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Prosecutor says hundreds to be executed in Iranian capital Tehran

Iran: FIDH and LDDHI call on the international community to put greater pressure on Iranian authorities to stop the rising trend of executions

Karim Lahidji, Vice-president of International Federation for Human Rights (FIDH) and President of the Iranian League for the Defence of Human Rights (LDDHI), said today: "The Iranian authorities are planning to execute hundreds of people. They are consistently using their policy of widespread executions, including public hanging, to terrorise the people and persuade them not to pursue their basic rights. Ethnic minorities are particularly targeted. Additionally, the Iranian authorities are denying the right of death-row defendants to appeal, which represents a serious breach of basic provisions of the International Covenant on Civil and Political Rights (ICCPR) and "Safeguards guaranteeing protection of the rights of those facing the death penalty", approved by the Economic and Social Council resolution. FIDH and the LDDHI shall ask the new Special Rapporteur for human rights in Iran to investigate into the extensive use of the death penalty for non-serious offences, the execution of minors and the disregard for standards of fair trials. In addition, FIDH and the LDDHI call on the Independent Expert on minority issues to investigate the application of the death sentence to members of ethnic minorities."

According to official and semi-official Iranian news agencies including ISNA and IRNA, Tehran General and Revolution Prosecutor Abbas Ja'fari-Dolatabadi¹ disclosed on 29 May, 2011 that 300 death sentences had been issued to people charged with drug trafficking and others in possession of at least 30 grams of heroin, in his jurisdiction in the capital, Tehran, alone. He admitted that there were hardly any 'large-scale drug traffickers' among them. Furthermore, in the same report, he revealed that most drugs-related cases concern the Sistan-Baluchistan, Kerman provinces (respectively in southeast and south of Iran) and the city of Mashhad in the northeast. Tehran has relatively fewer drug-related cases. It should be noted that these figures do not include a large number of death sentences issued for murder. Based on the applicable Islamic Penal Code, the Iranian authorities do not regard execution of defendants charged with murder to count as a death sentence. Families of murder victims have the right of retribution, which they may decide to relinquish in exchange for blood money.

The Tehran prosecutor's admission, however, is the first of its kind in the wake of reports about hundreds of executions that were carried out in the past few months and implicitly confirms the reports that thousands are on death row nationwide.

In the month of May 2011, according to unofficial figures, the Iranian authorities carried out at least 60 executions. These figures include at least 12 public executions; 14 executions in the western provinces of Iran, where Kurdish and Azeri minorities live; several executions in the southern province of Khuzestan, including of members of the Arabic-speaking minority and of one minor.² At least two young men (the Fat'hi brothers), were executed on the vague charge of moharebeh³ in Isfahan. Most victims were charged with drug trafficking. However the figures do not

include the scores of executions allegedly carried out in total secrecy in the Vakilabad Prison of Mashhad, in north-eastern Iran.

While disregard for due process and fair trials based on international standards effectively means that the right of appeal against the death sentence is a formal matter in many cases, defendants sentenced under the Anti-Narcotics Law have no right of appeal to a higher court at all. Death sentences issued under the said law are final and binding after the confirmation of the president of the Supreme Court or the prosecutor general. Only these two authorities have the right to appeal the death sentence,⁴ i.e. the same authority who can ask for the death sentence has the right to appeal it! This provision of the law is explicitly in contravention of the International Covenant on Civil and Political Rights (ICCPR) (Article 14-5) and "Safeguards guaranteeing protection of the rights of those facing the death penalty" (Paragraph 6), approved by the Economic and Social Council resolution 1984/50 of 25 May, 1984.⁵

The disregard of judicial authorities for fair judicial process was clearly displayed in March 2011, when Ayatollah Ahmad Mohseni Garakani, the President of the Supreme Court, revealed the extremely pre-determined approach of the Supreme Court to death sentences: "The death sentences issued by criminal courts are now examined in less than 10 days by the Supreme Court... It is very easy to examine dossiers with death sentences... It would take a defendant one or a few hours to state their defence, not longer, because the guilt of dangerous criminals is crystal clear" (Mehr News Agency).

The Islamic Republic of Iran remains one of the few states that still votes every year against the UN General Assembly resolution to abolish the death penalty. The numbers of executions in Iran have been on the rise in the past few years. Amnesty International has provided the following figures of acknowledged executions: 94 (2005) to 177 (2006), 335 (2007), 346 (2008), 388 (2009). The number for 2010 was 252 (plus more than 300 others). In 2011 (January-end of May), the number of acknowledged executions has already exceeded 180. The total number of acknowledged and unacknowledged executions is in excess of 300.

The real number of executions in Iran could be much higher, as the Iranian authorities follow a deliberate policy of hiding figures of death sentences issued and executions. For years, Iran has consistently ranked second only to China in regard to the absolute number of executions, and first in per capita number of executions worldwide.

For detailed FIDH reports on the Death penalty in Iran, please see:

http://www.fidh.org/IMG/pdf/Rapport_Iran_final.pdf

http://www.fidh.org/IMG/pdf/Report_Iran_2010_En-2.pdf

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