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OFFICE OF THE UNITED NATIONS
HIGH COMMISSIONER FOR HUMAN RIGHTS

SPECIAL PROCEDURES OF THE
HUMAN RIGHTS COUNCIL

Mandates of 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; and the Special Rapporteur on extrajudicial, summary or arbitrary executions

REFERENCE: UA G/SO 214 (3-3-16) Iran (2011-16) G/SO 214 (33-27)
IRN 7/2012

11 April 2012

Excellency,

We have the honour to address you in our capacity as Special Rapporteur on the independence of judges and lawyers; Special Rapporteur on the situation of human rights in the Islamic Republic of Iran; and Special Rapporteur on extrajudicial, summary or arbitrary executions pursuant to General Assembly resolution 60/251 and to Human Rights Council resolutions 17/2, 16/9, and 17/5.

In this connection, we would like to follow-up on the urgent appeal sent to your Excellency's Government on 11 January 2011 which addressed several cases of individuals sentenced to death. In this regard, we acknowledge receipt of your Excellency's Government's responses dated 4 February 2011 and 21 June 2011, but regret that no specific reply has been provided to our questions concerning the cases of the individuals mentioned in this communication. A copy of the urgent appeal of 11 January 2011 is attached for ease of reference.

We welcome the information that the death sentence of Ms. Farah (also known as Elmira) Vazehan was overturned on 19 January 2011 and that Branch 28 of the Revolutionary Court commuted her sentence. However, we would like to draw your attention to the outstanding questions raised in the previous communication on her case and would like to seek clarification on the charges on the basis of which Ms. Farah has been convicted and is to serve a 17 year' prison term at Reja'i Shahr Prison.

We further welcome the information that Mr. Javad Lari's death sentence was overturned by Branch 32 of the Supreme Court, and that he was released from detention after having served a two-year imprisonment term.

While we commend your Excellency's Government for the encouraging steps taken regarding the cases of Ms. Farah and Mr. Lari, we would like to reiterate our

concerns in respect of the other subjects of our communication dated 11 January 2011. In particular, we wish to draw to the attention of your Excellency's Government information received regarding the cases of Messrs. Abdolreza Ghanbari, **Ahmad Daneshpour Moqhaddam** and his son **Mohsen Daneshpour Moqhaddam**, all sentenced to death for moharebeh following a trial in violation of procedural safeguards.

According to the new information received:

The death sentence of Mr. Abdolreza Ghanbari was upheld on appeal and his request for a pardon from the Amnesty and Clemency Commission was rejected at the end of February 2012. Once his death sentence has been approved by the Head of the Judiciary, it will be sent for implementation and Mr. Ghanbari will be at imminent risk of execution. Mr. Ghanbari had been tried before Branch 15 of the Tehran Revolutionary Court on 30 January 2010, and sentenced to death for moharebeh (enmity against God) for alleged links with the banned opposition group, the People's Mojahedin Organization of Iran (PMOI).

It is further reported that Mr. Mohsen Daneshpour Moqhaddam and his son Ahmad Daneshpour Moqhaddam had their death sentences confirmed on appeal. They were also convicted on the same charges as Mr. Ghanbari in January 2010. They reportedly remain on death row.

As summarized in our previous communication, all of the individuals had been arrested following the December 2009 Ashura religious commemorations and there were serious due process concerns regarding the conduct of their trials.

We would like to draw your Excellency's attention to our previous urgent appeal which referred to the international principles and norms applicable to the aforementioned cases. As already explained in our previous letter, we believe that the execution of Messrs. Abdolreza Ghanbari, Mohsen Daneshpour Moqhaddam and Ahmad Daneshpour Moqhaddam would clearly constitute a breach of international human rights law, in particular of articles 6 and 14 of the International Covenant on Civil and Political Rights, on the facts available to us. Therefore, we urge your Excellency's Government to take all necessary measures not to proceed with their execution. We further request that your Excellency's Government seriously consider commuting their death sentences.

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.

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

Christof Heyns
Special Rapporteur on extrajudicial, summary or arbitrary executions