

# ANNUAL REPORT ON THE DEATH PENALTY IN IRAN 2020



IRAN  
HUMAN  
RIGHTS



**LECPM**  
ensemble contre  
la peine de mort  
together against  
the death penalty

# ANNUAL REPORT ON THE DEATH PENALTY IN IRAN 2020

Cover photo: People gathering and putting flowers at the grave of Iranian wrestler Navid Afkari who was executed in September 2020 in Shiraz.

Back cover photo: Grave of Navid Afkari destroyed in December 2020, after the authorities had arrested Navid's father and brother for a few hours at his gravesite.<sup>1</sup>

This report has been prepared by Iran Human Rights (IHR) with the support of ECPM (Together Against the Death Penalty). Since 2012, IHR<sup>2</sup> and ECPM<sup>3</sup> 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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<sup>1</sup> <https://iranintl.com/en/iran/grave-executed-iranian-wrestler-afkari-desecrated>

<sup>2</sup> <http://iranhr.net/en/>

<sup>3</sup> <http://www.ecpm.org/en/>

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## GLOSSARY

<b>Baghy</b>	Armed rebellion against the Islamic ruler
<b>Diya</b>	Blood money
<b>Efsad-fil-arz</b>	Corruption on Earth
<b>Elme-qazi</b>	Knowledge of the judge
<b>Estizan</b>	Authorisation required by the Head of Judiciary for <i>qisas</i> executions
<b>Figh</b>	Islamic jurisprudence
<b>Hadd (pl. hudud)</b>	Fixed punishment for offences mandated by Sharia
<b>Lavat</b>	Sodomy
<b>Moharebeh</b>	Waging war against God
<b>Qadf</b>	False accusations of sodomy/fornication
<b>Qassameh</b>	Sworn oath
<b>Qisas</b>	Retribution-in-kind
<b>Sharia</b>	Islamic rule
<b>Ta'zir</b>	Punishment for offences at the discretion of the judge

## FOREWORD BY NARGES MOHAMMADI

PROMINENT HUMAN RIGHTS DEFENDER AND ANTI-DEATH PENALTY ACTIVIST



One of the most serious causes I have fought for in my life has been the abolition of the death penalty in Iran. It is unacceptable to end a life, no matter what the justification may be.

I am not opposed to punishing criminals; criminals will continue to be punished until the roots causes of their crimes are eradicated, but crimes persist and this is neither a desirable, nor an acceptable outcome for society.

It is difficult for me to see the children left behind after the

execution of their mother and/or father. Not only do those children lose their parents, but they cannot even talk about them due to societal shame. They lose everything, and it remains to be seen what horrific fate awaits them.

The death penalty is violence. As violent as war on a smaller scale. In war, people are killed; people are also killed by the death penalty. In human battles, the violence of the death penalty is worse than the killings on the frontlines. I am sorry to say that Iran is one of the few countries where men and women are executed on multiple and sometimes false, and in my opinion unacceptable, charges. When I was imprisoned in Zanjan prison, I was with a woman who has been waiting for her stoning sentence for eight years. But because Iran is not carrying out stoning punishments due to international pressure, they have changed her sentence to execution by hanging. A woman has to lose her life because of her relationship with a man.

Do you know what the root cause of this crime was? This woman, like all Iranian women, has been deprived of the right to divorce. Is this woman guilty? In my opinion, the system that brought her here by depriving her of this right is the guilty party. So this woman has been

victimised once by not having the right to divorce and victimised again in practice, when she was punished for being unable to divorce. She has lost her youth awaiting the gallows.

While I was in Zanjan Prison, a woman I had lived with, who I saw was so full of life and desire to live, was executed by hanging. I cannot fathom how the people around her could ignore her intense desire to live and her pleas not to die, and why they ended her life?

Unfortunately, the laws in Iran have left the door open for the implementation of unjust executions, including political ones. Political executions began not long after the 1979 revolution and have continued throughout the years, but have unfortunately intensified during the nationwide protests of 2009, 2017, 2018 and 2019.

I also want to speak of the recent surge in executions in Sistan and Baluchistan, and of the executions of Kurdish activists in Kurdistan before that.

The executions of people like Navid Afkari and Ruhollah Zam in the past year have been the most ambiguous executions in Iran. The death sentence of Ahmadreza Djalali is one of the most erroneous sentences, and the reasons for the issuance of these death sentences must be carefully examined. These people have been sentenced to death after being held in solitary confinement and subjected to horrific psychological and mental torture. That is why I do not consider the judicial process to be fair or just; and neither is keeping defendants in solitary confinement, forcing them to make untrue and false confessions that are used as key evidence in issuing these sentences. That is why I am particularly worried about the recent arrests in Sistan and Baluchistan and Kurdistan, and I hope that anti-death penalty organisations will pay special attention to the detainees, because I fear that we will be facing another wave of executions over the coming year.

**Narges Mohammadi**

## PREFACE

The 13th 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 2020 in the Islamic Republic of Iran. It sets out the number of executions in 2020, 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 2020 are also included in the tables.

The report also looks into the abolitionist movement within Iran, including the forgiveness movement and its contribution to limit the use of the death penalty, the mass online “#don’t execute” campaign started organically during the COVID-19 pandemic to save the lives of protesters on death row, and the authorities’ attempt to promote the death penalty and crackdown on human rights defenders and civil society.

The 2020 report is the result of hard work from IHR members and supporters who took part in the reporting, documenting, collecting, analysing and writing of its content. We are especially grateful to IHR sources inside Iran who, by reporting on unannounced and secret executions in prisons of 26 different provinces, 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, it aims to provide the most complete and realistic figures possible in the present circumstances.<sup>4</sup> The current report does not include suspicious deaths of prisoners or those killed under torture.

ECPM supports the elaboration, editing process, publishing and distribution of this report in the framework of its international advocacy work against the death penalty. The problems of transparency of data and information on the death penalty in Iran should be overcome by a strong strategy of distribution and dissemination. The overall objectives of this report for IHR and ECPM

<sup>4</sup> See below, section “Sources”.

are to bring out and publicise the facts, in order to change national and international views on the situation of the death penalty in Iran, first executioner country in the world.<sup>5</sup>

## 2020 ANNUAL REPORT AT A GLANCE

- At least 267 people were executed in 2020, compared to 280 in 2019 and 273 in 2018
- 91 executions (34%) were announced by official sources. In 2019 and 2018, 84 (30%) and 93 (34%) executions respectively had been announced by the authorities
- 66% of all executions included in the 2020 report, i.e. 176 executions, were not announced by the authorities
- At least 211 executions (79% of all executions) were for murder charges
- At least 25 people (approximately 10%) were executed for drug-related charges
- 1 public execution, the lowest number in the last 15 years
- At least 4 juvenile offenders were among those executed
- At least 9 women were executed
- 2 executions in relation to the nationwide protests
- 1 execution based on charges related to running a dissident social media channel
- 1 execution for consumption of alcoholic beverages
- At least 38 executions in 2020 and more than 3,619 executions since 2010 have been based on death sentences issued by the Revolutionary Courts
- At least 662 prisoners sentenced to death for murder charges were forgiven by the families of the murder victims in 2020 (374 in 2019) – a significant increase compared to previous years

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<sup>5</sup> Per capita.



# INTRODUCTION

The 13th Annual Report on the Death Penalty in Iran, by IHR and ECPM, is being published in the midst of the COVID-19 pandemic, with Iran being one of the hardest hit countries. This is partly due to the fact that the authorities knowingly denied its presence and refused to implement measures to limit its spread at an early stage. The present report shows that at least 267 people were executed throughout the country in 2020. This is at the same level as in 2018 and 2019, with 273 and 280 executions respectively, demonstrating that the Islamic Republic's priority has been to continue the executions instead of implementing measures to limit the spread of COVID-19 in prisons.

In fact, the ongoing executions may have been a contributing factor in the outbreak of COVID-19 in several prisons. The lack of transparency and mismanagement of the spread of Coronavirus also led to panic and riots in several Iranian prisons. The authorities' response to the COVID-19 prison riots was to violently repress them and to implement yet more death sentences, with a particular surge being recorded in the Kurdistan region. According to the 2020 report, there was a significant increase in the number of executions in the ethnic regions of Baluchistan and Kurdistan compared to the previous two years. This has continued into 2021, with Baluchi prisoners accounting for one third of all executions as of mid-February.

On the launch of this report, IHR and ECPM call for a moratorium in the use of the death penalty in Iran. IHR Director, Mahmood Amiry-Moghaddam said: *"Iran is one of the few countries that has not reduced its use of the death penalty under the COVID-19 pandemic. We call on Iranian authorities to stop the executions immediately."* ECPM Director Raphaël Chenuil-Hazan added: *"We are alarmed at the disproportionate number of ethnic minority executions as evidenced in this report, and call on the international community to pay more attention to the situation in the ethnic regions of Iran."*

Like 2019, the majority of the prisoners executed in 2020 were charged with murder and sentenced to *qisas* (retribution-in-kind). At least 211 people were executed for murder charges in 2020. According to Iranian law, as the plaintiff (victim's family) have the right to *qisas*, the State places the responsibility on them to decide whether the defendant should be executed or not.

In a unique survey conducted by the GAMAAN Institute for IHR and the World Coalition Against the Death Penalty (WCADP) measuring

*"Iranians' attitudes toward the death penalty"*, only 21% of Iranians said they would prefer *qisas* (death penalty as retribution) if an immediate family member was murdered. This correlates with the data on cases where plaintiffs have chosen forgiveness or *diya* (blood money) instead of *qisas*. According to the present report, there were at least 662 cases of forgiveness, surpassing the number of *qisas* cases by more than 300%. The survey also revealed that 70% of Iranians want either complete abolition of the death penalty (44%) or a restriction to very unique cases (26%). Furthermore, the survey showed that more than 85% of Iranians oppose the practice of public executions and death penalty for those under the age of 18 at the time of their alleged crime.<sup>6</sup>

The mounting public opposition to the death penalty in Iran became even more apparent when Iranians united organically in a Twitter campaign that saw the Farsi hashtag *#اعدام نکنید* ("don't execute") trend globally. The Farsi hashtag was used more than 4 million times within two days<sup>7</sup> to protest the news that three young protesters' death sentences had been upheld on appeal. Consequently, a retrial in a court of equal standing was approved by Iranian authorities. However, Mostafa Salehi and Navid Afkari, who had both been arrested in relation to the 2017-2018 nationwide protests, were executed after being falsely charged with murder. Both had also been subjected to torture and ill-treatment to obtain false confessions. Documents and voice recordings of Navid's case published by IHR revealed the gross breaches of due process in Iran.<sup>8, 9</sup>

Commenting on the anti-death penalty movement, IHR Director Mahmood Amiry-Moghaddam said: *"The Iranian authorities' use of the death penalty is to spread fear among the people in order to hold onto power. But protests in recent years have shown that not only are people losing their sense of fear but they are also uniting in their anger against the executions. We welcome the growing anti-death penalty movement which has snowballed on social media over the last year."*

It has been a year since Ebrahim Raeisi, the new Head of Judiciary, appointed by the Supreme Leader Ali Khamenei, took office in March 2020. Raeisi had a major role in the prison massacre of several thousand political prisoners in the summer of 1988, widely considered to have amounted to crimes against humanity. In his first year in office, Ebrahim Raeisi has lived up to his reputation by increasing the number of political

6 <https://iranhr.net/en/articles/4458/> See also Annex 4 of this report

7 [https://gdb.rferl.org/B05B90D6-F9D6-4A41-A42E-AA785E1DAC66\\_w1597\\_n\\_r0\\_st.jpg](https://gdb.rferl.org/B05B90D6-F9D6-4A41-A42E-AA785E1DAC66_w1597_n_r0_st.jpg)

8 <https://iranhr.net/en/articles/4404/>

9 <https://iranhr.net/fa/articles/4406/>

executions. Besides the two protesters and several ethnic minorities executed for their affiliation to dissident groups, Iranian authorities also hanged Ruhollah Zam, a dissident journalist and the director of a news outlet channel, after abducting him from neighbouring Iraq. This is the first case of a journalist being executed in Iran since the 1980s.

Under Ebrahim Raeisi's reign, the judiciary also carried out the execution of a man after he was convicted of alcohol consumption for the fourth time. There had been no documented or officially announced executions for alcohol consumption in the last three decades.

Contrary to its international obligations, the Islamic Republic was the only country in the world that executed juvenile offenders in 2020: at least 4 of them were executed. According to different sources, there are more than 84 juvenile offenders at risk of execution.

According to the 2020 report, one person was publicly hanged in Iran. This is the lowest number of public executions in the last two decades. While reports indicate that the reduction was due to the COVID-19 pandemic rather than a change in policy, IHR and ECPM welcome the decline and echo the voice of Iranian people by calling for the permanent eradication of public executions.

More than 70% of the executions in the current report were not announced by the Iranian authorities. Thus, the total number of executions, and the number of juvenile offenders executed in 2020, are likely to 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 in regard to the reports of prisoners being killed as a result of ill-treatment and bloody crackdowns on demonstrations. As a step towards holding those responsible to account, IHR and ECPM have joined Justice for Iran (JFI) to establish an International People's Tribunal<sup>10</sup> (The Aban Tribunal, in reference to the month of "Aban" when the repression took place in Iran at the end of 2019) to investigate the atrocities that were committed during and in the aftermath of the November 2019 nationwide protests on behalf of the victim's families.<sup>11</sup>

ECPM Director, Raphaël Chenuil-Hazan stated: *"It is important to reveal the truth and hold those responsible for the atrocities accountable. Transparency and accountability are the first steps in upholding justice for the victims, which can then lead to reconciliation and healing. The Aban Tribunal is a crucial first step in establishing the facts and gathering the evidence and testimonies."*

<sup>10</sup> <https://abantribunal.com/about-us/>

<sup>11</sup> <https://iranhr.net/en/articles/4495/>

In a joint letter, IHR, ECPM, and other human rights organisations called for States to mandate a UN-led inquiry into the serious human rights violations, including enforced disappearances, torture and unlawful killings during and in the aftermath of the November 2019 protests in Iran, on the occasion of the 45th session of the HRC.<sup>12</sup> Following this letter, 47 States expressed their concerns.<sup>13</sup>

With the new United States administration, direct negotiations and talks are more probable between the Islamic Republic and the West. Execution rates were at their highest in more than 20 years when the last round of nuclear negotiations took place in 2015. IHR and ECPM stress the importance that human rights and the issue of the death penalty be preconditions in any talks with Iran.<sup>14</sup> IHR Director, Mahmood Amiry-Moghaddam said: *"Sustainable peace and stability in the region will not be possible unless the human rights crisis in Iran is resolved. Any deal with the Islamic Republic that does not address the human rights situation in Iran, will in the best case be a temporary deal which is doomed to fail."*

We are also just months away from the June presidential elections in Iran. In previous years, Iranian authorities have intensified the use of the death penalty in the months leading up to the elections, in order to create fear and prevent protests from taking place in the relatively open atmosphere afforded in the preceding and post-election days. IHR and ECPM therefore warn of a potential wave of executions in April and May 2021. We call on the international community to pay special attention to the human rights situation and respond in a stronger manner to reports of executions and crackdowns aimed at preventing protests that have been brewing since November 2019.

<sup>12</sup> [http://impactiran.org/wp-content/uploads/2020/09/Joint\\_Letter\\_NovProtests\\_HRC45\\_FINAL.pdf](http://impactiran.org/wp-content/uploads/2020/09/Joint_Letter_NovProtests_HRC45_FINAL.pdf)

<sup>13</sup> <https://www.ecpm.org/iran-47-etats-expriment-leurs-preoccupations-sur-la-situation-des-droits-de-lhomme/>

<sup>14</sup> <https://theglobepost.com/2020/12/11/human-rights-foreign-policy-iran/>



## SOURCES

There is a lack of transparency on case 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 the actual numbers are certainly higher. The Iranian authorities do not announce all the executions implemented. Over the last 5 years, an average of 34% of all executions have 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 NGOs<sup>15</sup> or IHR’s sources within Iran. The sources of unofficial reports are often eyewitnesses, family members, lawyers, sources within prisons and within the Iranian judiciary (by the way of unofficial communication). Only unofficial reports that have been confirmed by two independent sources have been included.

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 the present report.

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

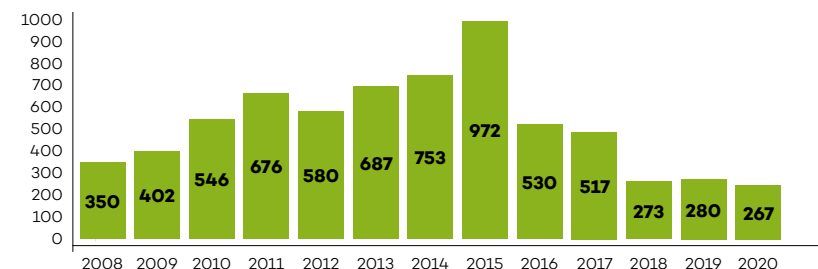
Many of the trials leading to death sentences are unfair according to international standards. The use of torture to force confessions is widespread in Iran. Due to the lack of transparency in the Iranian judiciary, most of the charges mentioned in this report have not been confirmed by independent sources.

The report does not include extrajudicial killings inside or outside the prison.

<sup>15</sup> Sources include Human Rights Activists News Agency (HRANA), Kurdistan Human Rights Network and The Baloch Activists Campaign.

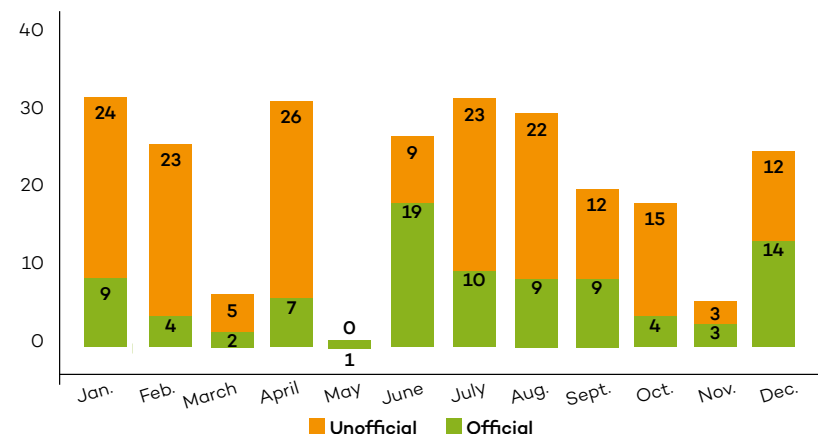
## FACTS AND FIGURES

### EXECUTION TRENDS IN THE LAST 13 YEARS



Since IHR’s first annual report in 2008, Iranian authorities have executed at least 6,833 people, an average of more than 525 executions every year. The number of executions in 2020 is slightly lower than in 2018 and 2019, and is significantly lower than the average number of documented annual executions since 2008.

### MONTHLY BREAKDOWN OF EXECUTIONS IN 2020



The monthly execution breakdown illustrates the high disparity between the number of officially announced and unannounced executions throughout the year. The lower numbers in March are due to Nowruz, the Persian new year, and the Muslim month of

Ramadan which fell between 25 April and 23 May in 2020. According to IHR's recorded execution trends over the past 10 years, execution rates typically go down in the weeks prior to the parliamentary and presidential elections, Nowruz holidays (21 March-3 April) and the month of Ramadan. However, execution rates increase when authorities anticipate protests taking place<sup>16</sup>. With 33 executions, the months of January, April and July were the bloodiest in 2020.

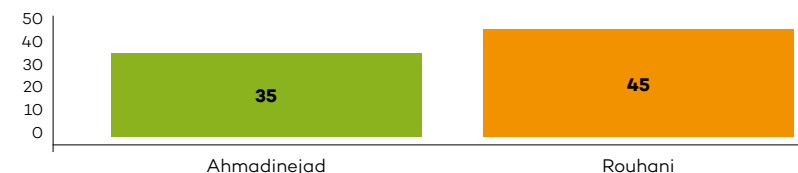
## EXECUTIONS UNDER HASSAN ROUHANI'S PRESIDENCY

This 2020 annual report is being published just months before the end of Hassan Rouhani's second and, according to the Constitution, last presidential term. Reports by IHR reveal at least 4,047 people have been executed during the 7.5 years of Hassan Rouhani's presidency. 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 never criticised or expressed concern about the sharp rise in the number of executions during his presidency.



The figures above show the reported execution numbers during Mahmoud Ahmadinejad's two terms in office (from June 2005 to June 2013) and 7.5 years of Hassan Rouhani's presidency (July 2013 to December 2020). The figures are based on reported numbers and the actual numbers are probably higher. There are bigger margins of error for the numbers under the first round of Ahmadinejad's presidency (2005-2009).

<sup>16</sup> <https://iranhr.net/en/articles/982/>



A review of Rouhani's 7.5 years as president shows that the average monthly number of executions under his presidency was 45, compared to an average of 35 during the two periods of the previous president, Mahmoud Ahmadinejad. It should be noted that the Amendment to the Anti-Narcotics Laws in 2017 also significantly reduced the monthly average execution count during Rouhani's presidency.

## RAEISI'S FIRST YEAR IN OFFICE: EXECUTION OF PROTESTERS, JOURNALIST AND FOR ALCOHOL CONSUMPTION

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.



Supreme Leader Ali Khamenei (left) and Ebrahim Raeisi, the Head of Judiciary appointed last year

On 7 March 2019, Supreme Leader Ali Khamenei appointed Ebrahim Raeisi as the new Head of Judiciary, replacing Sadegh Amoli-Larijani. In his report card of the past three decades, Ebrahim Raeisi holds one of the highest human rights violation records of any previous Head of Judiciary. Though his first appointment in this position, Raeisi has

previously held several key positions in the judiciary, including Deputy Head of Judiciary between 2004 and 2014 and Deputy Prosecutor of Tehran in the 1980s and 1990s. His appointment caused major outrage among human rights groups.<sup>17</sup>

Ebrahim Raeisi served on a four-person commission, known as the “death commissions,” during the 1988 prison massacre of political prisoners. Based on an order by the founder and then Supreme Leader, Ayatollah Khomeini, commissions were formed across the country and were responsible for the execution of several thousand political prisoners in the summer of 1988. The prisoners, many of whom had been tried and were serving their prison terms, went through very short interviews (often just one question) with the death committee, who ruled whether they should be executed or not. According to different sources, the death committees were responsible for the executions of 5,000 to 30,000 political prisoners that summer across Iran.

Raeisi served on the death commission responsible for the Tehran region, where the highest number of political prisoners were held. The 1988 extrajudicial prison massacre of political prisoners is considered by many distinguished lawyers and rights organisations as crimes against humanity,<sup>18</sup> and as ongoing crimes against humanity by Amnesty International in 2018.<sup>19</sup>

As Deputy Head of Judiciary, Ebrahim Raeisi was also involved in the repression that followed the 2009 post-electoral protests, including the 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 28 January 2010 for their involvement in the protests.<sup>20</sup> He insisted they were arrested in connection with the protests,<sup>21</sup> while they had been arrested several months prior.<sup>22</sup>

In his first year in office, there has been a sharp rise in the number of “political” executions. At least two people arrested in the aftermath of the nationwide protests were executed on trumped-up murder charges (Mostafa Salehi and Navid Afkari), one journalist kidnapped and executed for running a dissident news outlet (Ruhollah Zam) and

one Kurdish political prisoner executed by firing squad – a rarely used method since the 1980s (Hedayat Abdollahpour). Additionally, for the first time in at least the last two decades, one person was executed after being arrested for alcohol consumption for the fourth time.

