

NATIONS UNIES
HAUT COMMISSARIAT DES NATIONS UNIES
AUX DROITS DE L'HOMME

PROCEDURES SPECIALES DU
CONSEIL DES DROITS DE L'HOMME

UNITED NATIONS
OFFICE OF THE UNITED NATIONS
HIGH COMMISSIONER FOR HUMAN RIGHTS

SPECIAL PROCEDURES OF THE
HUMAN RIGHTS COUNCIL

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

REFERENCE: UA G/SO 214 (3-3-16) Iran (2011-16) Minorities (2005-4) G/SO 214 (33-27) G/SO 214 (53-24)
IRN 4/2012

29 February 2012

Excellency,

We have the honour to address you in our capacity as Special Rapporteur on extrajudicial, summary or arbitrary executions; Special Rapporteur on the independence of judges and lawyers; Special Rapporteur on the situation of human rights in the Islamic Republic of Iran; Independent Expert on minority issues; and Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment pursuant to General Assembly resolution 60/251 and to Human Rights Council resolutions 17/2, 16/9, 16/6, 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 Messrs. **Zaniar (or Zanyar) Moradi** and **Loghman (or Loqman) Moradi**.

They were the subject of a joint urgent appeal sent on 15 November 2011 by the Special Rapporteur on extrajudicial, summary or arbitrary executions; Special Rapporteur on the independence of judges and lawyers; Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment; and the Independent Expert on minority issues. No response has been received to the latter communication. Both men belonging to the Kurdish minority were convicted of charges of "enmity against God" (moharebeh) and "corruption on earth" for their alleged involvement in a murder and armed activities, after having been coerced into confession and subjected to torture. They were sentenced to public hanging on 22 December 2010 by Branch 15 of the Tehran Revolutionary Court, following trials which allegedly did not comply with international obligations of the Islamic Republic of Iran, including fair trial safeguards.

According to the new information received:

The death sentences of Messrs. Zaniar (or Zanyar) Moradi and Loghman (or Loqman) Moradi have been sent to the Office for the Implementation of Sentences, a body which is reportedly the final step before being called for execution. Their execution could be carried out at any time.

We reiterate the concerns expressed in our communication sent to your Excellency's Government on 15 November 2011 and refer to the international

norms and principles mentioned therein. Considering the irremediable nature of capital punishment, we therefore appeal on an urgent basis to your Excellency's Government to take all necessary measures to prevent the execution of the aforementioned individuals which would, on the basis of the information available to us, constitute a violation of international law for non-compliance with due process safeguards. We also reiterate our appeal to your Excellency's Government to seriously consider commuting their sentences.

While we do not wish to prejudge the accuracy of these allegations, we urge your Excellency's Government to take all necessary measures to guarantee that the rights and freedoms of the above mentioned persons are respected and, in the event that your investigations support or suggest the above allegations to be correct, the accountability of any person responsible of the alleged violations should be ensured. We also request that your Excellency's Government adopt effective measures to prevent the recurrence of these acts.

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 persons in compliance with the above international instruments.

1. Are the facts alleged in the summary of the case accurate?
2. Please indicate the legal justification for imposition of the death penalty on Messrs. Zaniar (or Zanyar) Moradi and Loghman (or Loqman) Moradi and please indicate how this complies with the standards developed under international law, in particular with the safeguards guaranteeing protection of the rights of those facing the death penalty.

We undertake to ensure that your Excellency's Government's response is accurately reflected in the report we will submit to the Human Rights Council for its consideration.

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

Christof Heyns
Special Rapporteur on extrajudicial, summary or arbitrary executions

Gabriela Knaul
Special Rapporteur on the independence of judges and lawyers

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

Izsák Rita
Independent Expert on minority issues

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