penalty is never imposed in violation of article 6 of the International Covenant on Civil and Political Rights, and consider establishing an official moratorium on executions of juvenile offenders (Austria);
- Abolish the execution of children and commute the death sentences of all minors on death row (Brazil);
- Revise the Penal Code to ensure consistency with its international obligations, including article 6 of the International Covenant on Civil and Political Rights, so that the death penalty is reserved for only the most serious crimes, never imposed for crimes committed by persons below 18 years of age, and never imposed arbitrarily (Canada);
- Consider the abolition of the death penalty and ensure that no minor can be sentenced to death (Chile);
- Abolish the death penalty in the country under any circumstances (Croatia);
- Reduce the number of offences punishable by death, commencing with drug-related offences, as well as prohibit the use of the death penalty against those who were minors at the time the crime was committed (Cyprus);
- Establish an official moratorium on executions with a view to abolishing the death penalty, at least for juvenile perpetrators (Czechia);
- Further amend the drug trafficking law to remove all mandatory death sentences for drug-related offences and adopt a moratorium on execution, particularly of juvenile offenders (Denmark);

- Introduce a moratorium on executions, especially for juvenile offenders, with a view to progressively abolishing the death penalty (Estonia);
- Continue reforms to the Penal Code in order to restrict the death penalty to the most serious crimes, which would be progress towards the full abolition of the death penalty (Spain);
- Establish a moratorium on the application of the death penalty with a view to its permanent abolition, cease the executions of minors and repeal articles 233 to 235 of the Penal Code (France);
- Take further steps towards the substitution of mandatory death penalties for prison sentences for all drug-related offences (Georgia);
- Establish a formal moratorium on the death penalty; in particular, cease all planned executions of juvenile offenders and prohibit the imposition of the death penalty for crimes committed by minors (Germany);
- Establish an official moratorium on executions with a view to abolishing the death penalty (Greece);
- Implement a moratorium on all executions, with a view to abolishing the death penalty (Iceland);
- Repeal the relevant articles of the Penal code, including those that impose the death penalty and flogging for offences related to consensual same-sex conduct between adults, with a view to fully decriminalize same-sex relations between consenting adults (Iceland);
- Establish a moratorium on executions and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, and immediately end death sentences for individuals under the age of 18 at the time of their alleged crime in line with the Islamic Republic of Iran's obligations under the Convention on the Rights of the Child (Ireland);
- End the widespread use of the death penalty, especially on minors (Israel);
- Introduce a moratorium on executions, with a view to the complete abolition of the death penalty, and ban the use of executions for crimes committed by minors (Italy);
- Consider a moratorium on the death penalty with a view to abolishing it (Latvia);
- Comply fully with the relevant obligations under the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child and consider introducing a moratorium on the death penalty (Lithuania);
- Establish a moratorium on the death penalty with a view to its complete abolition (Luxembourg);
- Consider an official moratorium on executions with a view to abolishing the death penalty, particularly for offences related to consensual same-sex conduct between adults (Malta);
- Set moratoriums on the application of the death penalty for those who were minors at the time of the crime, and with regard to the criminalization of consensual same-sex relationships (Mexico);
- Establish an immediate moratorium on the use of the death penalty (Montenegro);
- Immediately introduce a moratorium on the death penalty, including for juvenile offenders, as a first step towards abolition (Sweden);
- Cease immediately the use of the death penalty, especially for those under the age of 18 years at the time of offending (New Zealand);
- Establish a moratorium on the death penalty, especially for juveniles and work towards its abolition (North Macedonia);
- Abolish the death penalty, and stop planned executions for persons who committed crimes before the age of 18 (Norway).