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

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

19 <https://www.amnesty.org/download/Documents/MDE1394212018ENGLISH.PDF>

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

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

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

# LEGISLATIVE FRAMEWORK

## INTERNATIONAL TREATIES RATIFIED BY IRAN

Iran ratified the International Covenant on Civil and Political Rights (ICCPR) in 1975, the International Convention on the Rights of the Child (CRC) in 1994 and the Convention on the Rights of Persons with Disabilities (CRPD) in 2009.<sup>23</sup>

Iran has neither signed nor ratified any other international human rights treaties including the International Convention 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, aimed at the abolition of the death penalty. Article 6 §2 of the ICCPR<sup>24</sup> 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 ICCPR bans *"Torture and cruel, degrading and inhumane punishments"*; and Art. 14 provides 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 the General Comment on the Article 6 of the ICCPR, 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."*<sup>25</sup>

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 reaffirmed 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."*<sup>26</sup>

Iran has not made any reservation while ratifying the ICCPR, however the death penalty is still imposed for crimes that do not meet the threshold of *"the most serious crimes"* despite what has been stated in the Addendum following the Universal Periodic Review (UPR): *"It should be noted that the deprivation of life has been considered as a punishment only for the most serious crimes in accordance with Article 6 of the International Covenant on Civil and Political Rights."*<sup>27</sup>

Article 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."*<sup>28</sup>

25 CCPR/C/GC/36, 02.11.2018, [https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/1\\_Global/CCPR\\_C\\_GC\\_36\\_8785\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/1_Global/CCPR_C_GC_36_8785_E.pdf)

26 <https://undocs.org/en/A/HRC/42/28>

27 <https://undocs.org/en/A/HRC/43/12/Add.1>

28 <https://www.ohchr.org/en/professionalinterest/pages/crc.aspx>

23 <https://indicators.ohchr.org/>

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

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 been voting against the Resolution of the United Nations General Assembly calling for a universal moratorium on the use of the death penalty. In December 2020, Iran voted against the Resolution once again.<sup>29</sup>

## DEATH PENALTY ACCORDING TO IRANIAN LAW

Chapter III of the Constitution of the Islamic Republic of Iran contains provisions related 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 and alcohol consumption for the fourth time, premeditated murder, moharebeh (waging war against God), efsad-fil-arz (corruption on earth), baghy (armed rebellion), fraud and human trafficking” are capital offences.<sup>30</sup>

Many of the charges punishable by death cannot be considered as “most serious crimes” and do not meet the ICCPR standards.<sup>31</sup> Murder, drug possession and trafficking, rape/sexual assault, moharebeh, efsad-fil-arz and baghy are the most common charges resulting to 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.

## ISLAMIC PENAL CODE & OFFENCES PUNISHABLE BY DEATH

In April 2013, the Iranian Parliament finally passed the new Islamic Penal Code (IPC). On 1 May 2013, the IPC was ratified by the Guardian Council – and was communicated to the Government for enforcement on 29 May 2013.

<sup>29</sup> <https://digitallibrary.un.org/record/3896434?ln=en>

<sup>30</sup> United Nations, *Situation of Human Rights in the Islamic Republic of Iran: Report of the Secretary-General*, U.N. Doc. A/68/377, 10 Sept. 2013, § 14. See also IHR and ECPM, *Annual Report on the Death Penalty in Iran - 2013*, pp. 15-18.

<sup>31</sup> International Covenant on Civil and Political Rights, Article 6.

The new IPC has retained the death penalty in almost all the instances that were already punishable by death under the previous one. Moreover, it appears that its scope has been expanded in some cases. As in the last 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 case 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. The judge, on the pretext of the silence 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 UN Secretary-General urged the Iranian Government “To abolish the mandatory death penalty”.<sup>32</sup> According to the IPC, the following offences are punishable by death penalty:

### SEXUAL OFFENCES

#### INCEST AND FORNICATION

According to Article 224 of the IPC: “A death sentence shall be imposed on the male party in cases of incest, fornication with their 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.”

#### 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 on the fourth occasion if “offenders”

<sup>32</sup> United Nations, *Situation of Human Rights in the Islamic Republic of Iran: Report of the Secretary-General*, Human Rights Council, 40th session, 8 February 2019 (GE.19-01989(E)).

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.”*<sup>33</sup> According to some human rights activists, many people have been executed for homosexuality since the 1979 Islamic revolution.

### MOHAREBEH

Article 279 of the IPC defines *moharebeh* (a person who wages war against 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 sanctions the death penalty in cases of *moharebeh*. However, power is granted to judges to impose the alternative punishments of crucifixion, amputation of the right hand and left foot or internal exile away from the defendant's hometown.

Under the previous IPC, which was in force until 2013, the charge of *moharebeh* was frequently used against political dissidents and people with connections to opposition groups abroad, even if they were non-violent. The new Penal Code has provided for their punishment under the vague charges of *efsad-fil-arz* and *baghy*. (see below)

### EF SAD-FIL-ARZ AND BAGHY

The new IPC has introduced a new concept of *baghy* (armed rebellion) that did not exist in the previous Code. This chapter has also expanded the scope of the death penalty for all those who are convicted of *efsad-fil-arz* (corruption on Earth).

Article 286 of the IPC defines *efsad-fil-arz* as the crime committed by a person *“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.”*

<sup>33</sup> <https://www.dw.com/en/iran-defends-execution-of-gay-people/a-49144899>

However, this article does not provide concrete definitions for the term *“crime”* and the scope of *“extensive”*, giving judges more power to interpret the law at their own discretion.

Article 287 of the IPC defines *baghy* as members of any group that stage armed rebellion against the Islamic Republic of Iran and stipulates that they shall be sentenced to death.

### MURDER AND QISAS

*Qisas* refers to retribution-in-kind. *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)
- 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 a person who has committed a *hadd* offence punishable by death (Article 302)
- Killing a rapist (Article 302)

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 “honour killings” in Iran.<sup>34</sup> 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 includes in particular members of the Baha'i faith, which is not recognised as a religion according to Iranian law. If a Baha'i follower is murdered, the family does not receive blood money (*diya*), and the offender is exempted from *qisas*.<sup>35</sup> In 2013, there were two reported Baha'is murder cases. On 23 April, Saeedollah Aqdasi was murdered in his house in Miandoab (Northwestern Iran)<sup>36</sup> and Ataollah Rezvani was shot in Bandar Abbas (Southern Iran) on 24 August;<sup>37</sup> none of these cases have been properly investigated.<sup>38</sup>

<sup>34</sup> Kazemina Samaneh, Bagheri Mostafa, “The continuation of the legal provisions prescribing honour killings in the new IPC”, 2015 <https://civilica.com/doc/388532/>

<sup>35</sup> <https://iranhr.net/en/articles/2918/>

<sup>36</sup> HRANA: Lack of investigation in murder case of a Bahai citizen

<sup>37</sup> [http://www.bbc.co.uk/persian/iran/2013/08/130819\\_u04\\_bahai\\_rezvani\\_killing.shtml](http://www.bbc.co.uk/persian/iran/2013/08/130819_u04_bahai_rezvani_killing.shtml)

<sup>38</sup> <http://www.radiozamaneh.com/125291>



## OTHER RELIGIOUS “OFFENCES”

Article 262 stipulates the death sentence for cursing the Prophet of Islam or any of the other great prophets, and 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 Penal 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 *hadd*, 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 only mentions the death sentence for fourth-occasion theft in Article 278. Nevertheless, Articles 220-288 have defined *hudud* offences as: fornication and adultery, sodomy, lesbianism, pimping, cursing the prophets, theft, drinking alcohol, *qadf* (false accusation of sodomy or fornication), *moharebeh*, *efsad-fil-arz* and *baghy*.

## STONING

The IPC has retained the punishment of stoning for those charged with adultery (Article 225). Nevertheless, the courts have been provided with the alternative to impose the death sentence upon the approval from the Head of Judiciary “*If it is not possible to perform stoning*”.

## JUVENILES & THE DEATH PENALTY

The new IPC retains the death penalty for juvenile offenders. Although Articles 89-95 suggest corrective measures and alternative punishments for children and juveniles, Article 91 is very clear that the offences punishable by *hadd* or *qisas* are exceptions to this rule. It is important to note that almost all juvenile offenders executed in the past 7 years were sentenced to death based on *qisas* and *hudud* laws. Article 91 states: “*For offences punishable by hadd or qisas, mature persons younger than 18 shall be sentenced to the punishments stipulated in this chapter (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 to the discretion of the judge to decide whether a juvenile offender understood the nature of the offence, whether

they were mature at the time of committing the offence and whether they should be sentenced to death. 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 considered mature at the age of 9 lunar years and boys at the 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.

In the framework of the UPR, Iranian authorities wrote in their reply to the recommendations: “*Conforming to the recent amendments made in the laws of Iran, the maximum punishment for children shall not exceed five years of detention in correctional facilities. The deprivation of life as a punishment shall be proposed but not enforced in case the culprit with the age of criminal responsibility has not perceived the nature of the crime and therefore lacks mental maturity and perfection, based on the expert assessment and judgement of the competent court.*”<sup>39</sup>

The juvenile offenders executed in 2020 were kept in prison or correctional facilities until they reached the age of 18 before being executed.<sup>40</sup>

## THE ANTI-NARCOTICS LAW

Iran's Anti-Narcotics Law was drafted in 1988 and previously amended in 1997 and 2011. Both amendments were aimed at counteracting 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. Altogether, the Anti-Narcotics Law, including the 1997 and 2011 amendments, imposed the death penalty for 17 drug-related offences,<sup>41</sup> 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 5 kilograms of opium or cannabis into Iran; buying, possessing, carrying or hiding more

39 <https://undocs.org/en/A/HRC/43/12/Add.1>

40 See the “Juvenile Offenders” section of this report.

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

than 5 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, which was enforced on 14 November 2017, includes a mechanism to limit the use of the death penalty and reduce the sentences of those facing 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 2 kilograms and that of natural substances, such as opium and marijuana, from 5 kilograms to 50 kilograms (Amendment, Article 45(d)). The punishment for those already sentenced to death or life in prison for drug-related offences should be commuted to up to 30 years in prison and a fine.<sup>42</sup> 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.<sup>43, 44</sup>

A complete analysis of the new amendments to the Anti-Narcotics Law is available in the 2017 *Annual Report on the Death Penalty*.<sup>45</sup> The implementation of the 2017 amendment has led to a significant decrease in the total number of executions. However, the number of executions for drug-related charges remains high.

42 Id. art. 45 § 1.

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

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

45 IHR and ECPM, *Annual Report on the Death Penalty - 2017*, pp. 43-44; [https://iranhr.net/media/files/Rapport\\_iran\\_2018-gb-090318-MD2.pdf](https://iranhr.net/media/files/Rapport_iran_2018-gb-090318-MD2.pdf)

## PROCEDURES

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. The Head of 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 Judiciary based on their ideological affiliation and political background, turning the judiciary into a political wing, 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. A broader and deeper discussion on the legal procedures and due process in Iran is beyond the scope of this report and can be found elsewhere.<sup>46</sup>

## 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 2015 amendments address, among others, a suspect's right to access a lawyer in the pre-trial phase.<sup>47</sup> Article 48 of the Criminal Procedure Code states: "When a suspect is arrested, he or she can request the presence of a lawyer. The lawyer, observing the secret nature of the investigation

46 <https://fpc.org.uk/publications/ihrdprocess/>

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

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 lawyer may submit his or her written notes to be included in the case file.”

However, a note added in the final draft places 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 Judiciary. The names of the approved attorneys will be announced by the Head of 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 lawyers from a list approved by the Head of Judiciary. In June 2018, the judiciary announced a list of 20 lawyers approved to defend citizens with security and political cases.<sup>48</sup>

Following objections from lawyers,<sup>49</sup> the Iranian Parliament's Judiciary Committee tried to propose a bill to change the law. The proposed bill removes the phrase *“To select their lawyers from a list approved by the Head of Judiciary.”* However, it imposes new limitations, including the possibility of limiting the right to access legal counsel for 20 days (which can be extended by order of the judge for an indefinite period) 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 the IHR bi-weekly Farsi law journal, *Hoghoghe-ma* (“Our Rights”).<sup>50</sup> However, 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 organisations indicate that torture is widely used against the suspects after their arrest and in the pre-trial phase

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

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

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

in order to extract a confession. All death row prisoners IHR has been in contact with have testified 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 were arrested for drug-related 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 extracted in 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.

On 28 August 2020, IHR published court document evidence that protester Navid Afkari had been sentenced to death after confessing under torture.<sup>51</sup> In response, the judiciary issued a statement denying all evidence of torture and judicial injustices, which was rejected and refuted by IHR.<sup>52</sup> Recordings of his phone conversations with his family where he describes the torture were later released and court recordings were also later obtained by IHR, in which Navid can be heard stating in court that he had been tortured to obtain a confession. He vehemently denied the charges and spoke out against his forced confessions being used against him as evidence, until the day of his execution on 12 September.

## COURTS AND TRIALS

Among the charges punishable by death, murder and rape charges are tried by the Criminal Courts, while *moharebeh*, *efsad-fil-arz*, *baghy* and drug-related offences fall under the jurisdiction of the Revolutionary Courts.

## REVOLUTIONARY COURTS

Established in 1979 on the orders of Ayatollah Khomeini to try former officials of the Pahlavi Government, Iran's Revolutionary Courts have continued to operate and are responsible for issuing heavy sentences to human rights defenders, journalists, dissidents and all those criticising the authorities. Additionally, they are responsible for the vast majority of all death sentences issued in

51 <https://iranhr.net/en/articles/4404/>

52 <https://iranhr.net/en/articles/4406/>

the last 40 years.<sup>53</sup> The Revolutionary Courts are not transparent, and their judges are known to abuse their legal powers more than any other judges.<sup>54</sup> Revolutionary Courts judges routinely deny lawyers 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 judicial system, 45% of those interviewed reported that they were not permitted to present a defence; in 43% of cases, trials lasted only minutes and 70% of interviewees reported that coerced information or 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 defence.<sup>55</sup> A Resolution presented at the European Parliament in 2020 set out that 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 allow the use of confessions obtained under torture as evidence; whereas 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.<sup>56</sup> In a series of interviews with *Hoghogh-e-ma*,<sup>57</sup> several prominent Iranian lawyers and jurists in the country questioned the constitutionality of Iran's Revolutionary Courts and called for their dissolution.<sup>58</sup>

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.

## METHODS OF PROVING GUILT

Confessions are the most common way of proving guilt in death penalty cases. As previously mentioned, confessions are often

extracted under torture. In security-related cases mainly used against political dissidents, televised confessions are aired even before a final judgement is determined.<sup>59</sup> Other ways of proving guilt include testimony by eyewitnesses (only by two men; a woman's testimony is worth half of a man's).

Witness testimonies are also used to prove guilt in the absence of a confession. In addition, according to the Islamic Penal Code, when there is no confession or witness testimony in a case, the judge can make a decision based on his exclusive opinion, without any reference to laws and codes.<sup>60</sup> This is known as "knowledge of the judge", or *elm-e-qazi*.<sup>61</sup> 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.<sup>62</sup> However, there have been cases where *elm-e-qazi* has been arbitrarily applied. For instance, in December 2007, Makwan Moloudzadeh was executed for sodomy charges based on the "knowledge of the judge".<sup>63</sup>

*Qassameh*, or a sworn oath, is another way to prove guilt of a crime (murder or injury) in Islamic jurisprudence (*fiqh*) which is practiced in Iran.<sup>64</sup> *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 proving guilt of a crime, but the judge still thinks that the defendant is most probably guilty. It should be noted that the people who swear in *qassameh* ceremonies 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. In one case, 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 a *qassameh* that the defendant was guilty. He was sentenced to death and executed in Mashhad on 23 May 2017.<sup>65</sup>

In 2017, IHR dedicated a full issue of *Hoghogh-e-ma* to *qassameh* and interviewed several lawyers and religious scholars on the issue.

53 <https://www.theglobepost.com/2018/02/22/iran-revolutionary-courts/>

54 <https://www.theguardian.com/world/2014/jul/31/six-judges-iran-crackdown-journalists-activists>

55 <https://undocs.org/A/HRC/25/61>

56 [https://www.europarl.europa.eu/doceo/document/TA-9-2019-0112\\_EN.pdf](https://www.europarl.europa.eu/doceo/document/TA-9-2019-0112_EN.pdf)

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

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

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

60 <https://fpc.org.uk/publications/ihrdprocess/>

61 A. Asghari, S.A. Ashgar Mosavi Rokni, "Changes in Personal Knowledge of the Judge with Emphasis on Islamic Punishment Law", *International Journal of Social Sciences and Education*, Volume 5, Issue 2, 2015 <https://docs.google.com/viewer?url=http%3A%2F%2Fijse.com%2Fsites%2Fdefault%2Ffiles%2Fissues%2F2015%2Fv5i2%2FPaper-22.pdf>

62 New Islamic Penal Code, Article 211

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

64 New Islamic Penal Code, Articles 313 and 336.

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

Since then, there have been increasing debate around the issue of *qassameh* inside Iran<sup>66</sup> and in the Farsi media outside the country.<sup>67</sup> In 2020, there was one case of *qassameh*.<sup>68</sup>

## TELEVISED CONFESSIONS: “JOURNALISTS” AS INTERROGATORS

The Islamic Republic has used “televised confessions” as a propaganda tool aimed at creating fear and justifying the heavy sentences handed down to its political opponents and activists, since its inception in 1979. Such confessions are extracted after physical or psychological torture, lengthy solitary confinement, threats or promises of reduction in the gravity of sentence (see reports for previous years’ cases).<sup>69</sup> The confessions are often aired following public protests to a sentence, or prior to the execution as a means of reducing public backlash. According to a June 2020 report by rights groups JFI and FIDH, “*Iranian state television has broadcast the suspected coerced confessions of at least 355 people over the last decade as a means to both suppress dissent and frighten activists in the Islamic Republic on behalf of security services.*”<sup>70</sup>



Behind the scenes of Ruhollah Zam’s televised “confessions”. IRIB’s Ali Rezvani sitting in front of Zam with his back to the camera. Ruhollah Zam was executed two months later. (Photo: Tasnim)

On 1 September 2020, IHR published court documents proving that protester Navid Afkari and his brothers and co-defendants, Habib and Vahid, were tortured, coerced to force confessions and then sentenced to death despite repeatedly reporting this to the judge and the court.

<sup>66</sup> Tabnak, September 15, 2018

<sup>67</sup> <http://www.bbc.com/persian/iran-43185108>

<sup>68</sup> See section “Executions in practice: *qisas*”

<sup>69</sup> <https://iranhr.net/en/reports/#/>

<sup>70</sup> <https://apnews.com/article/2f5e336cb7f96c2829a98a522f705855>

On 5 September, the Islamic Republic of Iran Broadcasting (IRIB) aired excerpts of Navid’s forced confessions to refute the evidence and justify its actions, and transferred the brothers to punitive wards. Navid was executed on 12 September, Vahid and Habib have been held in solitary confinement since 5 September.

Forced confessions are also often aired before legal proceedings have even started and are later used as evidence by judges as the basis of their decisions. In October 2019, days following his arrest and extradition from Iraq, dissident journalist Ruhollah Zam’s forced confessions were aired on IRIB. IRIB reporters have also crossed boundaries and acted as interrogators. In another aired confession, Ali Rezvani is seen interrogating a visibly exhausted and dishevelled Zam, who was executed on 12 December.

A complaint was also made against IRIB’s Ameneh Zabihpour by workers’ rights activist Sepideh Gholiyan, for her role in the production of a so-called documentary which aired forced confessions of Sepideh, Esmail Bakhshi and other activists in December 2019. Her case was dismissed and Sepeideh was herself charged for making the complaint. Sepideh remains in prison. In response, Iranians took to social media to make their voices heard with the hashtag # *بازجو\_خبرنگار* (“journalist interrogator”), referring to both Ali Rezvani and Ameneh-Sadat Zabihpour.



Ameneh-Sadat Zabihpour and Ali Rezvani, IRIB’s reporters, labelled as “journalist-interrogators” (Photo: social media).

On 30 January 2020, 13 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 producing and broadcasting forced confessions of dissidents, often used in court as



incriminating evidence. The 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 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 the November 2019 nationwide protests, the IRIB has already broadcasted at least 22 forced televised confessions that they obtained from detainees.<sup>71</sup> The IRIB’s English and French channel, Press TV, was *“The producer and broadcaster of the largest number of forced confessions and defamatory programmes against Iranian activists and civil society”*: at least 70 have been documented by JFI over the past decade.<sup>72</sup>

## PROCEDURES OF THE DEATH PENALTY

After being sentenced to death, prisoners remain on death row in prison. It might take years, months and sometimes weeks from receiving the final verdict to the implementation of the death sentence. All death sentences must be approved by the Supreme Court, whose chief is appointed by the Head of Judiciary. In addition, the Head of Judiciary must authorise (*estizan*) all *qisas* executions (retribution-in-kind) prior to implementation.

According to Iranian law, the defendant’s lawyer must be informed of the scheduled execution 48 hours prior to its implementation. However, this is not always the case in practice, especially in political and security related cases. Prisoners are transferred to solitary confinement several days before their execution, where their hands are cuffed. The prisoner is normally granted a last visit with their family the day before the scheduled execution. IHR has published a short report based on witness interviews about death row conditions and the prisoners’ last hours which we encourage you to read.<sup>73</sup>

71 <https://iranhrdc.org/thirteen-human-rights-organizations-ask-the-european-council-to-take-restrictive-measures-against-the-irib-and-individuals-involved-in-obtaining-forced-confessions/>

72 <https://www.barrons.com/news/iran-must-end-forced-confessions-of-prisoners-on-tv-rights-groups-01593072307?tesla=y>

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

## METHODS OF EXECUTION

The Iranian Penal Code prescribes several execution methods, including hanging, firing squads, crucifixion, and stoning. Hanging has been the main method of execution and the only method used between 2008 and 2020. In 2020, Hedayat Abdullahpour, a Kurdish political prisoner, was executed by firing squad.<sup>74</sup> Moreover, the recent directive issued by the Head of Judiciary in June 2019 gives a detailed description of how death sentences by hanging, stoning and crucifixion should be implemented.<sup>75</sup>

The majority of executions are carried out within prisons. In some facilities, there are dedicated rooms for executions, while in others they take place 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 Iranian law considers *qisas* as the right of the plaintiff, family members of the murder victim are encouraged to carry out the actual execution themselves. IHR has received several reports where the victim’s family members have actually conducted the execution. According to law, in death sentences, the presiding judge in the case, and in *qisas* cases, the judge as well as the plaintiff (the victim’s family) are required to be present at the execution.

