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UNITED NATIONS
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HIGH COMMISSIONER FOR HUMAN RIGHTS

PROCEDURES SPECIALES DU
CONSEIL DES DROITS DE L'HOMME

SPECIAL PROCEDURES OF THE
HUMAN RIGHTS COUNCIL

Mandates of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran; the Special Rapporteur on extrajudicial, summary or arbitrary executions; and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment

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REFERENCE: UA Iran (2011-16) G/SO 214 (33-27) G/SO 214 (53-24)
IRN 21/2012

7 August 2012

Excellency,

We have the honour to address you in our capacity as Special Rapporteur on the situation of human rights in the Islamic Republic of Iran; Special Rapporteur on extrajudicial, summary or arbitrary executions; and Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment pursuant to Human Rights Council resolutions 19/12, 17/5, and 16/23.

In this connection, we would like to draw the attention of your Excellency's Government to information we have received regarding the imminent execution of Mr. **Saeed Sedeghi**.

Mr. Saeed Sedeghi was the subject of a previous communication sent on 26 June 2012, by Special Rapporteur on extrajudicial, summary or arbitrary executions and Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment. The Special Rapporteurs regret that no reply has been received to date.

According to information received:

On 29 November 2011, Mr. Saeed Sedeghi, was arrested along with three other men in Tehran for drug trafficking. He has been held in the Kahrizak detention centre since his arrest and has reportedly been tortured and mistreated.

On 26 May 2012, the trial of Mr. Sedeghi was held in Tehran's Revolutionary Court, where he was reportedly represented by a state-appointed lawyer. His lawyer did not have access to Mr. Sedeghi's case file before the proceedings. It is further reported that Mr. Sedeghi and his lawyer had not been in contact before the trial. On 2 June 2012, Mr. Sedeghi was sentenced to death for his participation in the purchase and possession of 512 kilograms of methamphetamine.

Serious concerns have been raised over the fairness, transparency and speed of court proceedings in relation to the death sentence.

In light of the new information received on 28 July 2012, Mr. Sedeghi was brought before Branch 10 of Tehran's Revolutionary Court, where he was required to sign a document, in the absence of his lawyer, apparently informing him that his death sentence was going to be implemented. Moreover, Mr. Sedeghi had previously made an application to the Amnesty and Clemency Commission and he was never formally told of the outcome of this communication.

On 1 August 2012, he was transferred from Soroush 111, also known as Tehran's Kahriyak detention centre, to Ghezel Hesar Prison in Karaj. It is reported that he could be executed at any time in this centre.

While we do not wish to prejudge the accuracy of the information provided to us, we would like to reiterate our concerns as expressed in the joint urgent appeal dated 26 June 2012, and refer to the international duties of your Excellency's Government as mentioned in that communication.

We urge your Excellency's Government to take all necessary measures to prevent the execution of Mr. Saeed Sedeghi which would, according to the facts available to us, constitute a violation of international law. In the event that your investigations support or suggest the above allegations to be correct, the accountability of any person responsible for the alleged violations should be ensured. We also request that your Excellency's Government adopt effective measures to prevent the recurrence of this act.

In view of the urgency of the matter, we would appreciate a response on the initial steps taken by your Excellency's Government to safeguard the rights of the above-mentioned person in compliance with the international instruments.

It is our responsibility under the mandates provided to us by the Human Rights Council to seek to clarify all cases brought to our attention. Since we are expected to report on this case to the Human Rights Council, we would be grateful for your cooperation and your observations on the following matters:

1. Are the facts alleged in the summary of the case accurate?
2. Please indicate the legal justification for the imposition of the death penalty.

While waiting for your response and before any irreversible action is taken, we urge your Excellency's Government not to execute Mr. Saeed Sedeghi and to take all necessary measures to guarantee that his rights and freedoms are respected.

Please accept, Excellency, the assurances of our highest consideration.

Ahmed Shaheed
Special Rapporteur on the situation of human rights in the Islamic Republic of Iran

Christof Heyns
Special Rapporteur on extrajudicial, summary or arbitrary executions

Juan E. Méndez
Special Rapporteur on torture and other cruel, inhuman or degrading treatment or
punishment