APPENDIX 3: LIST OF RESOLUTIONS AND REPORTS ADOPTED BY THE UNITED NATIONS AND THE EUROPEAN PARLIAMENT

United Nations Secretary General	A/HRC/40/24 https://documents-dds-ny.un.org/doc/UNDOC/GEN/G19/028/77/pdf/G1902877.pdf?OpenElement	Report of the Secretary-General, Situation of human rights in the Islamic Republic of Iran, Human Rights Council, 40 th session, 8 february 2019 (GE.19-01989(E))	United Nations	08/02/2019
	A/74/273 https://documents-dds-ny.un.org/doc/UNDOC/GEN/N19/243/59/pdf/N1924359.pdf?OpenElement	Report of the Secretary-General, situation of human rights in the Islamic Republic of Iran, 74 th session of the General Assembly, 2 nd august 2019 (19-13270 (E))		02/08/2019
	A/HRC/42/28 https://documents-dds-ny.un.org/doc/UNDOC/GEN/G19/255/61/pdf/G1925561.pdf?OpenElement	Annual report of the Secretary-General, 42nd session of the Human Rights Council, on the Capital punishment and the implementation of the safeguards guaranteeing protection of the rights of those facing the death penalty (GE.19-14657(E))		28/08/2019
	A/HRC/37/24 https://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session37/Documents/A_HRC_37_24.docx	Report of the Secretary-General, Situation of human rights in the Islamic Republic of Iran, Human Rights Council, 37th session, mars 2018, document edited in September 2019		04/09/2019
United Nations Special Rapporteur on the situation of human rights in the Islamic Republic of Iran	A/HRC/40/67 https://documents-dds-ny.un.org/doc/UNDOC/GEN/G19/021/61/PDF/G1902161.pdf?OpenElement	Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, 40th Session, Human Rights Council, (GE.19-01422(E))	United Nations	30/01/ 2019
	A/74/188 https://documents-dds-ny.un.org/doc/UNDOC/GEN/N19/222/62/pdf/N1922262.pdf?OpenElement	Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, Note by the Secretary-General, 74TH Session of the general assembly (The SG transmitting the report of the SR)		18/07/2019
High Commissioner for Human	Office of the High commissioner, News & Event, display News https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24550&LangID=E	UN News, "Iran: Bachelet stresses execution of child offenders "absolutely prohibited" by international law", 3rd may 2019	United Nations	03/05/2019
	Office of the High commissioner, News & Event, display News https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25393&LangID=E https://news.un.org/en/story/2019/12/1052911	UN News, "Bachelet calls on Iran to address multiple human rights violations in context of recent protests", 6th December 2019		6/12/2019

European Parliament	P9_TA(2019)0019 https://www.europarl.europa.eu/doceo/document/TA-9-2019-0019_EN.pdf	European Parliament resolution of 19 September 2019 on Iran, notably the situation of women's rights defenders and imprisoned EU dual nationals (2019/2823(RSP))	European Parliament	19/09/2019
	P9_TA-PROV(2019)0112 https://www.europarl.europa.eu/doceo/document/TA-9-2019-0112_EN.pdf	European Parliament resolution of 19 December 2019 on the violent crackdown on the recent protests in Iran (2019/2993(RSP))		19/12/2019



Iran Human Rights (IHR) is a non-profit, politically independent organization with members and supporters inside and outside Iran. The organization started its work in 2005 and is registered as an international non-governmental organization based in Oslo, Norway.

Abolition of the death penalty in Iran as a step towards the 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 the 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 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, through monitoring, reporting, empowerment of the abolitionist Iranian civil society and international advocacy

Promoting due process and rule of law, through 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 voice to the 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 the 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 community¹⁴⁷, the media^{148, 149} and civil society.

Limiting the use of the death penalty in Iran through international campaigns and advocacy: IHR 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 program¹⁵⁰, IHR has contributed significantly to educating abolitionists and raising the national debate on the death penalty in Iran.

147 <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N14/518/83/PDF/N1451883.pdf?OpenElement>

148 <http://europe.newsweek.com/state-executions-rise-two-day-iran-313562?rm=eu>

149 <http://www.dw.com/en/irans-death-penalty-stays-off-global-agenda/a-17705731>

150 <https://iranhr.net/fa/multimedia/#/all/all/1>



ECPM (Together Against the Death Penalty) is an organization 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 judicial 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 mobilization campaigns with political decision-makers (European Union, African Commission on Human and Peoples’ Rights, governments, etc.)

UNITING ABOLITIONISTS FROM ACROSS THE WORLD

ECPM is the founder and organizer 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 organizing training sessions and advocating at all political levels for their work to be supported.



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Iran Human Rights (IHR) and ECPM have been working together since 2011 for the international release and 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.