Cranes are used when carrying out public executions. The prisoners are either pulled up or the object they are standing on is removed from beneath their feet. In this case, the prisoners die of suffocation and strangulation and it often takes several minutes until death occurs. As discussed later, 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 the increasing international pressure in the decade prior, reaching its peak following the campaign to save Sakineh Mohammadi-Ashtiani in 2010.<sup>76</sup>

74 <https://iranhr.net/en/articles/4294/>

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

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



# EXECUTIONS IN PRACTICE

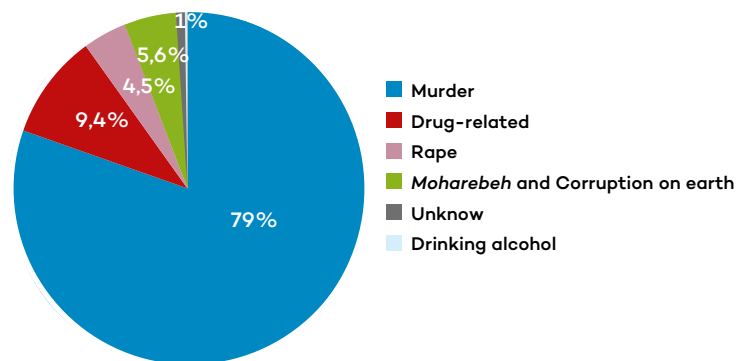
This section will provide an overview and analysis of the use of the death penalty in 2020, including its distribution according to charges, courts, geography and implementation. It will present some examples of 2020 execution cases for each charge, as well as those currently at risk of execution.

## CHARGES

While multiple offences are punishable by death, the charges leading to the most executions in recent years have been murder (*qisas*, death penalty as retribution), drug-related offences, *moharebeh*, *efsad-fil-arz*, *baghy* and rape/sexual assault.

The important point to note is the systematic denial of legal due process, unfair trials, use of torture and duress, forced confessions and lack of a transparent and independent judiciary in Iran. The charges in each case, therefore, are the official account and charges by Iranian authorities, and have not been confirmed by independent sources.

## EXECUTIONS IN 2020 BASED ON CHARGES



The chart above shows what charges were used for executions in 2020. For the fourth year in a row, murder charges counted for the majority of executions.

Murder charges accounted for the majority of all executions in 2020, with 79% of those executed having been sentenced to *qisas* for

murder. 9.4% of executions were on drug-related charges, 4.5% on rape and sexual assault charges, and 5.6% for the security charges of *moharebeh*, *efsad-fil-arz* and *baghy*.

One person was executed according to *hadd*, on charges of alcohol consumption for the fourth time. There is no information about the charges against three of those confirmed to have been executed.

Of the charges punishable by death, murder and rape and sexual assault are heard before the Criminal Courts, while drug-related and the security charges of *moharebeh*, *efsad-fil-arz* and *baghy* fall within the Revolutionary Courts' jurisdiction.

In the following section, we will describe in more details the executions based on the charges and look into some cases.

## EXECUTIONS RELATED TO PROTESTS

Thousands of protesters were arrested following the 2017-2019 nationwide protests across Iran. On 30 June 2020, IHR issued a statement warning of the possible secret execution of protesters after Isfahan's Chief Justice announced that 8 protesters had been convicted of *efsad-fil-arz* in a speech prior to Friday prayer sermons on 26 June.<sup>77</sup> Initially denied by Iran's authorities, IHR confirmed on 10 July that the Supreme Court had upheld the death sentences of three protesters, Saeed Tamjidi, Amirhossein Moradi and Mohammad Rajabi (more details on their case below),<sup>78</sup> which also triggered the mass online "Don't execute" campaign.<sup>79</sup>

On 26 July, referring to the Isfahan Chief Justice's Friday sermon speech, IHR revealed that it had obtained document verification that 5 protesters sentenced to death on security charges in Isfahan had received confirmation of their sentences. Their names were confirmed as Mehdi Salehi Ghaleh Shahrokhi, Mohammad Bastami, Majid Nazari Kondari, Hadi Kiani and Abbas Mohammadi.<sup>80</sup> The Isfahan Province Judiciary issued a statement the next day, which read: "News published by some dissident media and hyped up on social media ascribing the Chief Justice of Isfahan Province as confirming the sentences of eight protesters arrested in 2017-2019 are complete lies and Supreme Judicial Authorities have not upheld any such sentences."<sup>81</sup> Armed with the evidence and supported by the "Don't execute" movement, IHR was determined to stop their

<sup>77</sup> <https://iranhr.net/en/articles/4297/>

<sup>78</sup> <https://iranhr.net/en/articles/4317/>

<sup>79</sup> Read more in the "Forgiveness Movement" section of this report.

<sup>80</sup> <https://iranhr.net/en/articles/4350/>

<sup>81</sup> <https://iranhr.net/en/articles/4352/>

executions<sup>82</sup> when discovered that a protester had been executed on false murder charges in Isfahan.

As *qisas* is a *hadd* punishment (a fixed punishment for offences mandated by Sharia), it removes any discretion and responsibility from authorities and has thus been used to justify executions that would otherwise be unjustifiable. Protesters Mostafa Salehi and Navid Afkari, whose cases were disconcertingly similar, were executed after being sentenced to *qisas* for murder, in cases that outraged the world and exposed the Islamic Republic's use of the death penalty to silence dissent.

## EXECUTED IN 2020

### MOSTAFA SALEHI: THE PROTESTER EXECUTED IN SILENCE



Mostafa Salehi was a 33 year-old construction worker who also worked as a taxi driver on the side to support his wife and two small children when he was arrested in Kahrizsang, Isfahan during the December 2017 / January 2018 nationwide protests. He was charged with “*Murdering an IRGC officer named Sajjad Shahsanayi*” during the protests and sentenced to *qisas* in February 2019 by

the First Branch of the Criminal Court of Isfahan Province, presided over by Judge Morad Ali Najafpour, a sentence later confirmed by the Supreme Court. Mostafa had denied allegations of involvement in the murder of the guard at all stages of the trial. Mr Shahsanayi's family lawyer, Mr Arab, stated in court that Salehi “*Denies all charges... and keeps saying to bring a witness or check the surveillance cameras.*” An informed source told IHR that Mostafa had been kept in the solitary confinement cells of the IRGC intelligence and under duress, to make a forced confession. According to the source, the only evidence used against Mostafa was the testimony of a female detainee who was forced to make confessions and give incriminating accounts against other detained protesters. Under pressure from authorities, his case was kept out of the media and Mostafa was executed in Isfahan Central Prison on 5 August 2020.<sup>83</sup>

82 <https://iranhr.net/en/articles/4360/>

83 <https://iranhr.net/en/articles/4369/>

### NAVID AFKARI: “THEY’RE LOOKING FOR NECKS TO FILL THEIR NOOSES”



Navid Afkari was a 27 year-old plasterer and wrestler who had won medals in national competitions. He was arrested along with his two brothers, Vahid and Habib, a month and a half after taking part in the August 2018 protests in Shiraz and charged for the murder of a security guard at a government building who, according to case documents, was tasked with identifying protesters. He was sentenced to death for the same case by Branch One of the Revolutionary Court on charges of *moharebeh* and sentenced to *qisas* by Branch One of the Criminal Court of Fars Province, amongst other charges. IHR published the court documents and the breaches against Navid and his brothers at every stage of their detention and legal proceedings.<sup>84</sup> Their lawyer of choice resigned after being threatened by judicial authorities and replaced by appointed lawyers.

In recordings of his trial published by IHR, Navid can be heard defending himself and demanding to see the CCTV footage used as evidence against him.<sup>85</sup> The brothers said they had been tortured and coerced through threats against their family to force them into confessing to what they called lies. IHR refuted the judiciary's claims after the court documents and evidence were released again on 1 September.<sup>86</sup> Navid was transferred to the punitive solitary confinement ward on 3 September and his brothers on 5 September, and his relatives told IHR that Navid had been beaten during his transfer.<sup>87</sup> Meanwhile, a mass

84 <https://iranhr.net/en/articles/4404/>

85 <https://twitter.com/ihrights/status/1306175336422486016?s=12>

86 <https://iranhr.net/en/articles/4406/>

87 <https://iranhr.net/en/articles/4418/>

international campaign was taking place with sports federations, personalities, politicians and celebrities alike joining in to try and save his life. Navid Afkari was executed at Shiraz Central Prison on 12 September 2020.<sup>88</sup>

In a statement condemning his execution, UN human rights experts said: *“The execution of Afkari, the second execution in connection to protests in the last two months, together with the alarming frequency of death penalty sentences handed to protesters raises concerns about the authorities’ future response to protests and to any expression of opposition or dissenting opinion.”*<sup>89</sup> Vahid and Habib remain behind bars.<sup>90</sup>

## AT RISK OF EXECUTION

### SAEED TAMJIDI, AMIRHOSSEIN MORADI AND MOHAMMAD RAJABI



Amirhossein Moradi, Mohammad Rajabi, and Saeed Tamjidi were arrested for participating in the November 2019 protests and sentenced to death, 222 lashes and a total of 38 years in prison by Branch 15 of the Revolutionary Court of Tehran, presided over by Judge Salavati, in February 2020. They were charged for *“Participating in destruction and arson with intent to oppose the system”* and *“Armed action”*. Saeed and Mohammad had previously fled to Turkey after hearing news of Amirhossein’s arrest, where they requested asylum and were even interviewed. However, following President Rouhani’s trip to Turkey, security forces deported the two back to Iran by land. Multiple informed sources told IHR that the

88 <https://iranhr.net/en/articles/4427/>

89 <https://iranhr.net/en/articles/4430/>

90 <https://iranhr.net/en/articles/4579/>

three protesters had been tortured to extract forced confession in prison.<sup>91</sup>

On 10 July, Saeed and Mohammad’s lawyer Mostafa Nili tweeted that his clients’ death sentences had been upheld by the Supreme Court, but he would be requesting a retrial as he had been denied access to the case and the opportunity to represent his clients.<sup>92</sup>

Following a historic mass online campaign,<sup>93</sup> four lawyers representing the three protesters issued a statement announcing that their request for a retrial had been accepted by the Supreme Court on 20 July.<sup>94</sup> State owned ISNA (Iranian Students’ News Agency) reported on 6 December that *“On the orders of the Head of Judiciary, the request for a retrial in the case of the three people sentenced to death in the November incidents has been granted by the Supreme Court and the case will be sent to a court of equal standing for re-examination.”*<sup>95</sup>

According to one of their lawyers, Babak Paknia, their trial, scheduled for 10 March 2021,<sup>96</sup> was postponed on the day due to *“the change of the head of Branch 23 of the Revolutionary Court”* where their case was due to be heard.<sup>97</sup>

### MEHDI SALEHI GHALEH SHAHROKHI, MOHAMMAD BASTAMI, MAJID NAZARI KONDARI, HADI KIANI AND ABBAS MOHAMMADI



Mehdi Salehi Ghaleh Shahrokhi, 37, Mohammad Bastami, 28, Majid Nazari Kondari, 26, Hadi Kiani, 30, and Abbas Mohammadi, 29, are Isfahan natives who were arrested in relation to the December 2017/January 2018 nationwide protests. On 30 June 2020, IHR issued a statement warning of the possible secret execution of protesters

91 <https://iranhr.net/en/articles/4317/>

92 <https://twitter.com/MostafaNili58/status/1281557315716603905?s=20s>

93 See the *“Forgiveness Movement”* section of this report.

94 <https://iranhr.net/en/articles/4337/>

95 <https://iranhr.net/en/articles/4518/>

96 <https://twitter.com/drpaknia/status/1367069053702049792?s=12>

97 <https://twitter.com/drpaknia/status/1369549353464066049?s=21>

after Isfahan's Chief Justice announced that 8 protesters had been convicted of *efsad-fil-arz* charges in a speech prior to Friday prayer sermons on 26 June.<sup>98</sup>

On 26 July 2020, IHR revealed that the five protesters had been sentenced to death by Branch Two of the Tehran Revolutionary Court in February and, according to the judgment obtained by IHR, the Supreme Court had upheld their death sentences on charges including *baghy* through “Effective efforts and activities to advance the rioters’ goals”, *moharebeh* through “Using firearms and intending to deprive the community of security and shooting at officials”, *efsad-fil-arz* through “Disrupting public security and directing the rioters to disrupt public order and safety and disturbing public opinion”.<sup>99</sup>

Hours after the publication, the judiciary issued a statement denying the claims. According to IHR sources, the defendants had told the court that they had been tortured to make false confessions and did not have access to lawyers of their choice throughout the legal proceedings.<sup>100</sup>

## EXECUTIONS FOR *MOHAREBEH*, *EF SAD-FIL-ARZ* AND *BAGHY* IN 2020

Due to their vague definitions, the charges of *moharebeh* (enmity against God), *efsad-fil-arz* (corruption on Earth) and *baghy* (armed rebellion) are used for a wide range of offences. Additionally, as they are within the Revolutionary Courts’ jurisdiction, there is considerable subjectivity in the judgements made in the cases.

*Efsad-fil-arz* 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 irrefutable evidence. The cases of executions and death row cases in 2020 will paint a clearer picture of the charges’ application in practice.

In 2020, at least 15 people were executed on charges of *moharebeh*, *efsad-fil-arz* and *baghy*. This is an increase from 2019, when 9 were executed on the same charges.

<sup>98</sup> <https://iranhr.net/en/articles/4297/>

<sup>99</sup> <https://iranhr.net/en/articles/4350/>

<sup>100</sup> <https://iranhr.net/en/articles/4352/>

## SOME FACTS ABOUT THE *MOHAREBEH*, *EF SAD-FIL-ARZ* AND *BAGHY* EXECUTIONS IN 2020

- 15 people were executed on charges of *moharebeh*, *efsad-fil-arz* and *baghy*
- 8 executions were announced by official sources
- 3 people charged with armed robbery were executed
- 9 people charged with links to dissident groups were executed
- 2 people charged with espionage were executed
- 1 journalist was executed for running a news outlet covering protests and corruption
- 9 people belonging to ethnic groups were executed

As you will see from the cases below, of those executed in 2020 and those currently at risk of execution, the majority are ethnic minorities. Of the 15 people executed on security charges in 2020, 4 were Kurdish and 5 were Baluch ethnic minorities.

## EXECUTED ON CHARGES OF *MOHAREBEH*, *EF SAD-FIL-ARZ* AND *BAGHY* RUHOLLAH ZAM: EXECUTED FOR RUNNING A DISSIDENT NEWS OUTLET (*EF SAD-FIL-ARZ*)



Ruhollah Zam, the director of the AmadNews Telegram channel which had over a million viewership at its peak, was a dissident journalist with refugee status in France when he was kidnapped during a trip to Iraq in October 2019 and extradited to Iran.<sup>101</sup> Days following his arrest and before any legal proceedings

commencing, his forced confessions were aired on state broadcaster IRIB TV 1's 20:30 programme. His initial hearings were held publicly and took place over the course of six sessions in Branch 15 of the Tehran Revolutionary Court, presided over by Judge Salavati. Salavati was appointed as the judge in the case despite Zam having previously made revelations about the Judge's corruption on his Telegram channel. Conflicts of interest and situations where a judge's impartiality and independence could be jeopardised by his personal issues with the defendant would require the judge to recuse

<sup>101</sup> <https://iranhr.net/en/articles/4301/>



themselves from the case in an impartial judicial system which abides by international fair trial standards. Judiciary spokesperson, Gholamhossein Esmaili had stated that *“The court has considered 13 counts of charges against Ruhollah Zam as instances of efsad-fil-arz and sentenced him to death.”* Amongst others, the charges included, *“Insulting government officials and inciting people to riot, supporting those convicted on security grounds in Iran, publication of lies, widespread involvement in creating combustion, destruction and disruption of the economic system and action against the internal and external security of the Islamic Republic.”*

On 8 December, Gholamhossein Esmaili revealed that Ruhollah Zam's death sentence had been upheld by the Supreme Court.<sup>102</sup> Ruhollah Zam was executed on charges of *efsad-fil-arz* in the early hours of 12 September.<sup>103</sup> On 14 December, UN experts issued a statement calling his execution *“Unconscionable and a serious violation of Iran's obligations under international law.”*<sup>104</sup> Zam's execution also caused backlash from political figures and journalists' rights organisations. The much-anticipated Europe-Iran Business Forum, due to take place with Iranian Foreign Minister Mohammad-Javad Zarif and EU foreign policy chief Josep Borrell as keynote speakers, was postponed after some speakers pulled out of the event citing Zam's execution.<sup>105</sup>

#### **HEDAYAT ABDULLAHPOUR: EXECUTED BY FIRING SQUAD FOR PROVIDING SHELTER AND FOOD TO OPPOSITION GROUP (BAGHY)**



Kurdish political prisoner Hedayat Abdullahpour was arrested in a village near Oshnavieh city, West Azerbaijan province, on 15 June 2016. He was accused of providing food and shelter to members of the Kurdistan Democratic Party of Iran during clashes with the IRGC. Hedayat was sentenced to death on charges of *baghy* following a

complaint by the IRGC and ruling by Branch One of the Islamic Revolutionary Court of Urmia. His sentence was overturned by the Branch 47 of the Supreme Court and referred to Branch Two of the

<sup>102</sup> <https://iranhr.net/en/articles/4523/>

<sup>103</sup> <https://iranhr.net/en/articles/4527/>

<sup>104</sup> <https://iranhr.net/en/articles/4531/>

<sup>105</sup> <https://www.france24.com/en/diplomacy/20201215-iran-faces-backlash-over-hanging-of-france-based-dissident>

Islamic Revolutionary Court of Urmia for review. Hedayat was again sentenced to death by this branch, and the sentence was finally upheld by Branch 47 of the Supreme Court. On 17 May, IHR warned of his imminent execution after he was transferred to an unknown location and had been incommunicado for 9 days.<sup>106</sup> On 10 June, IHR reported that Hedayat had been secretly executed 20 days prior in Oshnavieh Prison and authorities had told his family that they would not be disclosing the location of his burial.<sup>107</sup> On 24 June, Hedayat's brother, Farhad Abdullahpour told IHR that his family had finally received Hedayat's death certificate and that in a rare move since the 1980's, he had been executed by a firing squad on 11 May 2020.<sup>108</sup>

On 4 July, UN rights experts issued a statement condemning his execution.<sup>109</sup> His body has still not been returned to his family.

#### **HAMID RASTBALA, KABIR SAADAT-JAHANI AND MOHAMMAD ALI A RAYESH: TORTURED AND EXECUTED FOR MEMBERSHIP IN OPPOSITION GROUPS (BAGHY)**

Hamid Rastbala, Kabir Saadat-Jahani and Mohammad Ali Arayesh were arrested by security forces in 2015 and detained in the MOIS (Ministry of Intelligence and Security) solitary confinement cells for 10 to 12 months. According to sources: *“Hassan Heidari, the first investigator in their case, would personally threaten and whip them...”* They were sentenced to death by Branch One of the Mashhad Revolutionary Court on charges of *“baghy through membership in the Salafi Al-Forghan Party and membership in the National Solidarity Front of Sunnis in Iran.”* The three Baluch men were executed on 31 December 2020 in Mashhad Central Prison.<sup>110</sup>

#### **MOSTAFA SALIMI: EXECUTED AFTER COVID-19 PRISON ESCAPE (MOHAREBEH)**



Kurdish political prisoner Mostafa Salimi was arrested 17 years ago and sentenced to death on charges of *moharebeh* for *“Membership of Kurdish opposition parties and engaging in armed conflict”* by the Revolutionary Court. Following the COVID-19 outbreak, Mostafa managed to escape from Saqqez Prison to

<sup>106</sup> <https://iranhr.net/en/articles/4248/>

<sup>107</sup> <https://iranhr.net/en/articles/4276/>

<sup>108</sup> <https://iranhr.net/en/articles/4294/>

<sup>109</sup> <https://iranhr.net/en/articles/4305/>

<sup>110</sup> <https://iranhr.net/en/articles/4562/>

the Iraqi Kurdistan region during a prison riot on 27 March, but was arrested and transferred back to Iran without being given a chance to claim asylum. Following his arrest, he was hastily executed on 11 April 2020 in Saqqez Prison in Kurdistan province.<sup>111</sup>

#### ABDOLBASET DAHANI: "I COULDN'T TAKE THE TORTURE ANYMORE" (MOHAREBEH)

Baluch political prisoner Abdolbaset Dahani was arrested in Saravan city, Sistan and Baluchistan, in 2016 and sentenced to death on charges of "Acting against national security by moharebeh" by Branch One of the Zahedan Revolutionary Court. In a letter from prison, he wrote: "I've been subjected to the worse kinds of torture, they tied my hands and hung me like a chicken and would whip my feet with a cable with full force and heat my feet with a turboflame lighter, they arrested my family and threatened that I should confess and accept everything they say, I couldn't take the torture anymore, so I was forced to make their false confessions and sentenced to death for made up charges." He was executed on 23 April in Zahedan Central Prison.<sup>112</sup>

#### SHAHROUZ KAZEMI-NOUREDDIN VAND: EXECUTED FOR AN ARMED ROBBERY WITHOUT CASUALTIES (MOHAREBEH)



Shahrouz Kazemi-Noureddin Vand was sentenced to death on the charge of "moharebeh through participation in an armed robbery." His court documents obtained by IHR reveal that in fact, nobody was harmed during the armed robbery attributed to Shahrouz and his two co-defendants, and the only

bullets fired were the one fired at the shop glass to gain entry and two shots fired in the air on their exit, for which Shahrouz was sentenced to death. A part of the documents reads: "When we entered the shop, we told the shop owner that we were doing it out of despair and I have no money for my wedding and I feel ashamed." The armed robbery of the gold shop took place on 14 March 2017 in Shahin Shahr and Shahrouz was sentenced to be executed at the scene of the robbery. However, he was executed at Isfahan's Dastgerd Prison on 30 September 2020.<sup>113</sup>

<sup>111</sup> <https://iranhr.net/en/articles/4191/>

<sup>112</sup> <https://iranhr.net/en/eng/articles/4216/>

<sup>113</sup> <https://iranhr.net/en/articles/4451/>

#### DIAKO RASOULZADEH AND SABER SHEIKH-ABDULLAH: DENIED CHARGES EVEN UNDER TORTURE (MOHAREBEH)



Kurdish political prisoners Diako Rasoulzadeh and Saber Sheikh-Abdullah were arrested on charges of planting bombs at the Mahabad parade marking the 30th anniversary of the start of the Iran-Iraq war, on 18 September 2010. According to informed sources, they had denied the allegation under repeated torture in interrogations and in court. Diako and Saber were sentenced to death by Branch One of the Revolutionary Court of Mahabad, headed by Judge Javadi Kia, for participating in the bombing and membership in the Komala Party of Kurdistan. Branch 47 of the Supreme Court had previously overturned the verdict, but it was upheld following re-examination by the Supreme Court. They were executed on 14 July 2020 in Urmia Central Prison.<sup>114</sup>

#### AT RISK OF EXECUTION MOLAVI AMANOLLAH BALUCHI AND HAFEZ ABDOLRAHIM KOUHI: CLERICS ON DEATH ROW AS HOSTAGES (MOHAREBEH)



Sunni Baluch clerics, Molavi Amanollah Baluchi and Hafez Abdolrahim Kouhi were arrested in 2015 and sentenced to death and 10 years in

<sup>114</sup> <https://iranhr.net/en/articles/4324/>



prison on charges of *moharebeh* by the Zahedan Revolutionary Court in September 2019.

