



*Mission Permanente  
de la République Islamique d'Iran  
auprès des Nations Unies  
et des autres Organisations Internationales à Genève*

*In the Name of God, the Compassionate, the Merciful*

Ref. N°:2050/13795

The Permanent Mission of the Islamic Republic of Iran to the United Nations Office and other international organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights and, with reference to the communication number UA IRN 8/2018 dated 30 April 2017, has the honor to submit herewith the view points of the Judiciary of the Islamic Republic of Iran with regard to **Mr. Saleh Shariati's** case.

The Permanent Mission of the Islamic republic of Iran to the United Nations Office and other International Organizations in Geneva avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights the assurances of its highest consideration.

Geneva, 23 August 2017

Office of the United Nations High Commissioner  
for Human Rights (OHCHR)  
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### Situation of Mr. Saleh Shariati

The following information has been provided by the High Council for Human Rights of The Judiciary of The Islamic Republic of Iran:

"According to the report received from the Justice Department of Fars Province, Mr. Saleh Shariati aka Farzad, father's name: [REDACTED] born in 1996 in Zarrin Dasht county of Darab, represented by [REDACTED] was prosecuted for murdering [REDACTED] (date of murder: April 11, 2012). On the day of the incident, the victim, [REDACTED] accompanied by her mother, goes to Asaluyeh to work on a tomato farm. In the evening when the work is over, the victim returns to his resting place and decides to wash his hair by a well. While washing, he notices that the water pressure is low because of a kink in the hosepipe. The victim moves to resolve the kink when he is thrown in the water well by the accused where his head collides with the rocks in the well and ultimately dies as a result of haemorrhage and the blow complications. The case is placed on the docket of the third branch of Fars province Criminal Court where the judge in compliance with Articles 160, 312, 313, 314, 317, 336, 337, 381 and 417 of the Islamic Punishment Code passed in 2013 sentences the accused to the capital punishment (Qisas) based on the available circumstantial evidence and proofs as well as the following grounds:

1. The lawsuit filed by the blood avengers and their insistence that the accused murdered the victim, 2. Records of a conflict between the accused and the victim because the latter was in relation to a girl the accused loved, 3. A certificate issued by the Medical Examiner attesting the full intellectual maturity of the accused at the time of murder he has been accused of, 4. The proven fact that the accused was next to the victim and the well when the murder occurred, 5. Statements by [REDACTED] as the sole eye-witness of the incident, 6. Explicit confessions by the accused to the law enforcement agents (page 189 of the file) and the examining magistrate of the Public Court of Fasa (pages 194 and 195 of the file), 7. The accused was quoted by a number of his friends 'I have clashed with some people and even my life is at risk'. It should be noted that this sentenced has been issued by the court of first instances and the case has been sent to the Supreme Court of

the country as it was appealed. This sentence is not final yet and the accused is in complete state of mental and physical health.

In light of the afore-mentioned points and the fact that the proceedings have been in full compliance with the relevant laws and regulations and are still on going, the claims of failure to hold a fair trial and extracting confessions under torture are rejected. It is also stated that commenting on a case that is still on going without due consideration of its facts and informed by ill-founded claims is totally irrelevant and undocumented. It goes without saying that issuing a press statement by respected office-holders based on such false claims will undermine the credibility of the Special Procedures of OHCHR."