According to law, the Revolutionary Court does not have jurisdiction over their cases due to their cleric status. However, despite documents evidencing that they are indeed graduates of the Manba-Al-Oloum Kouh Van Seminary being made available and online, Ali Movahedi-Rad, the Zahedan Public Prosecutor and Revolutionary Court Prosecutor, has claimed there are no documents supporting their claim of cleric status. The men have never accepted the charges against them and stated that they were tortured to deliver false confessions. According to informed sources, *“Their case has turned into a hostage-taking situation, they have been told that in order to stop their executions and reduce their sentences, they must bring in the other three people in their case who have since fled Iran.”*<sup>115</sup> They were transferred to solitary confinement in preparation for their executions on 18 January and their families were summoned to pay their last visit before their scheduled execution on 21 January. The two clerics were returned to their cells, only to be transferred to MOIS custody hours later. An informed source told IHR that they remain at risk of execution.<sup>116</sup>

#### HEYDAR GHORBANI: ON DEATH ROW FOR MEMBERSHIP OF OPPOSITION GROUP (BAGHY)



Heydar Ghorbani was arrested by security forces on 11 October 2016 while on his way home from work and only went to court a year after his arrest. However, Kamyaran Court sent the case to the Sanandaj Court after recusing themselves from the case. In October 2019, Heydar was sentenced to 30 years imprisonment by

Branch One of the Sanandaj Criminal Court on the charge of *“Complicity and being secondary in the murder of three people.”* In a case opened against him by Branch One of the Sanandaj Revolutionary Court, he was sentenced to death on charges of *“baghy and membership in the Kurdistan Democratic Party of Iran.”* The sentence was upheld by Branch 27 of the Supreme Court on

<sup>115</sup> <https://iranhr.net/en/articles/4585/>

<sup>116</sup> <https://iranhr.net/en/articles/4588/>

5 August 2020 and sent for implementation. Saleh Nikbakht, Heydar Ghorbani's lawyer, told IHR: *“Branch 9 of the Supreme Court rejected my request for a retrial within three weeks and upheld the verdict on the charge of baghy.”*<sup>117</sup>

#### AHMADREZA DJALALI: A DUAL-NATIONAL HELD HOSTAGE ON DEATH ROW (EFSAD-FIL-ARZ)



49 year-old Swedish-Iranian scientist, Dr Ahmadreza Djalali had travelled to Iran at the official invitation of the University of Tehran, when he was arrested by MOIS agents on 24 April 2016 and spent three months in the Ministry's detention centre. Initially charged with *“Collaborating with hostile States”*, he was later charged with *“Efsad-fil-arz*

*through espionage for Israel”* by the Revolutionary Court of Tehran which was also upheld by the Supreme Court. On 24 November, IHR issued a statement calling for urgent action after Ahmadreza was transferred to solitary confinement and warned that he would soon be transferred to Rajai Shahr Prison for execution.<sup>118</sup> On 1 December, he was transferred from Evin Prison to Rajai Shahr Prison for execution, only for his family to be told that it had been postponed hours later.<sup>119</sup> In a joint letter released on 25 November 2020, Hands off Cain, IHR, ECPM and other rights organisations asked the EU to take immediate action in order to obtain the suspension of the death sentence.<sup>120</sup> He has spent 100 days in the solitary confinement cells of Evin Prison's Ward 209 as of 4 March 2021. According to his wife, he has been denied the right to access his lawyer and has had one family visit during the 100-day period. His physical and mental health have also deteriorated, and he remains at risk of execution.<sup>121</sup>

<sup>117</sup> <https://iranhr.net/en/articles/4439/>

<sup>118</sup> <https://www.iranhr.net/en/articles/4505/>

<sup>119</sup> <https://iranhr.net/en/articles/4552/>

<sup>120</sup> [https://www.ecpm.org/wp-content/uploads/Updated\\_Urgent-Appeal-for-Dr-Djalali\\_to-HRVP\\_-Josep-Borrell.pdf](https://www.ecpm.org/wp-content/uploads/Updated_Urgent-Appeal-for-Dr-Djalali_to-HRVP_-Josep-Borrell.pdf)

<sup>121</sup> <https://iranhr.net/en/articles/4654/>

## EXECUTION FOR ALCOHOL CONSUMPTION

Alcohol consumption is a *hadd* offence and its fixed punishment is mandated by Sharia. According to Article 136 of the 2013 Islamic Penal Code: “Where anyone commits the same offence punishable by *hadd* three times, and each time the *hadd* punishment is carried out upon him/her, the *hadd* punishment on the fourth occasion shall be the death penalty.” The IPC requires 80 lashes as *hadd* for alcohol consumption.

Articles 220-288 provide a list of *hudud* offences which includes alcohol consumption. Hence, if a person is arrested for drinking alcohol, they will be flogged 80 times each time they are arrested for the first three times and will be sentenced to death upon the fourth arrest. In the last three decades, there had been no documented or officially announced executions for alcohol consumption in Iran until 2020, when a man known only as M.M was executed on 8 July, in Mashhad.

## THE 51 YEAR-OLD MAN EXECUTED FOR DRINKING ALCOHOL



The defendant's lawyer, Hossein Habib Shahri told IHR that his client was arrested in 2016 or 2017 and sentenced to death for alcohol consumption for the sixth time.<sup>122</sup> Three days after IHR reported the execution, state-run *Khorasan* newspaper's website confirmed the news and reported that his “repentance” had been rejected.

Article 13(c) of the 2013 Code of Criminal Procedure, as well as

<sup>122</sup> <https://iranhr.net/en/articles/4312/>

Articles 114 to 119 of the IPC, grant judges the power to acquit the accused should they repent or seek amnesty from the Head of Judiciary. The *Khorasan* article states that the reason for rejecting his “repentance” was the defendant's claim to having “not consumed alcohol”. The article further claims that “Though the death row inmate had numerous other charges on his criminal record, including narcotics, the record did not play a major role in issuing the death sentence, which was a Sharia punishment.” On 8 July 2020, he was executed in the presence of his lawyer in Mashhad Central Prison.<sup>123</sup> Some news outlets have identified him as Morteza Jamali.<sup>124</sup>

## EXECUTIONS FOR RAPE AND SEXUAL ASSAULT IN 2020

Rape and sexual assault are among charges which, according to the IPC, are punishable by the death penalty. In 2020, at least 12 people were executed for rape charges (16 in 2019 and 23 in 2018). As with other charges, there are reports of torture and forced confessions being used on defendants.

## SOME FACTS ABOUT THOSE EXECUTED ON RAPE CHARGES

- 12 people executed on rape charges
- 10 executions were announced by official sources

## EXECUTED ON RAPE CHARGES SHAHAB JAVID: ON DEATH ROW FOR 10 YEARS



Shahab Javid was sentenced to death on charges of “Rape and kidnapping”. An informed source told IHR: “Shahab Javid was arrested around 10 years ago. He had always denied the charges against him and wrote to the judiciary many times over the years denying his role in the case, but the sentence

was still upheld. In 2018, his victim's family had said that they consented for him not to be executed; that year, he went to the

<sup>123</sup> <https://iranhr.net/en/articles/4319/>

<sup>124</sup> <https://www.radiofarda.com/a/iran-mashhad-judiciary-defends-executing-man-for-drinking-alcohol/30717990.html>

gallows, but was not executed and returned to his cell. Another time in 2018, Shahab was transferred and kept in solitary confinement in preparation for his execution for six days, but again, his sentence was not carried out until Thursday.” He was executed on 18 December 2020.<sup>125</sup>

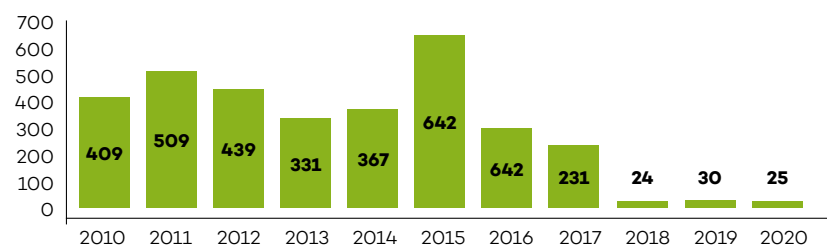
## EXECUTIONS FOR DRUG-RELATED CHARGES IN 2020

According to reports gathered by IHR, at least 25 people were executed for drug-related offences in 2020. The past three years’ figures represent a 90% reduction compared to 2017. This shows that the amendments to the Anti-Narcotics Law which were enforced in November 2017 have, for three years in a row, led to a significant decrease in the number of executions for drug-related offences.

### SOME FACTS ABOUT THE DRUG-RELATED EXECUTIONS IN 2020

- 25 people were executed
- Only 4 of the drug-related executions were announced by official sources
- Executions took place in 12 different provinces
- Ethnic minorities, particularly the Baluch, are overrepresented

## DRUG-RELATED EXECUTIONS 2010-2020



According to IHR reports, an annual average of at least 403 people were executed for drug-related offences between 2010 and 2017. The diagram above shows that the number of drug-related executions in the last three years have been significantly lower than the “average” since 2010.

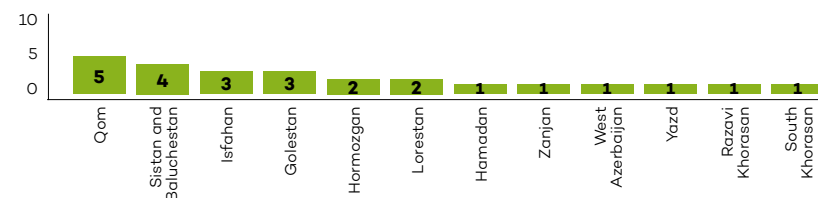
<sup>125</sup> <https://iranhr.net/en/articles/4540/>

## MONTHLY EXECUTIONS FOR DRUG-RELATED CHARGES



Executions for drug-related offences were carried out over 9 months of the year.

## GEOGRAPHIC DISTRIBUTION OF DRUG-RELATED EXECUTIONS IN 2020



In 2020, drug-related executions were carried out across 12 different provinces.

## EXECUTED ON DRUG-RELATED CHARGES IN 2020

Along with security charges, drug-related charges fall under the jurisdiction of the Revolutionary Courts which, as aforementioned, systematically deny defendants their right to due process and a fair trial. At least 25 executions were carried out for drug-related charges in 2020. Of the 25 executions recorded by IHR, Baluch ethnic minorities were overrepresented with 28% (7) executed in 2020, as highlighted below. You can read the other cases on the IHR website.<sup>126</sup>

### ABDULLAH GHANBARZEHI AND ABDULAZIZ SHAHBAKHSH

Abdullah Ghanbarzehi had been held in Isfahan for three years when, along with Abdulaziz Shahbakhsh, he was executed on drug-related charges in Isfahan Central Prison on 11 July 2020.<sup>127</sup>

<sup>126</sup> <https://iranhr.net/en/articles/#/20/24/1>

<sup>127</sup> <https://iranhr.net/en/articles/4330/>

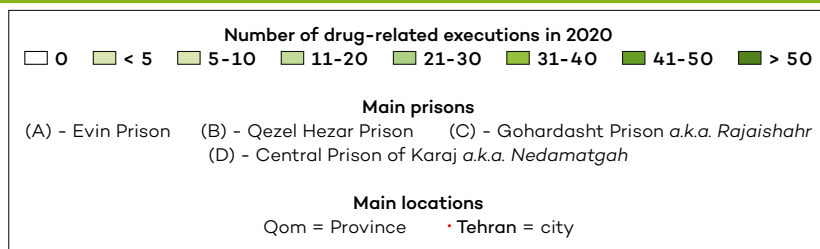


Diagram: In 2020, IHR reported drug-related executions in 12 provinces, compared to 7 in 2018 and 22 in 2017. This might indicate that the review process following enforcement of the new amendments to the Anti-Narcotic Law has come to an end in many of the provinces.

## MEHRSHAD BARAHOUI



Baluch prisoner Mehrshad Barahoui was executed on drug-related charges in Ghaen Prison on 13 October 2020. Ghaen is the capital of Ghaenat County and the second biggest city in Khorasan Province. According to an informed source, “*Mehrshad did not have any prior criminal records.*”<sup>128</sup>

## PEYMAN SAFAEI

34-year-old Peyman Safaei was arrested and sentenced to death on charges of carrying 75 kilograms of methamphetamines. According to informed sources, Peyman insisted he was the driver and the drugs belonged to his co-arrestee, who was sentenced to 18 years in prison. He was executed on 26 October 2020, at Aligudarz Central Prison.<sup>129</sup>

## BEHNAME RIGI AND SHOAB RIGI



Baluch prisoners, Behnam Rigi and Shoaib Rigi were arrested on charges involving 50 kilograms of opium around 4 years prior to their executions. According to informed sources, charges of arms smuggling were added to their case, while Behnam and Shoaib were in legal possession of weapons as members of the IRGC. The two men were executed on the morning of 19 December 2020 in Zahedan Central Prison.<sup>130</sup>

## MEHRABAN BARAHOUI AND KHODADAD NAHTANI

60 year-old Mehraban Barahoui and 73 year-old Khodadad Nahtani were executed on drug-related charges. While no information is available on the details of the Baluch men's cases, Mehraban had claimed that the drugs were planted in his car, which he used to work

<sup>128</sup> <https://iranhr.net/en/articles/4466/>

<sup>129</sup> <https://iranhr.net/en/articles/4477/>

<sup>130</sup> <https://iranhr.net/en/articles/4542/>



as a taxi driver. The Baluch men were executed in Zahedan Central Prison on 26 December 2020.<sup>131</sup>

## AT RISK OF EXECUTION

On 16 December 2020, IHR reported that the death sentences of around 50 prisoners on death row for drug-related charges in Ward 15 of Urmia Central Prison had been upheld by the Court of Appeal.

An informed source told IHR: *“The prison warden and the Amnesty and Pardon Commission have pressured these prisoners to request a pardon. But since most of them have denied the charges against them and have not confessed, they are worried that this may be a trap and their request for a pardon would be deemed as accepting the charges and confessing. Once, they came and asked a prisoner to request a pardon at 11 pm, which he did, and in the morning they came and took him for execution.”*<sup>132</sup>

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

A new amendment to Iran's Anti-Narcotics Law came into force on 14 November 2017, leading to a significant drop in the number of drug-related executions from an average yearly 360 executions to an average of 27 executions per year in the last three years. IHR and ECPM continue to express their concern about the disproportionality between crime and punishment: *“Most prisoners whose death sentences were commuted were sentenced to 30 years in prison and 200 million Tomans fines, regardless of the type and degree of their crime.”*<sup>133</sup>

Another major shortcoming of the new amendment is that it does not address the issues of due process and fair trials. All drug-related offences are processed by the Revolutionary Courts. Reports collected by IHR demonstrate that those arrested for drug-related offences are systematically subjected to torture in the weeks following their arrest. They often do not have access to a lawyer while in detention and by the time a lawyer enters their case, they have already “confessed” to the crime.<sup>134</sup> Trials at the Revolutionary Courts are typically very short, leaving no time for the lawyer to be of any use.

131 <https://iranhr.net/en/articles/4551/>

132 <https://iranhr.net/en/articles/4535/>

133 IHR and ECPM, *Annual Report on the Death Penalty in Iran - 2018*, p. 30 [https://iranhr.net/media/files/Rapport\\_iran\\_2019-GB-BD.pdf](https://iranhr.net/media/files/Rapport_iran_2019-GB-BD.pdf)

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

International pressure was the main reason that the Iranian authorities agreed to introduce the new amendment to the Anti-Narcotic Law. An important factor was that European countries funding United Nations Office on Drugs and Crime (UNODC) projects to combat illegal drugs in Iran were unwilling to fund any other projects due to the high number of drug-related executions. However, there are indications that some countries, such as Italy, may resume law enforcement cooperation with the Islamic Republic. Reprieve, Iran Human Rights and Hands Off Cain have expressed concern over the Italian Government's pledge to provide support to the fight against drugs in Iran, given the high risk that this support will result in death sentences being handed down to alleged drug offenders. On 21 December 2020, the three organisations asked the Italian Minister of Foreign Affairs, Luigi Di Maio, to disclose the assistance the Italian Government is currently providing to Iran in this area, and to confirm that no further assistance will be provided until the Iranian Government conclusively abolishes the death penalty for drug-related offences.<sup>135</sup>

For more details, please see IHR's report *Execution Trends Six Months after the Anti-Narcotic Law* published in May 2018 and the *Annual Report on the Death Penalty in Iran - 2018*.<sup>136</sup>

## EXECUTIONS FOR MURDER CHARGES: QISAS

Qisas (retribution-in-kind) death sentences have been retained for murder in the new Iranian Islamic Penal Code. As murder is specifically punished under *qisas*, the Penal Code of Iran does not explicitly state that convicted murderers are subject to the death penalty but rather to *qisas*, or “retaliation”. The State effectively puts the responsibility for executions for murder in the hands 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. Furthermore, under the IPC, the death penalty is generally subject to discriminatory application based on gender, ethnicity and religion.<sup>137, 138</sup>

In addition to the inequality of citizens before the law, there are numerous reports of violations of due process in *qisas* cases.

135 <http://www.handsoffcain.info/azioneurgente/appeal-of-reprieve-ih-and-hoc-to-the-italian-government-not-to-provide-support-to-the-death-penalty-in-iran-60321267>

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

137 IHR and ECPM, *Annual Report on the Death Penalty in Iran - 2013*, p. 11 <https://www.ecpm.org/wp-content/uploads/RAPPORT-IRAN-2013-Eng.pdf>

138 See the “Death penalty according to Iranian law” section above (p.24)

Examples include the use of torture to extract confessions and summary trials without sufficient time to conduct independent investigation of the evidence.

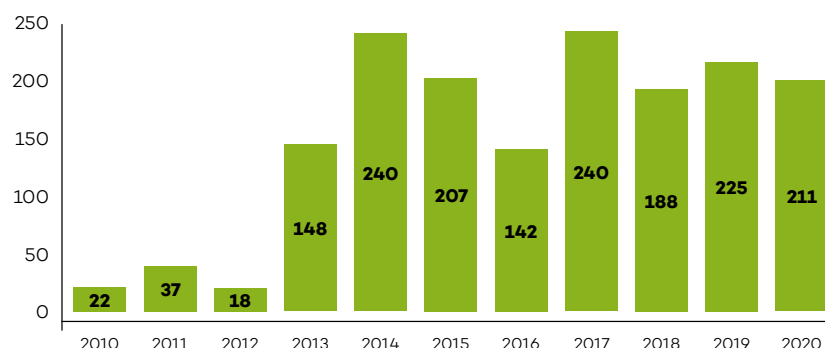
Murder charges were the most common charge and *qisas* executions counted for the most common execution category in 2020.

## SOME FACTS ABOUT *QISAS* EXECUTIONS IN 2020

- 211 executions were carried out for *qisas* (225 in 2019)
- 68 *qisas* executions were announced by the official sources (32%)
- 54 *qisas* executions were carried out in one prison (Rajai Shahr Prison)
- 4 juvenile offenders were executed (under 18 years of age at the time of offence)
- 8 of those executed for murder charges were women (only 3 were announced by the authorities)
- 2 prisoners arrested after protests were executed on false “murder” charges
- 1 public execution

## *QISAS* EXECUTIONS SINCE 2010

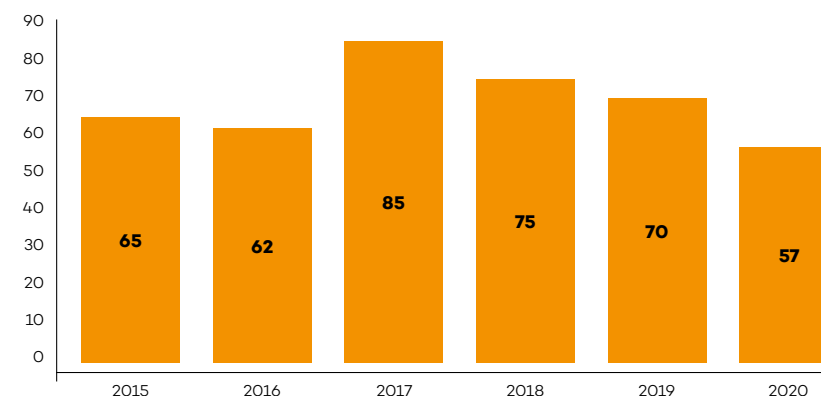
According to data gathered by IHR, at least 1,678 *qisas* executions were carried out between 2010 and 2020. The diagram below shows the trend of *qisas* executions during this period.



The number of *qisas* executions, which was relatively low between 2010 and 2012, increased dramatically in 2013 and has remained at a significant level since. This coincides with growing international criticism of Iran’s drug-related executions. In 2020, at least 211 people were subjected to *qisas* executions, which remains one of the highest counts in the last 11 years.

## RAJAI SHAHR PRISON: THE *QISAS* CAPITAL

The detailed geographical distribution of *qisas* executions will be provided under the section “Forgiveness Movement” of this report. However, reports in the last 6 years demonstrate that each year, a significant portion of all *qisas* executions were carried out in one single prison in the Alborz/Tehran area. In addition, Rajai Shahr prison (previously known as Gohardasht) has been the site of the execution of many political prisoners, particularly those belonging to banned Kurdish political parties. In 2020, at least 54 *qisas* sentences were carried out in Rajai Shahr prison. This accounts for 25% of all *qisas* executions in Iran.



The diagram above shows the number of implemented *qisas* death sentences in Alborz/Tehran prisons since 2015. The majority of *qisas* executions are carried out in Rajai Shahr Prison, situated in Alborz Province.

## *QISAS* EXECUTIONS IN 2020

The 211 *qisas* executions in 2020 include a variety of cases, the majority of which involve defendants being denied their rights to due process and a fair trial.

## AHAD SALEHI: HUNG IN HIS WHEELCHAIR

28 year-old Ahad Salehi was shot by the police during his arrest, injuring his spinal cord and confining him to a wheelchair. He was sentenced to *qisas* and was hanged while sitting in his wheelchair on 29 February 2020, in Mashhad Central Prison.<sup>139</sup>

139 <https://iranhr.net/en/articles/4158/>



### HAMIDREZA ASGHARPOUR-MASOULEH: THE CASE OF QASSAMEH

Hamidreza Asgharpour-Masouleh was arrested and charged with the murder of his wife. With no hard evidence and despite his denial, Hamidreza was sentenced to death by *qassameh* (sworn oath). According to an informed source: *“He was charged with his wife’s murder but there were doubts as to it even being a murder. The forensic pathologist had first ruled that she had died of natural causes and that the bruises on her body were caused by the ambulance team trying to resuscitate her. But they later changed their minds. The court sentenced him to death through a qassameh ceremony.”* Hamidreza was executed in Rajai Shahr Prison on 22 April 2020 along with 6 other prisoners.<sup>140</sup>

### HAMID: THE HOMELESS MAN ARRESTED FOR STEALING ELECTRIC CABLES

A prisoner only identified as Hamid, 29, and homeless, was arrested on 26 April 2016 on charges of stealing electric cables in Arak, and sentenced to imprisonment. He later “confessed” to two murders during interrogations and was sentenced to *qisas*. Though the exact date of his execution is not known, on 28 February 2020, it was reported that he had been executed at Ghezel Hesar Prison.<sup>141</sup>

### THE FORGIVENESS MOVEMENT

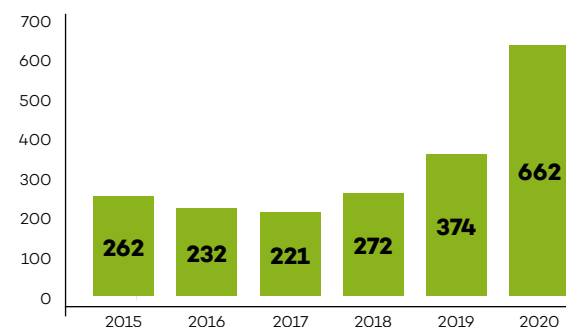
According to the IPC, murder is punished by *qisas*, where the family of the victim can demand a retribution death sentence. But they can also demand *diya* (blood money) instead of a death sentence or can simply grant forgiveness.

IHR has collected forgiveness reports since 2015. Altogether, the reports gathered in the past 4 years show that the families of murder victims who chose forgiveness or *diya* for murder convicts outnumber those who chose the death penalty.<sup>142</sup>

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 reported 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 662 forgiveness cases in 2020, compared to 374 cases in 2019, 272 in

2018, 221 in 2017, 232 in 2016 and 262 in 2015. Thus, there is a growing trend for forgiveness.



In 2020, 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.

The increasing trend of forgiveness in Iran correlates with a survey conducted in September 2020 showing the majority of people prefer alternative punishments to the *qisas* death penalty for murder victims.<sup>143</sup> Iranian authorities assert that *qisas* is the right of the plaintiff (the victim’s family) and that most *qisas* executions take place upon the plaintiff’s request.

However, when questioned about their preferred punishment if an immediate family member was murdered, only 21.5% of respondents chose *qisas*, while more than 50% preferred alternative punishments such as imprisonment.

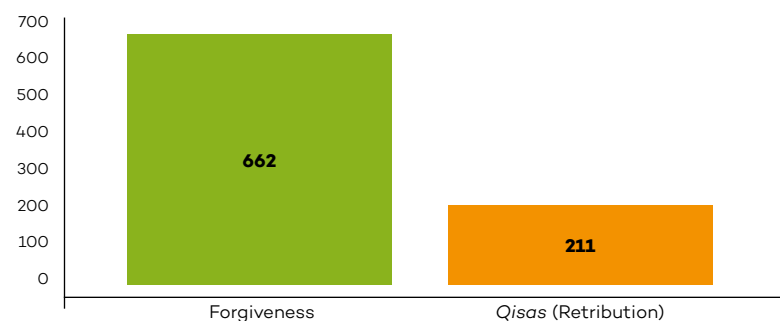


Diagram showing the number of implemented retribution death sentences and forgiveness cases in 2020.

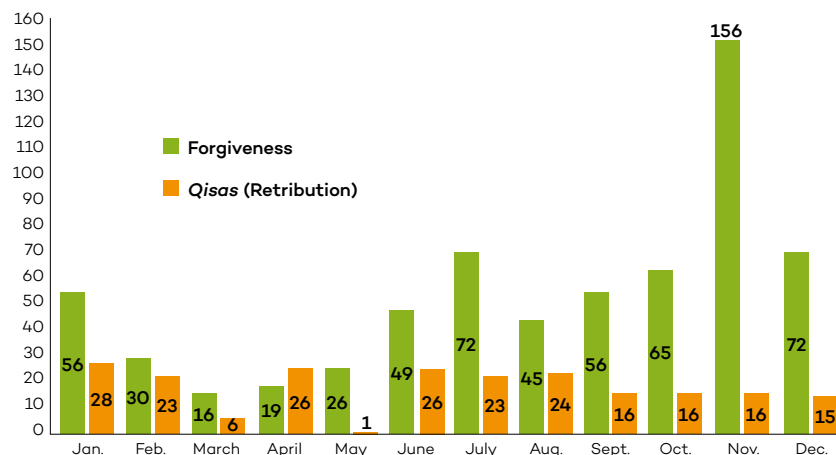
<sup>143</sup> <https://iranhr.net/en/articles/4458/>

<sup>140</sup> <https://iranhr.net/en/eng/articles/4207/>

<sup>141</sup> <https://davatonline.ir/content/168708/>

<sup>142</sup> <https://iranwire.com/en/features/4581>

## QISAS (RETRIBUTION) AND FORGIVENESS: MONTHLY BREAKDOWN



The diagram above shows the monthly breakdown of implemented *qisas* death sentences compared to forgiveness cases.

## QISAS AND FORGIVENESS: GEOGRAPHIC DISTRIBUTION

In 2020, IHR recorded forgiveness cases in 29 of the 31 provinces in Iran. In comparison, *qisas* death sentences were reported in 24 of the provinces. In most provinces, the number of forgiveness cases were higher than *qisas* executions.



Diagram: Prisons in the Tehran and Karaj (Alborz) area were the sites of the highest number of both forgiveness and *qisas* cases in 2020 in Iran.

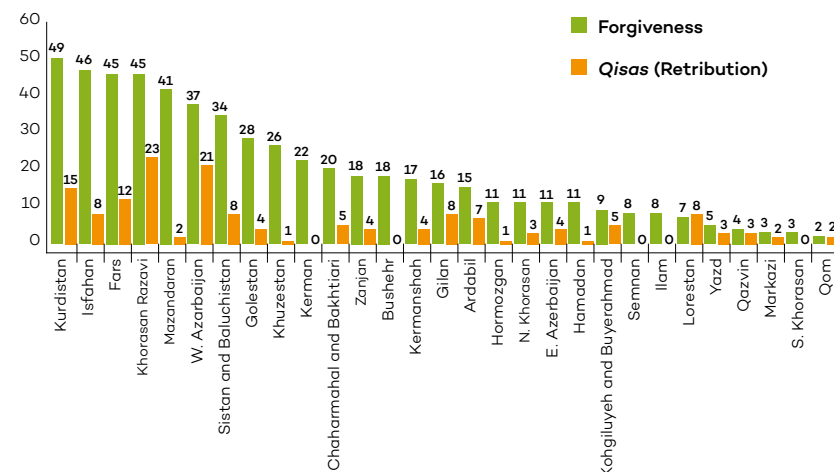
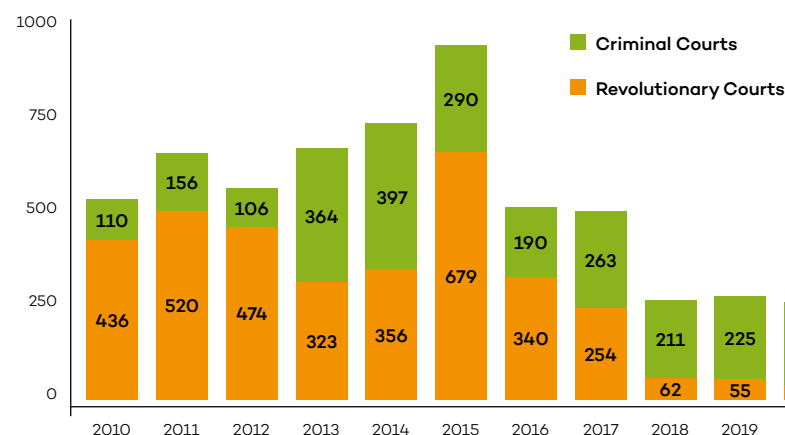


Diagram: The number of implemented *qisas* executions was higher than or equal to forgiveness only in two provinces, while in the rest of the provinces the forgiveness numbers were higher than *qisas* executions.

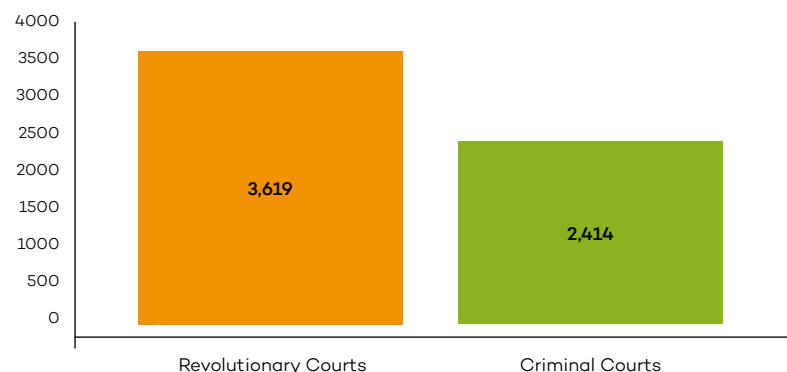
## SHARE OF THE REVOLUTIONARY AND CRIMINAL COURTS IN EXECUTIONS OF 2020



As mentioned in the previous section, rape and murder (*qisas*) cases fall within the jurisdiction of the Criminal Courts, while cases of *moharebeh*, *efsad-fil-arz* and *baghy* charges, as well as the drug-related charges fall under the jurisdiction of the Revolutionary Courts. After the enforcement of the new amendments to the Anti-Narcotics Law, the number of implemented death sentences issued by the

Revolutionary Courts has seen a significant decrease. The following diagrams show the share of the Revolutionary Courts and the Criminal Courts in the implemented executions of the last 11 years.

At least 38 of the 267 executions in 2020 (14%) were based on death sentences issued by the Revolutionary Courts. Numbers for the previous 11 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-related charges.



The diagram above is based on IHR reports since 2010 and shows that 3,619 of the 6,033 executions (59%) in the last 10 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.<sup>144</sup> However, data collected by IHR shows that even in the 4 decades following the 1979 revolution, the Revolutionary Courts have been responsible for the majority of the death sentences leading to executions in Iran.

## PUBLIC EXECUTIONS

Over the past 4 decades, Iranian cities, towns and villages have hosted public executions. In the last decade, Iran has been among the few countries in the world where public executions organised by authorities still occurred.

Public executions have repeatedly been criticised by the international community. Both the UN Secretary-General and the Special

<sup>144</sup> Inside Iran's Revolutionary Courts, BBC News, 2015, <http://www.bbc.com/news/magazine-34550377>

Rapporteur on the Human Rights Situation in Iran have expressed concern about the continued practice of public executions. During Iran's second UPR,<sup>145</sup> the Government rejected recommendations aimed at ending public executions.<sup>146</sup>

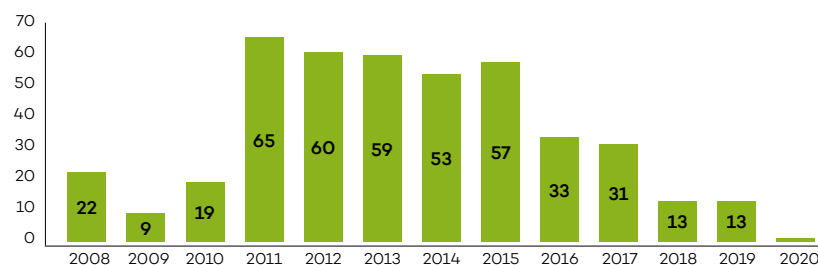
This has also been emphasised in the recent report of the current Special Rapporteur on Human Rights in Iran, Javaid Rehman.<sup>147</sup>

## PUBLIC EXECUTIONS IN 2020

On 11 June 2020, a man was publicly executed in the Iranian north-western city of Firuraq, West Azerbaijan province. He was sentenced to *qisas* for killing his mother-in-law and brother-in-law. While his execution was reported by domestic media, his name was withheld.<sup>148</sup>

With one public execution, 2020 so far holds the lowest number of public executions in more than a decade. We have no indication that the decline in the number of public executions is a result of policy change. However, there is evidence that executions have not been carried out publicly due to the COVID-19 pandemic restrictions.<sup>149</sup> According to a survey commissioned by IHR and the World Coalition Against the Death Penalty, more than 86% of the 20,000 participants living in Iran said that they oppose public executions.<sup>150</sup>

## PUBLIC EXECUTIONS SINCE 2008



The diagram above shows public executions since 2008. The number of public executions in 2020 was significantly lower due to COVID-19 pandemic restrictions.

<sup>145</sup> <https://www.ohchr.org/EN/HRBodies/UPR/Pages/IRindex.aspx>

<sup>146</sup> <https://www.ohchr.org/EN/HRBodies/UPR/Pages/IRindex.aspx>

<sup>147</sup> <http://undocs.org/A/73/398>

<sup>148</sup> <https://iranhr.net/en/articles/4288/>

<sup>149</sup> <https://iranhr.net/en/articles/4230/>

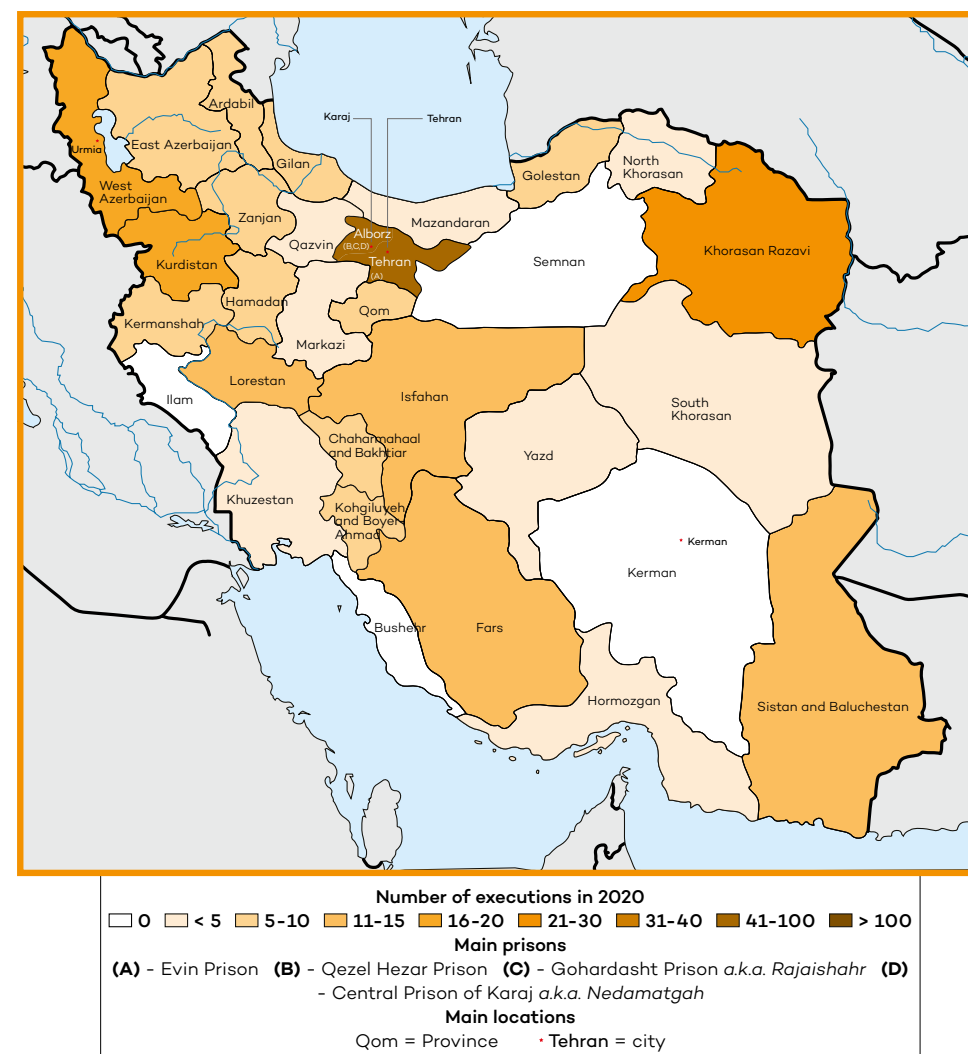
<sup>150</sup> <https://iranhr.net/en/articles/4458/>

In 2008, a judicial moratorium on public executions was adopted by the Iranian authorities. Consequently, the number of public executions in 2008-2010 were relatively lower than the previous years. However, after 2010, the number of public executions increased dramatically, reaching an annual average of 50 to 60 between 2011-2015. The number of public executions decreased to 33 in 2016, 31 in 2017 and then 13 in 2018 and 2019. It still remains to be seen whether a political decision has been the driving force behind the reduction observed since 2015.

## GEOGRAPHIC DISTRIBUTION OF EXECUTIONS

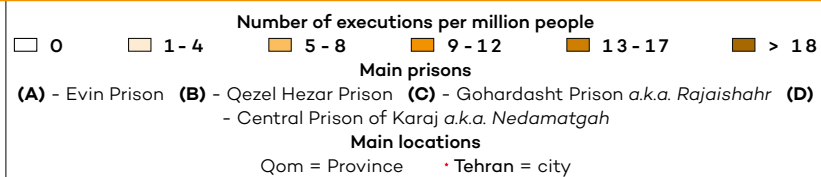
Executions were carried out in 26 Iranian provinces in 2020. The following maps show the geographic distribution of the executions. The first map shows the total number of executions while the second map shows the number of executions per capita for each province. As in previous years, the prisons of Karaj – which house prisoners from the Tehran and Alborz provinces – were the sites of the highest number of executions, followed by Mashhad Central Prison (Khorasan Razavi) and Urmia Central Prison (W. Azerbaijan). As mentioned at the beginning of the report, 66% of the executions included in the 2020 report were either carried out secretly or not announced by official Iranian sources. In the following sections, we will provide more details about the unannounced or secret executions.

MAP 2: GEOGRAPHIC DISTRIBUTION OF ALL EXECUTIONS BY NUMBER



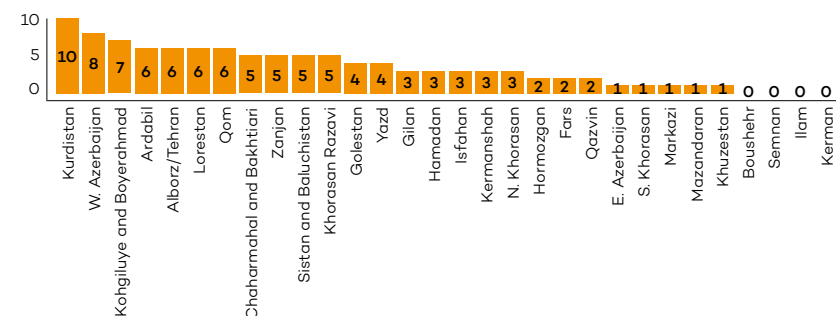
### MAP 3: NUMBER OF EXECUTIONS PER CAPITA

In 2020, Iran carried out 3.4 executions per million people.<sup>151</sup> The province of Kurdistan had the highest execution rate with 10 executions per million inhabitants, followed by West Azarbaijan with 8 executions per million inhabitants. The actual numbers are provided in Annex 1 at the end of this report.



151 Based on amar.org.ir, retrieved 18.02.2018.

### NUMBER OF EXECUTIONS PER MILLION POPULATION IN EACH PROVINCE IN 2020



### SECRET AND UNANNOUNCED EXECUTIONS

Approximately 66% of all executions included in the 2020 report, i.e. 176 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 THE SECRET OR UNANNOUNCED EXECUTIONS IN 2020

- At least 176 executions (66% of the total) were not announced by official Iranian sources
- Only 4 of the 25 drug-related executions were announced by official sources
- Drug offences counted for the charges in 12% of unannounced executions
- Murder charges counted for 85% 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 receives 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 organisations is regarded as a crime and those involved



face criminal prosecution. Despite this, every year IHR manages to confirm several hundred cases of executions that are not announced by the authorities. In many of these cases, information on executions is verified by two or more independent sources. In some cases, IHR receives pictures that can document the execution.<sup>152</sup> In many of them, pictures with the names of the prisoners were sent to IHR. Some of these photos are shown below.



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

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

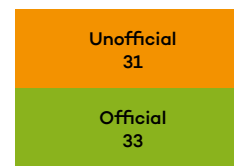
## GRAPHIC DISTRIBUTION OF ANNOUNCED AND UNANNOUNCED/SECRET EXECUTIONS

As in previous years, the big prisons in the Karaj/Tehran area were the scene of the largest number of executions, both officially announced and unannounced.<sup>153</sup>

<sup>152</sup> <https://iranhr.net/en/articles/2634/>

<sup>153</sup> Further details are provided in the following section.

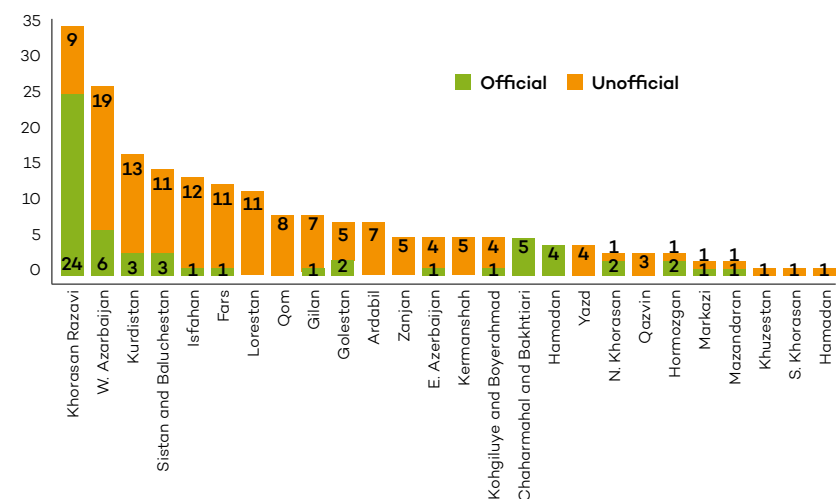
## EXECUTIONS IN THE ALBORBZ/TEHRAN AREAS



This diagram shows the official (green) and unofficial/unannounced (yellow) executions in the three prisons located in Karaj, Alborz province: Rajai Shahr Prison, Ghezel Hesar Prison and Karaj Central Prison (penitentiary).

Intended for prisoners from Tehran and Alborz, they also house prisoners from all over the country. Qisas for murder charges held the highest number of executions. All but three of all Alborz province executions were carried out in Rajai Shahr Prison. One execution was reported to have been carried out at Ghezel Hesar Prison and one at Karaj Central Prison. It is not clear whether the third execution was carried out at Ghezel Hesar or Karaj Central Prisons.

## GEOGRAPHIC DISTRIBUTION OF EXECUTIONS IN THE REST OF COUNTRY



The diagram above shows the geographical distribution of the official (green) and unofficial/unannounced (yellow) executions in other parts of Iran, excluding the Tehran/Karaj area. The prisons in the provinces of Khorasan Razavi (northeast), West Azarbaijan (northwest) and Kurdistan had the highest number of executions. This followed by Isfahan, Lorestan, Fars and Sistan and Baluchistan.

# THE COVID-19 PRISON RIOTS AND EXTRAJUDICIAL KILLINGS

Iran reported its first confirmed cases of COVID-19 infections on 19 February 2020. On 27 February 2020, IHR issued a statement warning of outbreaks in Iranian prisons, particularly in light of the poor hygiene conditions, poor food quality (malnutrition) and high density across prisons. One prisoner told IHR that while visitations had been stopped, masks and disinfectants were not available, and spoke about the lack of access to basics like clean water and soap. Meanwhile, Rokna News had already reported of a 44 year-old male prisoner dying of a cold that was suspicious to COVID-19 symptoms in the Greater Tehran Penitentiary.<sup>154</sup>

As prisoners' fears grew over the lack of safety measures against the increasingly deadly virus, the Government's announcement that more than 100,000 prisoners would be released on bail<sup>155</sup> did little to comfort those who would never be able to afford the bail amounts or the political prisoners not even considered. Riots broke out across Iranian prisons. Meanwhile, more and more testimonies were coming in of prisoners dying behind bars from COVID-19.<sup>156</sup>

Riots were reported in Khorramabad on 19 March and in Saqqez on 27 March, with news of at least one prisoner being killed in each prison. While state-run IRNA (Islamic Republic News Agency) first denied the claims, Lorestan's deputy governor confirmed in a press conference that one prisoner had been killed and another injured. According to Amnesty International, in the three weeks that proceeded, around 36 prisoners were killed and hundreds injured across at least 8 prisons,<sup>157</sup> with a number succeeding in escaping. On 29 March, state-run Fars News reported that 10 of the 74 prisoners who had escaped from Saqqez Prison had been arrested and 9 had surrendered.<sup>158</sup> One of those arrested was Kurdish political prisoner Mostafa Salimi, who had escaped to Iraqi Kurdistan from Saqqez Prison and been sent back to Iran. He was hastily executed on 11 April.<sup>159</sup> A number of Kurdish prisoners were executed in the weeks

154 <https://iranhr.net/fa/articles/4152/>

155 <https://observers.france24.com/en/20200407-covid19-riots-iranian-prisons-deaths>

156 <https://iranhr.net/fa/articles/4176/>

157 <https://www.amnesty.org/en/latest/news/2020/04/iran-prisoners-killed-by-security-forces-during-covid19-pandemic-protests/>

158 <https://www.farsnews.ir/kordestan/news/13990110000787/>

159 <https://iranhr.net/en/articles/4191/>

that ensued. On 28 April 2020, IHR reported that in the last 6 days alone, 5 Kurdish prisoners had been executed in Sanandaj.<sup>160</sup>

## DANIAL ZEINOLABEDINI: JUVENILE OFFENDER KILLED IN CUSTODY



Following a riot in Mahabad prison on 29 March, Danial Zeinolabedini, a juvenile offender on death row for a murder he allegedly committed when he was 17 years old, was sent to solitary confinement with others. There, he told his family when he called them on 31 March, he was beaten and transferred to Miandoab Prison where again, he was beaten. He could barely speak as he said he was dying and asked them for

help. Two days later, his father received a call from prison authorities informing him that his son was dead.

While authorities claimed he had committed suicide, his bruised and injured body told its own story. Photos of Danial's body were published by IHR as evidence (viewer discretion is advised).<sup>161</sup> The UN High Commissioner for Human Rights issued a statement the next day, calling on Iranian authorities to *"Immediately conduct an independent and impartial investigation into Zeinolabedini's death and hold those responsible to account."*<sup>162</sup> According to his family, Danial did not commit the murder and had always maintained his innocence. There have been no investigations despite clear evidence of torture and, to date, nobody has been held accountable for Danial's death.

160 <https://iranhr.net/fa/articles/4226/>

161 <https://iranhr.net/en/articles/4178/>

162 <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=25773&LangID=E>

# EXECUTION CATEGORIES

## JUVENILES

### JUVENILE EXECUTIONS: TRENDS AND LEGISLATIVE REFORMS

Iran is one of the last remaining countries to sentence juvenile offenders to death and 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, Iranian authorities executed at least 4 juvenile offenders in 2020. According to IHR's reports, at least 63 juvenile offenders were executed between 2010 and 2020 in Iran. According to the UN High Commissioner for Human Rights' spokesperson, Ravina Shamdasani, there are currently at least 84 juveniles on death row in Iranian prisons.<sup>163</sup> However, the actual number is likely to be significantly higher as there is no information about juvenile offenders in many Iranian prisons.

The international pressure on Iran on this matter increased during the 2000-2010 decade. As a consequence of the criticism from the international community and the domestic 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 IPC adopted in 2013 explicitly defines the "age of criminal responsibility" for children as the age of maturity under Sharia law, meaning that girls over 9 lunar years of age and boys over 15 lunar years of age are eligible for execution if convicted of "Crimes against God" (such as apostasy) or "Retribution crimes" (such as murder). Article 91 of the IPC states that juvenile offenders under the age of 18 who commit *hudud* 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.<sup>164</sup> The 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 of 2016-2020, IHR has identified 18 cases where the death sentences of juvenile offenders were

converted based on Article 91. In the same period, according to IHR's reports, at least 24 juvenile offenders were executed and several are at risk 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 published in February 2020 in pursuant to 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 emphasises 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 Secretary-General 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."<sup>165</sup>

International human rights mechanisms have repeatedly called on Iran to put an end to the execution of juvenile offenders. In February 2020, the United Nations High Commissioner for Human Rights asked the Iranian authorities "To prohibit the execution of child offenders in all circumstances and to commute their sentences."<sup>166</sup> 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."<sup>167</sup>

### SOME FACTS ABOUT JUVENILE EXECUTIONS IN 2020

- 4 juvenile offenders were executed
- All 4 were charged with murder and sentenced to *qisas*
- 1 juvenile offender was suffering from mental illness and was under psychiatric care
- 1 had been the victim of child sexual exploitation

<sup>163</sup> <https://www.voanews.com/middle-east/voa-news-iran/un-rights-chief-condemns-iranian-execution-child-offender>

<sup>164</sup> <https://undocs.org/A/68/377>. See also Iran Penal Code (2013), Art. 91

<sup>165</sup> <https://undocs.org/en/A/HRC/43/20>

<sup>166</sup> <https://undocs.org/en/A/HRC/43/20>

<sup>167</sup> <https://undocs.org/A/HRC/46/50>

## JUVENILE OFFENDERS EXECUTED IN 2020

### MAJID ESMAEILZADEH: FROM SEXUAL EXPLOITATION TO TORTURE AND EXECUTION

Born on 1 September 1998, Majid Esmailzadeh was arrested on 26 April 2015, on the charge of murdering a 45 year-old man who “had sexual relations with him” when he was 16 years old. His father told IHR that his son had been tortured in police detention and his entire body was bruised, he told him: “Baba! They kept hitting me with batons!”

Majid was sentenced to death by Branch One of the Ardabil Children’s Court. He was sent to the forensic pathologist twice to determine whether he had reached full maturity to understand the nature of his crime. The results were not reported and it is not clear whether they were relied upon by the judge in making his judgement.

According to Majid’s father: “The 45 year old victim was paying young boys 5 or 10 Tomans for sex. My son was one of them. The two went out of the city, drank alcohol and the victim fell asleep. My son was scared so he left and came home. When he woke up, he had drunkenly got close to the road and been hit by a car. The forensic pathologist verbally told us he was hit by a car but no one gave us anything in writing. I’m a worker, I didn’t have the money for a lawyer and every time I went to court, they told me to get lost. My son had a court appointed lawyer who I called a thousand times, but he never picked up.” Majid was 21 when he was executed in Ardabil Central Prison on 18 April 2020.<sup>168</sup>

### SHAYAN SAEEDPOUR: SUFFERING WITH MENTAL ILLNESS AND UNDER MEDICAL CARE



Born on 21 September 1997, Shayan Saeedpour was arrested and sentenced to *qisas* for committing murder during a street fight on 13 August 2015, when he was under 18 years old. According to relatives, around two years after arrest he was referred to the forensic pathologist to determine whether he was mature enough to comprehend the nature of his crime. The

<sup>168</sup> <https://iranhr.net/en/eng/articles/4233/>

pathologist determined he had reached full maturity after asking him just one question. This is while, according to relatives, he suffered from mental illness and was under psychiatric care. IHR called for urgent action to stop his scheduled execution on 19 April 2020.<sup>169</sup> He was executed on 21 April 2020 at Saqqez Prison in the Kurdistan region.<sup>170</sup>

### HASSAN REZAEI: ON DEATH ROW ALL ADULT LIFE



Hassan Rezaei was 16 years old when he was arrested and sentenced to death for murder in Rasht, northern Iran. Having spent 12 years on death row, he had managed to escape execution twice, a year before and a fortnight prior to the last time he was to walk to the gallows. When he was transferred to solitary confinement in preparation for his execution

once again on 17 December 2020, IHR called for international pressure in the hopes of securing a further stay of execution in the final hours of 2020.<sup>171</sup> However, Hassan was executed in the early hours of 31 December 2020, at Rasht Central Prison.<sup>172</sup>

### ABDULLAH MOHAMMADI: UNABLE TO AFFORD *DIYA*

Abdullah Mohammadi was arrested on murder charges in 2015 and spent the first two years in the Yazd Juvenile Detention Centre. He was transferred to solitary confinement in anticipation of his execution two months before it took place. He was returned to his cell after he managed to buy time from the victim’s family, who had demanded one billion Tomans as *diya* (blood money). Although Abdullah’s family did their best to come up with the money within two months, they were unable to raise the required amount in time and Abdullah was executed on 2 December 2020.<sup>173</sup>

<sup>169</sup> <https://iranhr.net/en/articles/4201/>

<sup>170</sup> <https://iranhr.net/en/articles/4204/>

<sup>171</sup> <https://iranhr.net/en/articles/4557/>

<sup>172</sup> <https://iranhr.net/en/articles/4558/>

<sup>173</sup> <https://iranhr.net/en/articles/4517/>



Table 1: List of juvenile offenders executed in 2020

	Date	Name	Age*	Charge	Place	Source	Comment
1	18/04/2020	Majid Esmailzadeh		Murder	Ardabil-Ardabil	IHR	Unofficial
2	21/04/2020	Shayan Saeedpour		Murder	Kurdistan-Saqez	Rokna	Official
3	02/12/2020	Abdullah Mohammadi		Murder	Yazd-Yazd	IHR	Official
4	31/12/2020	Hassan Rezaei	16	Murder	Gilan-Rasht	IHR	Unofficial**

\* Age at the time of committing the offence

\*\* Shayan Saeedpour's execution was officially announced. However, being a juvenile offender has not been officially confirmed by Iranian authorities.

## AT RISK OF EXECUTION

### ALI ARJANG: "I CAN'T AFFORD THE 1B TOMANS BAIL"



Ali Arjangi, a juvenile offender who was arrested 3 years ago for a murder he is accused of committing at 17, is currently on death row in the juvenile ward of Ardabil Central Prison. Informed sources told IHR that Ali and his lawyer had pleaded self-defence in court and believe that he is innocent. According to the sources, Ali was found to be

mentally fully mature by the forensic medical examiner and sentenced to death by Branch Three of the Criminal Court, the Child and Youth Court, which was upheld by the Supreme Court. IHR published an audio file of Ali, who says: *"I am Ali Arjangi, son of Papour and being held at Ardabil Central Prison. I was born on 3 February 2000, and was arrested for the murder of Pouya Doayi, son of Hamidreza. This happened on 8 May 2017 and I was sentenced to qisas by hanging. My plaintiff (victim's family), Mrs Salamat, has asked me for diya. She wants one billion Tomans from me, but I don't have the means to pay that kind of money. My mother, who is physically unwell herself and also has amputated legs, has to run around with her prosthetic legs to chase my case. My mother has sold our whole lives and come up with 200 million Tomans. I ask Iran Human Rights to help me and not let them execute me."*<sup>174</sup>

<sup>174</sup> <https://iranhr.net/en/articles/4593/>

## ARMAN ABDOLALI: ON DEATH ROW FOR FOR A MURDER WITHOUT A BODY



Arman is a juvenile offender who was arrested and sentenced to *qisas* on murder charges in 2013, without the victim's body ever being found. Days prior to his execution, Arman's lawyer found out that Ghazaleh (the victim) had been issued with a leave of absence by her university and her insurance policy had been renewed, and used this as evidence to request a retrial.

Two of the judges who had originally sentenced Arman to *qisas* opined that further investigations would be required in light of the fact that the letter from her university was dated after the murder allegedly took place. His retrial was originally heard before Branch Five of the Criminal Court but later referred to the Tehran Criminal Court, which found him guilty and re-sentenced him to *qisas*. The sentence has been upheld by the Supreme Court and he is, once again, at risk of execution.<sup>175</sup>

## WOMEN

According to data gathered by IHR, at least 9 women were executed in 2020. Of the 9 executions, 5 were announced by official sources. 8 of the 9 women executed in 2020 had been sentenced to death on murder charges. There is no information about the 9th woman's case.

## SOME FACTS ABOUT WOMEN EXECUTED IN 2020

- 9 executions carried out, 5 announced by the authorities
- An unnamed Afghani national amongst them
- 8 were sentenced to *qisas* for murder
- Of the 8 known cases, 4 were convicted of murdering their husbands (3) and fiancé (1)
- 2 were convicted of infanticide
- 1 suffered from mental illness and had been hospitalised prior to the murders
- At least 153 women were executed between 2010-2020

<sup>175</sup> <https://iranhr.net/en/articles/4648/>



## ZEINAB KHODAMORAD

Born in Qorveh, Kurdistan province in 1979, Zeinab Khodamorad had spent 5 years on death row for infanticide. While exact details of her case are not available due to the lack of transparency in the judicial system, an informed source told IHR that suffering from acute mental illness, Zeinab had been hospitalised in a psychiatric hospital prior to the murders she was accused of. She was discharged by her husband's consent as is required by Iranian law, against the hospital's advice and wishes. Some time after her discharge, she was arrested for the murder of her newborn baby and her husband's child from a previous marriage.

She had been transferred to solitary confinement in preparation for her execution on 15 October 2020 but had managed to buy a 45-day extension to raise the 700 million Tomans *diya* (blood money).<sup>176</sup> She was executed in the early hours of 27 December 2020 in Sanandaj Central Prison after her family failed to come up with the required amount.<sup>177</sup>

Table 2: List of women executed in 2020

	Date	Name	Age	Charge	Place	Source	Comment
1	14/01/2020	Malihe Haji-Hasani	29	Murder	Fars-Shiraz	IHR	Unofficial
2	14/01/2020	Sara M.	35	Murder	Razavi Khorasan-Mashhad	Razavi Khorasan-Mashhad	Official
3	26/01/2020	Unknown (Afghan national)	Unknown	Murder	Alborz-Rajaeishahr Karaj	IHR	Unofficial
4	26/01/2020	Unknown	Unknown	Unknown	Alborz-Rajaeishahr Karaj	IHR	Official
5	02/08/2020	Mehri ?	32	Murder	Razavi Khorasan-Mashhad	Khorasan News	Official
6	02/08/2020	Marzieh Ebrahimi-Pour	48	Murder	Razavi Khorasan-Mashhad	ION	Official
7	23/09/2020	Mahtab Shafiee*	32	Murder	Alborz-Rajaeishahr Karaj	IHR	Official
8	11/10/2020	Razieh ?	37	Murder	Razavi Khorasan-Mashhad	YJC	Unofficial
9	27/12/2020	Zeynab Khodamorad	43	Murder	Kurdistan-Sanandaj	IHR	Unofficial

\* Mahtab Shafiee named by pseudonym "Azar" in official article.

176 <https://iranhr.net/en/articles/4468/>

177 <https://iranhr.net/en/articles/4554/>

## ETHNIC MINORITIES

As this report and previous annual reports demonstrate, ethnic minorities in Iran are over-represented in the death penalty statistics. In addition, a strong increase in the number of executions implemented in the province of Kurdistan compared to the previous years has been observed. Moreover, with 10 executions per million inhabitants, Kurdistan had the highest number of executions per capita in 2020. According to the present report, 60 people were executed in the 4 provinces of W. Azerbaijan, E. Azerbaijan, Sistan and Baluchistan, and in Kurdistan in 2020. This represents an increase of more than 20% compared to 2019 and 2018, when 49 and 51 people were executed respectively in the 4 provinces.

However, given the fact that the execution of people who belong to different ethnic groups are not implemented exclusively in their respective regions, it is hard to say exactly how many people belonging to each ethnic minority group 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 does not always include their ethnicity. The execution of Baluch prisoners is in many cases carried out in prisons outside the Baluchistan region.

Nonetheless, the considerable fact is the secrecy of executions among those 4 ethnic provinces. Of the 60 executions confirmed by IHR in those regions, only 13 (21%) were announced by authorities. Roughly 79% of executions in the ethnic regions in 2020 were carried out without even a report published in media outlets inside Iran (see Diagram).

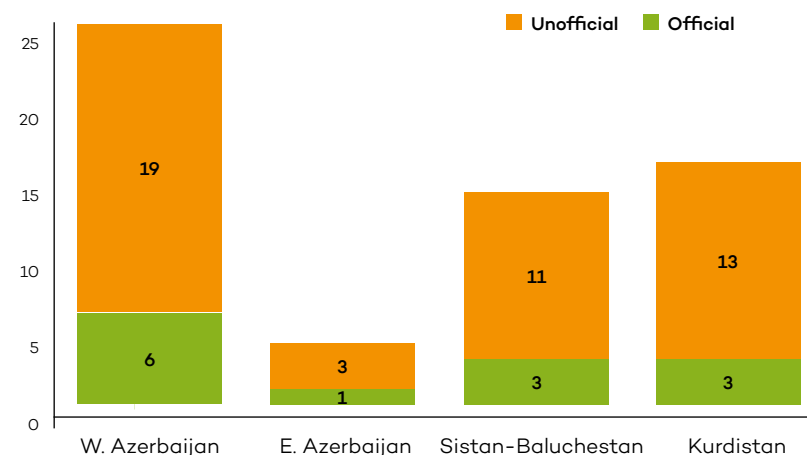


Diagram: In 2020, more than 79% of the executions reported by IHR in East and West Azerbaijan, Kurdistan and Baluchistan were not announced by the authorities. The portion of unannounced executions in the ethnic regions for 2018 and 2019 amount to about 95%.

It is thus 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 those executed for their political affiliation belong to ethnic groups, especially Kurds. An overview of the IHR reports between 2010 and 2020 shows that among the 129 people who were executed for their affiliation to banned political and militant groups, there were 69 Kurds (53%), 34 Baluchis (26%) and 17 Arabs (13%). It is important to note that most of those executed from these ethnic groups were *Sunni* Muslims. There are several reasons for the over-representation of ethnic groups among those executed. A higher opposition among people against the authorities has led to more violent repressive measures in order to 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. The media and rights groups also have less visibility on the situation in some ethnic areas. Finally, poverty, poor socio-economic conditions and the lawlessness and arbitrariness present in the Iranian judiciary are even more extreme in these regions.

## FOREIGN CITIZENS

In 2020, IHR reported the executions of two Afghan citizens. The actual number is probably higher than reported here. Following protests by the Afghan civil society and some parliamentarians in 2012-2013, 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 foreign citizens sentenced to death in Iran receive consular support from their respective authorities.

Iran does not recognise dual nationality and has denied consular access to most of these prisoners. It has also used dual nationals and foreign nationals as bargaining chips in political and economic discussions with the West and exchanged them for Iranian prisoners arrested for terrorism and violent crimes abroad. In April 2019, Iran Foreign Minister, Mohammad Javad Zarif declared that he had the authority to exchange Iranian-Americans imprisoned in Iran with the

US, which was a blatant admission that these prisoners are being used as political hostages.<sup>178</sup>

In December 2020, the British Parliament's Foreign Affairs Committee urged the British government to "*Call the arbitrary detention of foreign nationals what it is: hostage taking.*"<sup>179</sup> On 19 February 2021, spear-headed by Canada, 58 member States issued a statement against the "*Use of arbitrary detention in state-to-state relations*" and denounced "*Hostage diplomacy*". Although the declaration does not name any specific State, a Canadian official told Reuters that it was initiated because of "*Concern over arrests of foreigners by China, Iran, Russia and North Korea.*"<sup>180</sup>

There could be more than 15 binational and foreign citizens imprisoned in Iran. Swedish-Iranian scientist Ahmadreza Djalali, currently on death row in Iran, was transferred for execution on 1 December 2020 while the trial of Iranian diplomat Assadollah Assadi was taking place in Antwerp, Belgium. On 4 February 2021, Assadi was sentenced to 20 years in prison for attempted murder and involvement in terrorism for masterminding a foiled bomb attack on an opposition gathering in Paris in 2018.<sup>181</sup> According to Deutsche Welle, reports indicate that an exchange of Djalali for Assadi was suggested by Iranian diplomats in early 2019, which neither Sweden or Belgium agreed to.<sup>182</sup>

More worryingly, the arbitrary arrests have not been limited to Iran's borders. As you will have read, dissident journalist Ruhollah Zam was abducted from Iraq in October 2019 and subsequently sentenced to death and executed in Iran on 12 December 2020.<sup>183</sup>

Like Zam, Iranian-German Jamshid Sharmahd was taken from the United Arab Emirates and accused by state media of being involved in several "*Terrorist operations*" as head of the Tondar group, a dissident broadcasting company.<sup>184</sup> Similarly, the former leader of the Arab Struggle Movement for the Liberation of Ahwaz, Habib Farajullah Chaab, better known as Habib Asyoud, was kidnapped from Turkey at the end of October 2020 and also faces charges of terrorism.<sup>185</sup>

178 <https://www.nytimes.com/2019/04/24/world/middleeast/iran-zarif-prisoner-exchange.html>

179 <https://www.theguardian.com/world/2020/dec/16/mps-say-uk-government-strategy-on-iran-prisoners-not-working>

180 <https://www.reuters.com/article/us-canada-diplomacy-detainees-idUSKBN2AFONV>

181 <https://www.theguardian.com/world/2021/feb/04/assadollah-assadi-belgian-court-sentences-iranian-diplomat-20-years-french-bomb-plot>

182 <https://www.dw.com/fa-ir/تسایان ابرق کی-اونت وای لاج-اضردم حارسه/a-55720964>

183 See above, section "Executions for *moharebeh*, *efsad-fil-arz* and *baghy*".

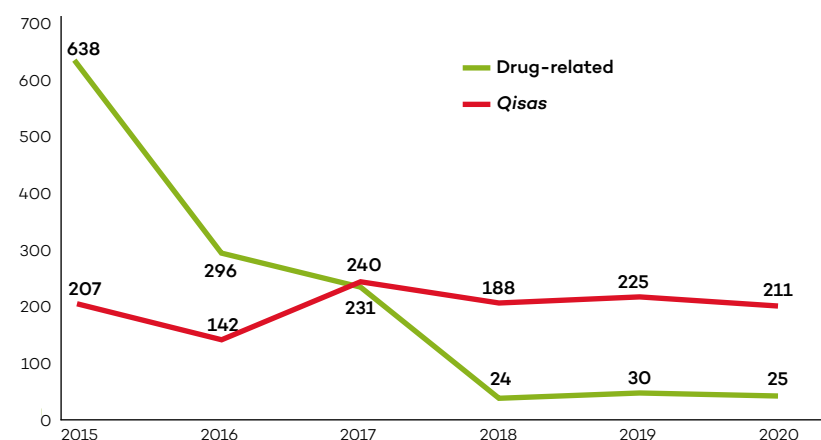
184 <https://iranhr.net/en/articles/4366/>

185 <https://iranhr.net/en/articles/4485/>

In the latest case of foreign citizen arrests, Benjamin Brière, a French citizen, was arrested in Iran in May 2020 and was recently charged with espionage and “*Propaganda against the system*”.<sup>186</sup> The last foreign prisoner exchange was that of British-Australian academic Dr Kylie Moore-Gilbert in November 2020, who was exchanged for three Iranians involved in a failed bombing in Bangkok in 2012.<sup>187</sup>

## WAYS TO RESTRICT THE USE OF THE DEATH PENALTY IN IRAN

The new amendments to the Anti-Narcotics Law, implemented in November 2017, led to the most significant reduction in the number of executed death sentences in the Islamic Republic’s history. For the third consecutive year, the number of annual executions for drug-related offences was significantly lower than the average in the last 10 years. During the past three years, *qisas* executions (death penalty as retribution for the victim’s family) have accounted for the majority of all executions. Reducing the use of the death penalty in Iran is therefore dependent on a change in *qisas* law and practices surrounding it.



While the number of drug-related executions has decreased significantly since 2015, the number of *qisas* executions has fluctuated less in both directions. In 2020, *qisas* executions were slightly lower compared to 2019, but significantly higher than the 2018 figures. Experience over the past two decades has shown that the international community and the Iranian civil society are the main driving forces behind any reform aimed at limiting the use of the death penalty in Iran. Halting the implementation of stoning punishments, which were carried out for adultery, and reducing the use of the death penalty for drug-related offences are two significant steps taken by the Iranian authorities to restrict the death penalty’s scope.

<sup>186</sup> <https://www.reuters.com/article/us-iran-france-prisoner-idUSKBN2B70HB>

<sup>187</sup> <https://www.bbc.co.uk/news/world-australia-56339817>

Common to both is that changes occurred as a result of simultaneous domestic campaigns and international pressure. The EU has made the ban on stoning a condition for improved economic relations with Iran.<sup>188</sup> While the reduction in the use of drug-related executions was the result of a change in the law and can be considered as long-lasting, the halt to stoning punishments should be regarded as temporary as it still exists in the law. The latest directive from the Head of Judiciary on the implementation of punishments published in June 2019 describes in detail how stoning sentences should be carried out. Thus, stoning punishments can again be implemented if international human rights mechanisms reduce scrutiny on the human rights situation in Iran. A more detailed description of the events leading to changes in law and practice in the case of drug-related executions and stoning punishments can be found in the IHR and ECPM's *Annual Report on the Death Penalty - 2018*.<sup>189</sup>

188 [http://news.bbc.co.uk/2/hi/middle\\_east/2726009.stm](http://news.bbc.co.uk/2/hi/middle_east/2726009.stm)

189 [https://iranhr.net/media/files/Rapport\\_iran\\_2019-GB-BD.pdf](https://iranhr.net/media/files/Rapport_iran_2019-GB-BD.pdf)

## 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 2020, the Iranian authorities have implemented 98 (75%) of at least 131 juvenile executions worldwide. Iran has also been the only country to carry out the execution of juvenile offenders every single year in the last 10 years. Both the Iranian civil society and the international community are highly sensitive about this issue. Due to sustained international pressure in the years between 2007 and 2013, Iranian authorities introduced some changes in the Penal Code regarding the death penalty for juvenile offenders. However, these changes did not lead to a decrease in the number of executions. Stronger, coordinated pressure by the international community can lead to the abolition of child executions in Iran. Although 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, Iranian authorities already use the age of 18 as the age of majority in other circumstances. For instance, passports are issued to citizens above 18 upon presentation of the birth registration, and their national ID card. But children below 18 and unmarried women above 18 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 the very few countries still carrying out public executions. The issue has been raised repeatedly by the international community. There has also been a debate among the Iranian civil society and even in the Iranian Parliament<sup>190</sup> about it. Several Iranian

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

senior clerics (ayatollahs) have even stated that the implementation of punishments in public is not a religious necessity and should not be carried out if the negative side effects are bigger than the benefits.<sup>191</sup> Negative side-effects include international condemnations. Although the Government (led by the President) does not have the authority to issue and implement death sentences according to the Iranian Constitution, 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.<sup>192</sup> 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, a stop in 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.

## QISAS

Unlike public executions, *qisas* for murder is mentioned in the Islamic Law (*Sharia*) and as long as the Penal Code is based on *Sharia*, Iranian authorities consider its removal a red line that cannot be crossed. 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*, allowing the victim's family to demand death sentence as a retribution. Nevertheless, they can also demand blood money (*diya*) instead of a death sentence or can simply grant forgiveness. Although opposing *qisas* is considered a serious crime according to Iranian law, promoting forgiveness is regarded as a good deed according to Islam. This offers several possibilities in reducing the number of *qisas* executions which counted for more than 80% of all executions in 2019. A brief description of 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 sentences is that once forgiven (by paying *diya* for instance), someone who has committed a serious crime and who can be dangerous will be released in society after a short prison term. This notion makes the plaintiff

<sup>191</sup> <https://www.tabnak.ir/fa/news/380428/>

<sup>192</sup> [https://www.parliran.ir/majles/fa/Content/\\_/5004](https://www.parliran.ir/majles/fa/Content/_/5004)

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 so that the plaintiff feels a sense of justice that the convict is being punished.

## ONE RATE FOR *DIYA* AND GOVERNMENT SUPPORT TO COVER IT IF NECESSARY

The minimum rate of *diya* is set 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. Besides adding to the discriminatory nature of *qisas* (the poor are executed while the rich can afford and pay their way out), this makes it difficult for the State to subsidise 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*. Disturbingly, the Imam Ali Popular Student Relief Society (IAPSRs)<sup>193</sup>, which has been at the forefront of the forgiveness movement, particularly for juvenile offenders, was recently disbanded as a result of a motion by the Ministry of Interior (more details below). Both the Iranian authorities and the international community must support, not hinder, efforts and groups advocating for forgiveness instead of *qisas*.

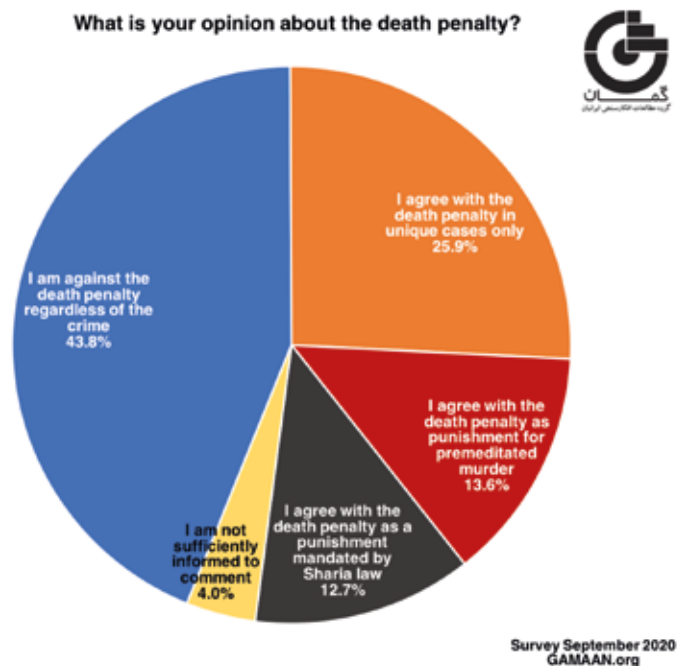
<sup>193</sup> <https://iranhr.net/en/articles/4663/>



# IRANIANS' OPINION ON THE DEATH PENALTY: 2020 SURVEY

A survey conducted in Iran during the month of September 2020 reveals that 70% of Iranians either oppose the death penalty completely (44%) or agree with it only in unique cases (26%). The survey was conducted by the GAMAAN Institute for IHR and the World Coalition Against the Death Penalty (WCADP) and published on the World Day Against the Death Penalty, 10 October 2020. The survey results can be found in Annex 4 on pages 110-117 of this report.

The survey, conducted from 3 to 11 September 2020, includes responses from about 20,000 people living in Iran. The findings can be generalised to the entire population of literate Iranian residents over the age of 19, who represent 85% of the total adult population of Iran.



Also, according to this survey:

- Only 14% of Iranians favour the death penalty as mandated by Sharia law (as it is in the present Iranian Penal Code)
- More than 85% of Iranians oppose the death penalty for crimes committed by persons under the age of 18
- 86% of Iranians oppose the practice of public executions
- Only 21% of Iranians say they would prefer *qisas* (death penalty as retribution) over another punishment if an immediate family member was murdered

Commenting on the survey, IHR Director Mahmood Amiry-Moghaddam, said: *"This survey indicates that, contrary to official assertions, Iranian authorities' death penalty policy doesn't have the support of the people. The vast majority of Iranian people want to put an end to public executions and the death penalty for juvenile offenders, and they prefer alternative punishments even for serious crimes such as murder. The international community must echo the Iranian people's voice and call on Iranian authorities to implement fundamental reforms in order to make a significant move towards the abolition of the death penalty."*

# MOVEMENTS PROMOTING ABOLITION AND MOBILISING THE CIVIL SOCIETY INSIDE IRAN

In recent times, we have observed an increasing trend in Iranians expressing their opposition to the death penalty in Iran. This opposition is expressed either directly through social media campaigns or in the framework of movements trying to restrict the use of the death penalty. The repression of civil society in recent years demonstrates that the Iranian authorities see any peaceful attempts against the death penalty as a threat.

## #اعدام\_نکنید (DON'T EXECUTE): THE LARGEST ONLINE CAMPAIGN AGAINST THE DEATH PENALTY



Following the November 2019 nationwide protests and a rise in execution rates, an organic movement started to grow online. In July 2020, after the death sentences of three November 2019 protesters – Amirhossein Moradi, Saeed Tamjidi and Mohammad Rajabi – were upheld by the Supreme Court, Iranians globally united on Twitter to make their voices heard by the world and the Islamic Republic leaders by making the Farsi hashtag #اعدام\_نکنید (“don’t execute”)

trend globally.<sup>194</sup> Within 24 hours, the hashtag had been tweeted over 4 million times and soon European politicians and UN human rights experts joined in support.<sup>195</sup>

While the mass online campaign involved Iranians around the world, the important point to note is that as Twitter itself is banned in Iran, almost all Twitter users in Iran are forced to use VPNs which register their locations as countries other than Iran. While the campaign continued at a less intense rate, it resurged in August after the execution of protester Mostafa Salehi, who was executed in relative silence on trumped-up murder charges. Vowing to not allow anyone to slip through the cracks again, it was used en masse to try to save the life of protester Navid Afkari in September 2020. The hashtag continues to be used as part of the anti-death penalty movement for all prisoners on death row.

## FORGIVENESS MOVEMENT

As mentioned under the section for *qisas* executions, according to the Iranian Penal Code, murder is punished by *qisas*, 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 4 years, the movement for forgiveness has grown significantly. Civil society groups such as the Imam Ali Popular Student Relief Society (IAPSRs), 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.

This movement has resulted in the revocation of death sentences for hundreds of death row inmates in recent years.<sup>196</sup> Additionally, the forgiveness movement has contributed significantly to promoting the abolition and debate around the death penalty as a punishment. However, as the movement has grown, so have repressive measures, with both LEGAM and the Imam Ali Relief Society being subjected to the authorities’ crackdown and persecution.

<sup>194</sup> <https://iranhr.net/en/eng/articles/4327/>

<sup>195</sup> <https://iranhr.net/en/eng/articles/4331/>

<sup>196</sup> See the “Forgiveness Movement” section above.

# REPRESSION OF THE ABOLITIONIST MOVEMENT

The crackdown on abolitionist civil society continued in 2020 through increased pressure and new trumped-up charges for activists and civil society. As the leading abolitionist movements in Iran, LEGAM and the IAPSRs have been subjected to the greatest repression.

## NARGES MOHAMMADI: NEW TRUMPED-UP CHARGES



After spending five and half years behind bars, Narges Mohammadi, prominent human rights defender and member of the anti-death penalty campaign LEGAM was released from prison on 8 October 2020.<sup>197</sup>

On 27 February 2021, she released a video on social media explaining that she had been summoned to court twice in December, for a case that had been opened against her while she was still in prison. The activist, who is also the Vice-President of the Centre for Human Rights Defenders in Iran, stated that she was refusing to appear in court and would be disobeying any judgements made. In the video, she describes the sexual abuse and ill-treatment she herself and other women are subjected to in prisons and says

<sup>197</sup> <https://iranhr.net/en/articles/4459/>

authorities have still not responded to the complaint she made in this regard on 24 December. The new case opened against her concerns the sit-in staged by female political prisoners at Evin Prison, in protest to the killing and arrests of protesters by security forces in November 2019.

## ATENA DAEMI: KEPT BEHIND BARS ON NEW TRUMPED-UP CHARGES



Atena Daemi is a human rights and anti-death penalty activist. Due to be released on 4 July 2020 after completing a five-year sentence, she found herself facing new trumped-up charges in a case opened against her while she was still in prison. Following the protest sit-in with Narges Mohammadi and other female political prisoners at Evin Prison, Atena was sentenced to two years in prison and 74 lashes by Branch 24 of the Tehran Revolutionary Court, presided by Judge Amouzad, on charges of “*Propaganda against the system and disrupting prison order*”. On the first charge, the court cited written letters and statements attributed to her, and on the second charge, celebrating, partying and dancing during Ashura, the day marking the death of Imam Hussein in the Shi’ite calendar. Atena called the new charges baseless, stating that, for example, in the case of disrupting prison order, there had been no celebrations by her or her fellow prisoners around the days marking



Ashura.<sup>198</sup> The Supreme Court rejected her lawyer's request for a retrial at the end of February 2021. She is currently held at Evin Prison.

### 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 of imprisonment and 148 lashes for 7 charges, including “participating and giving a speech at an illegal gathering outside the United Nations building with members and elements of the illegal group LEGAM”. She has represented many human rights activists, women's rights activists, victims of child abuse and juvenile offenders on death row.

In 2020, Nasrin also faced further harassment and pressures that have extended to her family. After her bank accounts were frozen in July, her daughter Mehraveh was arrested in August and transferred to Qarchak Prison to add to the already mounting pressure. On 9 February 2021, her husband, civil activist Reza Khandan, told IHR that in a continuation of familial punishments, his own bank accounts had also been frozen on the orders of the Evin Prosecutor's Office. Nasrin's health and the lack of medical care also continue to be of concern. After she contracted COVID-19, Reza Khandan told IHR that despite the medical examiner's opinion that she was still contagious

198 [https://iranhr.net/media/files/HRD\\_Report\\_Iran\\_Human\\_Rights\\_Eng.pdf](https://iranhr.net/media/files/HRD_Report_Iran_Human_Rights_Eng.pdf)

and required further time, she was forced to return to prison from furlough.<sup>199</sup> Nasrin Sotoudeh is the co-winner of the European Parliament's 2012 Sakharov Prize for Freedom of Thought<sup>200</sup> and is currently held at Qarchak Prison.

### IMAM ALI POPULAR STUDENT RELIEF SOCIETY: AN NGO UNDER ATTACK



The Imam Ali Popular Student Relief Society (IAPSRS) is a non-governmental organisation and one of the best known and most effective charities in Iran. Established in 1999 by Sharmin Meymaninejad, it is run entirely by a network of volunteers, currently numbering 10,000 people. IAPSRS works on a wide range of issues, including poverty, education, healthcare and employment. One of the most crucial areas of their work is supporting youth affected by crime, especially those sentenced to death, who were under 18 at the time of the alleged crime. The organisation has managed to save over 50 teenagers from execution through mediation with the victims' families.<sup>201</sup>

Sharmin Maymandinejad as well as IAPSRS' compliance officer, Katayoun Afrazeh and head of public relations, Morteza Keymanesh were arrested on 21 June 2020. On 17 August, the Ministry of the

199 <https://iranhr.net/en/articles/4515/>

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

201 [https://iranhr.net/media/files/HRD\\_Report\\_Iran\\_Human\\_Rights\\_Eng.pdf](https://iranhr.net/media/files/HRD_Report_Iran_Human_Rights_Eng.pdf)

Interior set a 20-day deadline for the NGO to change its structure. Following the expiration of the deadline, Zahra Rahimi, the organisation's managing director and Sharmin's wife, was arrested on 6 September and released the next day. While all members were released on bail by the end of 2020, in a statement issued on 21 February 2021, IAPSRs announced that the Ministry of Interior had given the NGO until 12 March to dissolve the organisation.<sup>202</sup> A Ministry of the Interior motion for the dissolution of the IAPSRs was granted by Branch 55 of Shahid Beheshti Judicial Complex in Tehran on 3 March.<sup>203</sup>

202 <https://twitter.com/imamalisociety/status/1363460172497223681?s=20>

203 <https://iranhr.net/en/articles/4656/>

## RECOMMENDATIONS

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

#### **The international community to:**

- Prioritise human rights violations and its treaty obligations in any future talks and negotiations with Iran.
- Support the mandate of the Special Rapporteur on the situation of human rights in Iran.
- 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 seriously consider to abstain or to vote in favour of the UNGA Resolution calling for a universal moratorium on the use of the death penalty in 2022.
- 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 offences that do not qualify as “the most serious crimes”, removing mandatory death sentences from the Penal Code, putting an end to sentences and executions of persons who were under the age of 18 at the time of the alleged crime for which they were sentenced, and by ensuring due process.
- Encourage Iran to establish a moratorium on the use of the death penalty and to go towards the abolition of the death penalty.
- Advocate for major reforms within the country's judicial system which does not currently meet minimum international standards, including ending the practice of forced confessions, torture and the existence of the Revolutionary Courts.
- Determine bilateral and international funding and cooperation for the achievement of clear results in terms of compliance with human rights standards and 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, cease 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.



### The Iranian authorities to:

- Ratify the International Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
- Schedule a country visit by the UN Special Rapporteur on the situation of 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.
- Respond positively to individual communications by international human rights mechanisms.
- Ensure access by the United Nations Office on Drugs and Crime (UNODC), which has been cooperating with the Iranian authorities in fighting drugs, and allow UNODC to participate in monitoring and evaluating the process.
- Implement and fully respect the provisions of its international human rights obligations.
- Continue to reform national legislation in order to reduce the number of crimes punishable by the death penalty as a step towards abolition of the death penalty.
- Impose a moratorium on the use of the death penalty in order to work progressively towards abolition.
- Demonstrate complete transparency regarding the implemented death sentences and number of executions including by publishing (or communicating to the UN) the list of all prisoners on death row, including juvenile offenders and women.
- Cease the criminalisation 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.
- Release all prisoners of conscience including imprisoned human rights defenders and anti-death penalty activists.

## ANNEXES

### ANNEX 1: EXECUTIONS PER CAPITA IN EACH PROVINCE

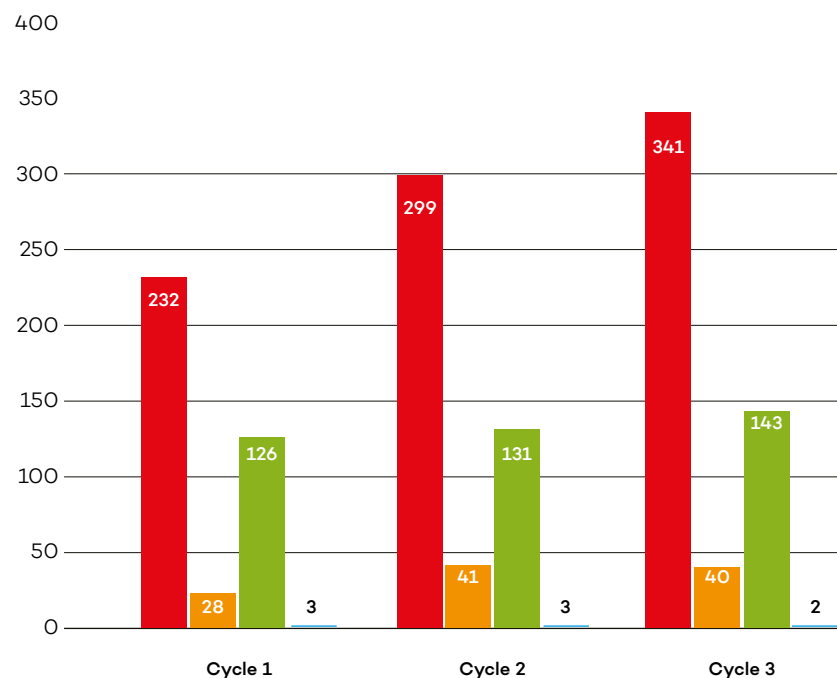
Province	Executions per million inhabitants
Kurdistan	10
West Azerbaijan	8
Kohgiluyeh and Boyer-Ahmad	7
Ardabil	6
Alborz/Tehran	6
Lorestan	6
Qom	6
Chaharmahal and Bakhtiari	5
Zanjan	5
Sistan and Baluchistan	5
Khorasan Razavi	5
Golestan	4
Yazd	4
Gilan	3
Hamadan	3
Isfahan	3
Kermanshah	3
North Khorasan	3
Hormozgan	2
Fars	2
Qazvin	2
East Azerbaijan	1
South Khorasan	1
Markazi	1
Mazandaran	1
Khuzestan	1
Bushehr	0
Semnan	0
Ilam	0
Kerman	0

## ANNEX 2: LIST OF RESOLUTIONS AND REPORTS ADOPTED BY THE UNITED NATIONS AND EUROPEAN PARLIAMENT MENTIONING THE DEATH PENALTY IN IRAN

United Nations Organisation			
Secretary-General of the United Nations	A/HRC/43/20 <a href="https://undocs.org/en/A/HRC/43/20">https://undocs.org/en/A/HRC/43/20</a>	United Nations, Human Rights Council, <i>Situation of human rights in the Islamic Republic of Iran: report of the Secretary-General</i> , 43rd session, GE.20-00692 (E)	2020/01/17
	E/2020/53 <a href="https://undocs.org/en/E/2020/53">https://undocs.org/en/E/2020/53</a>	United Nations, Economic and Social Council, <i>Capital punishment and implementation of the safeguards guaranteeing protection of the rights of those facing the death penalty: report of the Secretary-General</i> , 2020 Session, V.20-02202 (E)	2020/04/17
	A/75/287 <a href="https://undocs.org/A/75/287">https://undocs.org/A/75/287</a>	United Nations, General Assembly, <i>Situation of Human Rights in the Islamic Republic of Iran: report of the Secretary-General</i> , 75th session, 20-10467 (E)	2020/08/05
	A/HRC/45/20 <a href="https://undocs.org/en/A/HRC/45/20">https://undocs.org/en/A/HRC/45/20</a>	United Nations, Human Rights Council, <i>Question of the death penalty: Report of the Secretary-General</i> , 45th session, GE.20-10692(E)	2020/08/13
General Assembly	A/RES/75/191 <a href="https://undocs.org/en/A/RES/75/191">https://undocs.org/en/A/RES/75/191</a>	General Assembly resolution 75/191, <i>Situation of human rights in the Islamic Republic of Iran</i> , 75th session, 20-17348 (E)	2020/12/16
Special Rapporteur on the situation of human rights in the Islamic Republic of Iran	A/HRC/43/61 <a href="https://undocs.org/en/A/HRC/43/61">https://undocs.org/en/A/HRC/43/61</a>	United Nations, Human Rights Council, <i>Situation of human rights in the Islamic Republic of Iran: Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran</i> , 43rd session, GE.20-01246(E)	2020/01/28
	A/75/213 <a href="https://undocs.org/A/75/213">https://undocs.org/A/75/213</a>	United Nations, General Assembly, <i>Situation of human rights in the Islamic Republic of Iran: Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran</i> , Note by the Secretary-General, 75th session, 20-09837 (E)	2020/07/21

Human Rights Council	A/HRC/RES/43/24 <a href="https://undocs.org/A/HRC/RES/43/24">https://undocs.org/A/HRC/RES/43/24</a>	Human Rights Council resolution 43/24, <i>Situation of human rights in the Islamic Republic of Iran</i> , 43rd session, GE.20-08890(E)	2020/06/22
	A/HRC/43/12/Add.1 <a href="https://undocs.org/en/A/HRC/43/12/Add.1">https://undocs.org/en/A/HRC/43/12/Add.1</a>	United Nations, Human Rights Council, <i>Report of the Working Group on the Universal Periodic Review: Islamic Republic of Iran, Addendum, Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review</i> , 43rd session, GE.20-02674(E)	2020/02/20
Office of the High Commissioner for Human Rights	Office of the High Commissioner for Human Rights, News & Event, display News <a href="https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25813&amp;LangID=E">https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25813&amp;LangID=E</a>	United Nations, Office of the High Commissioner for Human Rights, <i>Bachelet condemns execution of child offenders in Iran</i> , 22 April 2020	2020/04/22
	Office of the High Commissioner for Human Rights, News & Event, display News <a href="https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26141&amp;LangID=E">https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26141&amp;LangID=E</a>	United Nations, Office of the High Commissioner for Human Rights, <i>Bachelet alarmed by threats against prominent Iranian NGO</i> , 30 July 2020	2020/07/30
	Office of the High Commissioner for Human Rights, News & Event, display News <a href="https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26345&amp;LangID=E">https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26345&amp;LangID=E</a>	United Nations, Office of the High Commissioner for Human Rights, <i>Citing COVID risk, Bachelet calls on Iran to release jailed human rights defenders</i> , 6 October 2020	2020/10/06
	Office of the High Commissioner, News & Event, display News <a href="https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26602&amp;LangID=E">https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26602&amp;LangID=E</a>	United Nations, Office of the High Commissioner for Human Rights, <i>Comment by UN High Commissioner Michelle Bachelet on the execution in Iran of Ruhollah Zam</i> , 14 December 2020	2020/12/14
	Office of the High Commissioner, News & Event, display News <a href="https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26637&amp;LangID=E">https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26637&amp;LangID=E</a>	United Nations, Office of the High Commissioner for Human Rights, <i>Comment by UN Human Rights Office Spokesperson Ravina Shamdasani on execution of child offender in Iran today</i> , 31 December 2020	2020/12/31
European Parliament			
European Parliament	P9_TA(2020)0376 <a href="https://www.europarl.europa.eu/doceo/document/TA-9-2020-0376_EN.pdf">https://www.europarl.europa.eu/doceo/document/TA-9-2020-0376_EN.pdf</a>	European Parliament resolution 2020/2914(RSP), <i>Resolution on Iran, in particular the case of 2012 Sakharov Prize Laureate Nasrin Sotoudeh</i> , 17 December 2020	2020/12/17

## ANNEX 3: ANALYSIS OF THE UPR RECOMMENDATIONS ON THE DEATH PENALTY IN THE LAST THREE CYCLES



- Total number of recommendations
- Number of recommendations in relation with death penalty issue
- Total number of supported recommendations
- Number of accepted of partially supported recommendations in relation with death penalty issue

## ANNEX 4: SURVEY: IRANIAN'S ATTITUDE TOWARDS THE DEATH PENALTY - 2020

The content of this Annex is an abstract from a Survey conducted by the GAMAAN Institute for IHR and the World Coalition Against the Death Penalty (WCADP) and published on the World Day Against the Death Penalty, 10 October 2020.

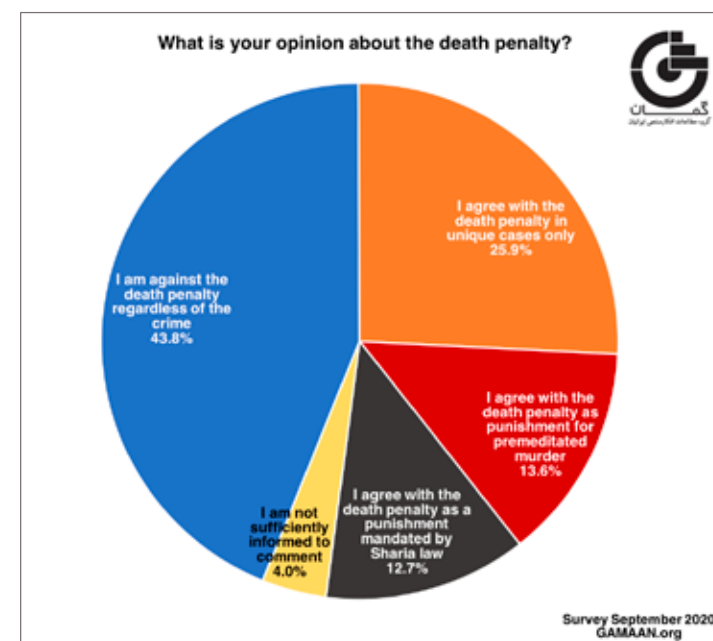
### Section 2: Main findings

All results, diagrams, and tables presented here are based on the “weighted sample” extracted from respondents inside Iran. The findings can be generalized to the whole population of literate Iranian residents above 19 years old, who account for 85% of the total adult population of Iran, with the respective [credibility intervals](#) and credibility level of 5% and 95% (which replace the *margin of error* and the *confidence level* in online non-probability surveys).

#### 2.1 General attitudes

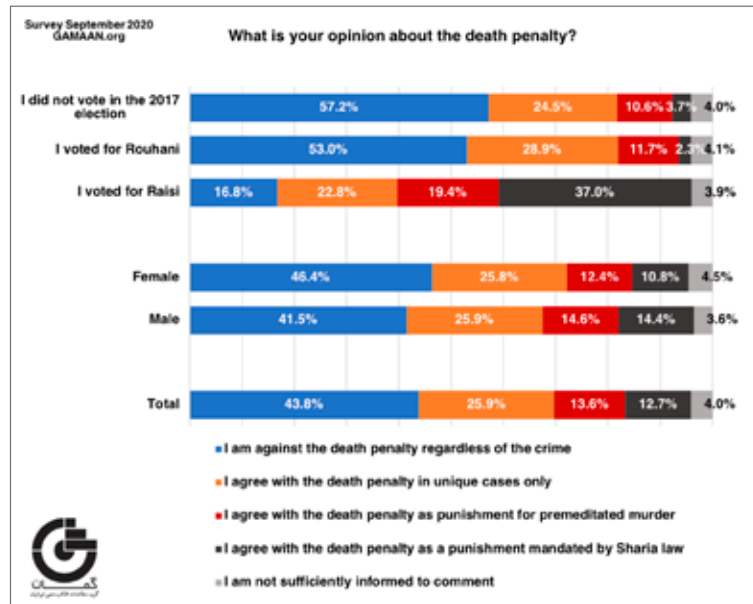
The survey asked respondents about their opinion on the death penalty. About 44% opposed the death penalty regardless of the crime and 26% agree with the death penalty in unique cases only. Almost 13% agree with the death penalty as a punishment mandated by Sharia law and 14% agree with the death penalty as punishment for premeditated murder.

Figure 1



The survey results show that women oppose the death penalty slightly more often than men. Those who voted for Hassan Rouhani or did not vote in the 2017 presidential election are three times more likely to oppose the death penalty than those who voted for Ebrahim Raisi. Of those who voted for Raisi, 37% agree with the death penalty as a punishment mandated by Sharia law.

Figure 2



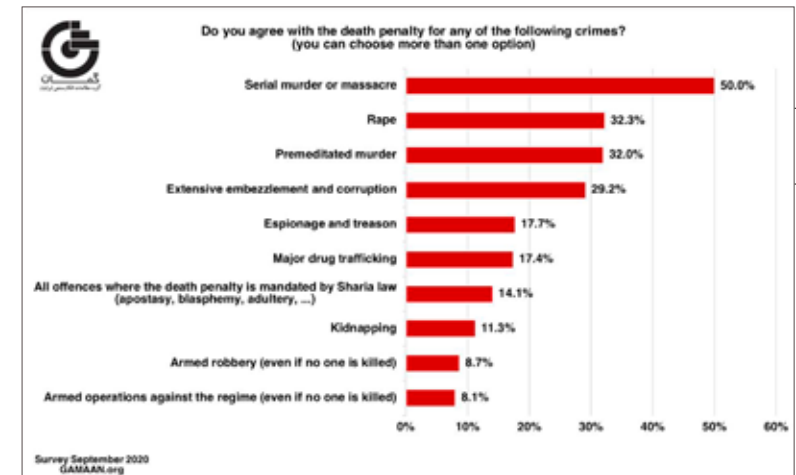
## 2.2 Cases

Respondents were asked in which cases they agreed with the possibility of the death penalty and could choose multiple options.

Figure 3 shows that the highest rate of agreement with the death penalty was for cases of "serial murder and massacre [*qatl-i 'am*]," with 50% of the population in favor of the death penalty for these crimes. 32% also agree with the death penalty for rape, 32% for premeditated murder, 29% for extensive embezzlement and corruption, 18% for espionage and treason, 17% for major drug trafficking, 11% for kidnapping, 9% for armed robbery, and 8% for armed operations against the political regime.

About 14% of the population agree with the death penalty as a punishment mandated by Sharia law (for crimes such as apostasy, blasphemy, and adultery).

Figure 3



## 2.3 Justifications

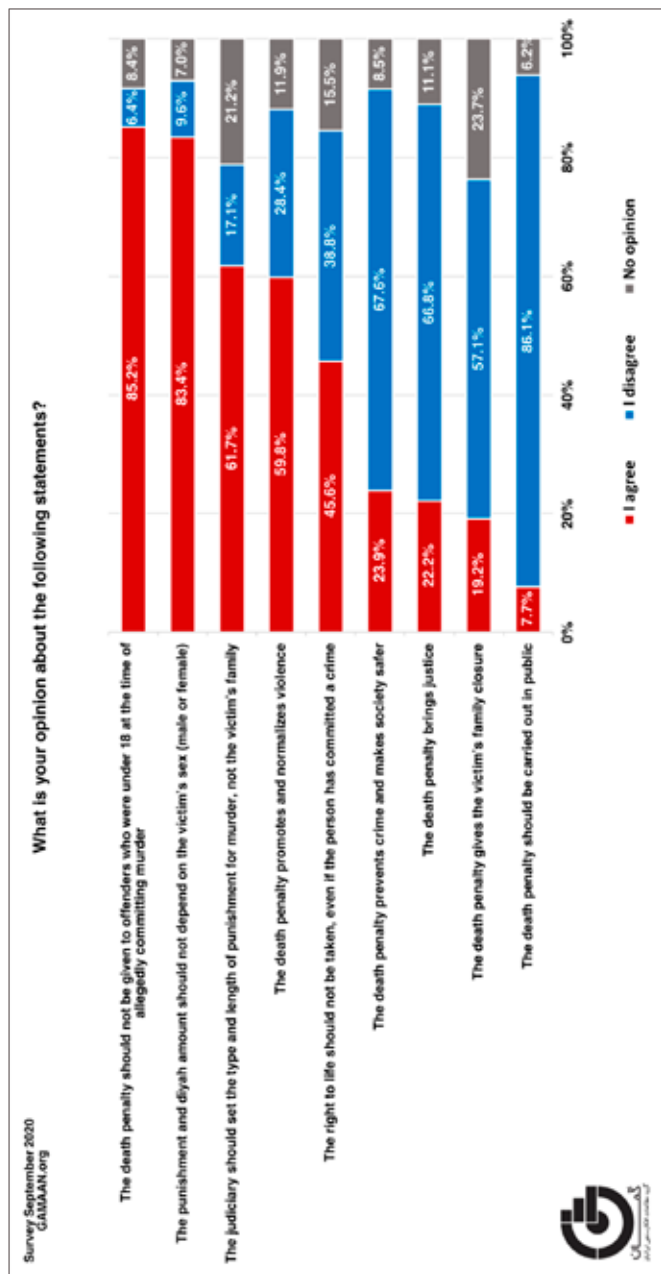
Respondents were asked their opinion on various death penalty-related statements.

The responses show (Figure 4) that 68% of the target population disagree with the statement that "the death penalty prevents crime and makes society safer" and 67% do not believe that "the death penalty brings justice." Further, 60% hold that "the death penalty promotes and normalizes violence in society" and 57% disagree that the death penalty "gives the victim's family closure."

Moreover, 62% believe that the judiciary should set the type and length of punishment for murder, not the victim's family. 46% of the population also think that the right to life should not be taken, even if the person has committed a crime.

On the other hand, 85% oppose the death penalty for offenders who were under the age of 18 at the time of committing an alleged murder, and 84% agree that the punishment and *diyah* amount (blood money) should not depend on the victim's sex (male or female).

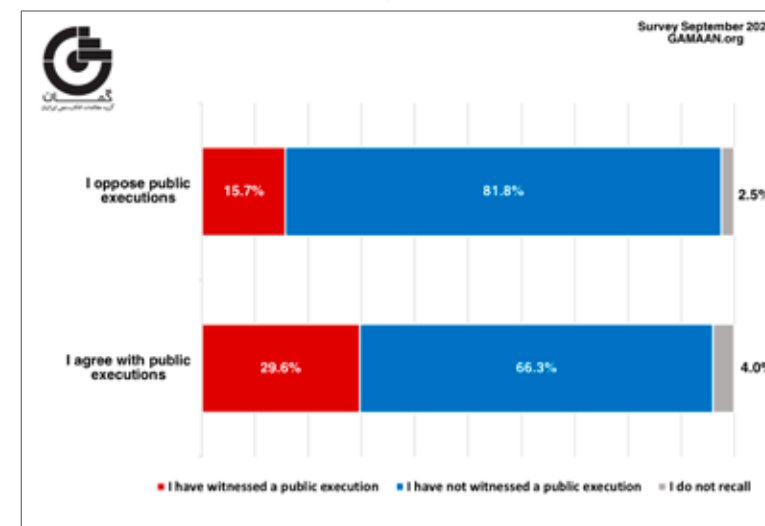
Figure 4



According to the survey results, 86% of the population opposes public executions and 17% have witnessed public executions.

The survey results show (Figure 5) that those in favor of the death penalty have witnessed public executions almost twice as often as those who oppose the death penalty.

Figure 5



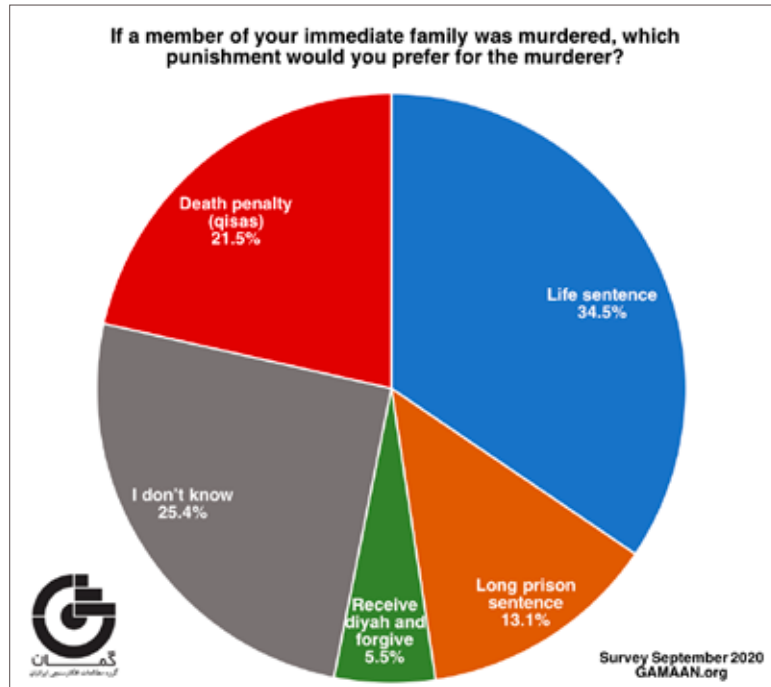
## 2.4 Punishments

In response to the question, “If a member of your immediate family was murdered, which punishment would you prefer for the murderer?” about 48% of the population selected a life sentence or long-term imprisonment (Figure 6), while 5% preferred to receive the *diyyah* (blood money) and forgive.

In contrast, about 22% chose execution or *qisās* (retribution-in-kind) and about a quarter said they “don’t know” which option they favor.



Figure 6



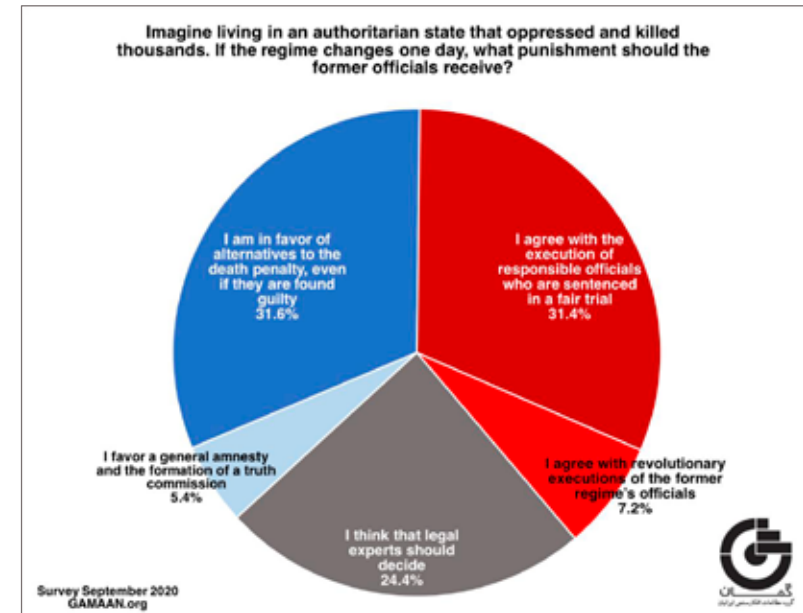
## 2.5 Transitional justice

Respondents were asked what kind of punishment they agree with during a transition from an authoritarian regime, to punish the perpetrators of massacres in the previous regime. Figure 7 shows that about one-third of the population disagrees with the death penalty, even if perpetrators are found guilty in a fair trial. About 5% favor a general amnesty (*'afv-i umūmī*) and the formation of a truth commission (*kumītah-hāy-i haqiqat-yāb*).

In contrast, about a third think that perpetrators of massacres should be sentenced to death, as long as they are given a fair trial. About 7% agree with the revolutionary execution of the former regime's officials.

A quarter suggest that legal experts should be responsible for deciding on the best form of transitional justice.

Figure 7

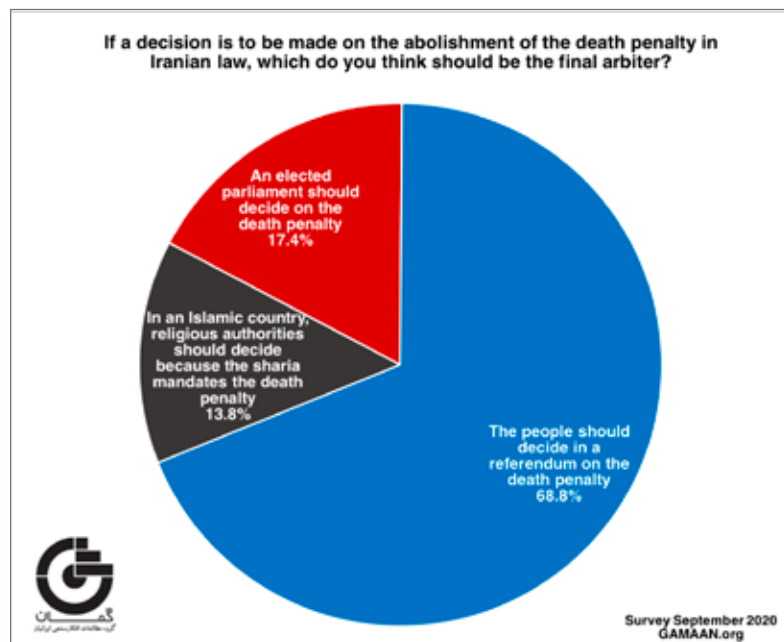


## 2.6 Decision-makers

A majority of 69% believe that the people should be the final arbiter of the existence or abolition of the death penalty in Iranian law (Figure 8), to be determined in a public referendum.

About 17% chose an elected parliament as the final decision-making body, and about 14% think that religious authorities should decide on the abolishing of the death penalty in an Islamic country.

Figure 8





**Iran Human Rights (IHR)** is a non-profit, politically independent organisation with members and supporters inside and outside Iran. The organisation started its work in 2005 and is registered as an international non-governmental organisation 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 a 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, empowering 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, 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 community,<sup>204</sup> the media,<sup>205, 206</sup> 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, empowering and educating 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 program,<sup>207</sup> IHR has contributed significantly to educating abolitionists and raising the national debate on the death penalty in Iran.

204 Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, February 2021

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

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

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



**ECPM (Together Against the Death Penalty) is an organisation 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 (Morocco, Tunisia, United States, Democratic Republic of the Congo, Cameroun, Mauritania, Indonesia, Malaysia, and Lebanon). 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.

**ECPM** supports correspondence with prisoners sentenced to death.

#### **ADVOCACY WITH THE HIGHEST AUTHORITIES**

**ECPM** is the first NGO devoted to the fight against the death penalty to have obtained ECOSOC status which guarantees it a presence and an advocacy opportunity at the very heart of the UN system. Working with the different Special Mandates (Iran, extrajudiciary killings, Human Rights Defenders, Torture, Poverty, etc.), 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 authorities, unions – throughout the world. Along with the World Coalition, ECPM leads advocacy and public mobilisation campaigns with policy makers (European Union, African Commission on Human and Peoples' Rights, governments, etc.).

**ECPM** co-organised the ABAN Tribunal on Iran's atrocity in November 2019.

#### **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 organisations, researchers and journalists come together every three years to strengthen their ties and draw up strategies for the future.

#### **EDUCATION AND AWARENESS ON 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 on the situation of minorities and vulnerable groups by participating in international solidarity events such as 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.

# ANNUAL REPORT ON THE DEATH PENALTY IN IRAN 2020

In 2020, the year of the extraordinary and overwhelming worldwide COVID-19 pandemic, most countries have been fighting to save lives. Meanwhile, Iran not only continued executing as usual, but used the death penalty more than ever to nip the freedom of speech and expression in the bud. The death penalty in 2020 has been used as a repressive tool against protesters, ethnic minority groups and any opponents or independent thinkers.

Nevertheless, this report shows how exasperated the Iranian population is with the authorities' practices. Public opposition to the death penalty has increased drastically. Mass online campaigns of millions of Iranians expressing their opposition to the death penalty and the dramatic increase in the number of people choosing *díya* (blood money) or forgiveness over execution, are all examples of this opposition. With this report, we demand transparency and accountability and call on the international community to support the abolitionist movement in Iran.



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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.



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