

**Mandates of 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**

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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 and Special Rapporteur on extrajudicial, summary or arbitrary executions pursuant to Human Rights Council resolutions 25/24 and 26/12.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning the situation of Mr. **Rasoul Holoumi**, who is at risk of imminent execution.

According to the information received:

Mr. Holoumi was summoned and arrested by police in September 2009 for allegedly killing Nasim Nouri Maleki during a fight that involved multiple people. Mr Maleki reportedly succumbed to death, after sustaining fatal head injuries, caused by a hard object thrown at him. On 02 October 2009, Mr. Holoumi confessed to the crime, reiterating that the blow was not intentional and the object was thrown when he saw some of the people involved in the fight were coming towards him. On 05 October 2009, he retracted his initial statement, explaining that he initially confessed to the crime because he felt sorry for another child who had confided to him that he hit Mr Maleki during the fight. In October 2010, Branch 17 of the Criminal Court of southern Khuzestan Province sentenced him to death for murder. This death sentence was upheld by the Supreme Court.

Mr Holoumi reportedly did not have access to a lawyer during the investigation and admitted to the charges when he was first summoned by the police. On 30 September, Mr Holoumi claimed that he was at home when the fight broke out and the allegations against him were made by people involved in the fight, including the one whom had a reported history of hostility with Mr. Holoumi.

Mr. Holoumi's execution was scheduled for 4 May 2014, but the authorities withheld it after Mr Maleki's family agreed with Diah (blood money) settlement. The amount demanded by Mr Maleki's family is beyond Mr. Holoumi's family's means, leaving him vulnerable to the risk of imminent execution.

Furthermore, it has been reported that at least eight juveniles have been executed in Iran during the first half of 2014.

We express grave concern that the death penalty has been imposed against Mr. Holoumi, who was believed to be less than 18 years old at the time of the alleged crime, which is in contravention of international human rights law. We are also concerned about the reported high number of executions of child offenders in the Islamic Republic of Iran. Further concern is expressed that Mr. Holoumi did not have access to a fair trial nor an effective remedy regarding the remission of the death sentence from the Supreme Court.

While we do not wish to prejudge the accuracy of these allegations, the above-mentioned alleged facts indicate a prima facie violation of the rights to life and not to be arbitrarily deprived of his or her life as set forth in article 3 of the Universal Declaration of Human Rights and 6 (1) of the International Covenant on Civil and Political Rights (ICCPR), ratified by your Government on 24 June 1975.

We would also like to draw your Excellency's Government attention to the fact that any judgments imposing the death sentence and execution of juvenile offenders are incompatible with the international legal obligations undertaken by your Excellency's Government under various instruments, including Articles 6(5) of the ICCPR and 37(a) of the Convention on the Rights of the Child (CRC).

Furthermore, Article 6(4) of the ICCPR establishes that anyone sentenced to death shall have the right to seek pardon or commutation of the sentence. In addition, according to article 5 of the United Nations Safeguards Protecting the Rights of those Facing the Death Penalty, capital punishment may only be imposed following trials that scrupulously respect the guarantees of due process and fair trial as stipulated in international human rights law.

The full texts of the human rights instruments and standards recalled above are available on [www.ohchr.org](http://www.ohchr.org) /can be provided upon request.

In view of the urgency of the matter and of the irreversibility of the punishment of the death, we call upon your Excellency's Government to halt the execution of Mr Holoumi and place a moratorium on all executions against children and juveniles under the age of 18 in the Islamic Republic of Iran. As a State Party to the ICCPR and to the CRC, Iran has the obligation to protect all individuals' right to life, including children

and juveniles, and their right not to be arbitrarily deprived of their life. We also call upon your Excellency's Government to urgently review the case of Mr Holoumi to ensure that his trial has been held in full conformity with international standards and that extenuating circumstances relating to his age have been fully taken into consideration.

We would also encourage your Excellency's Government to review its domestic legislation, so that the age of majority is set at 18 years, and that minimum age requirements conform to all the principles and provisions of internationally accepted standards, in particular, the CRC and the ICCPR.

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 Mr. Rasoul Holoumi in compliance with the above international instruments and standards.

As 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, we would be grateful for your observations on the following matters:

1. Please provide any additional information and any comment you may have on the above mentioned allegations.
2. Please provide information concerning the legal grounds for the imposition of the death penalty against Mr. Holoumi, and indicate how they comply with international human rights laws prohibiting the imposition and implementation of capital punishment against juvenile offenders.
3. Please provide information on each stage of the judicial and post-conviction proceedings against Mr. Holoumi, and indicate how they comply with the guarantees of fair trial and due process, as enshrined, inter alia, in article 14 of the ICCPR.
4. Please provide information as to whether the Court had the discretion to give a lesser sentence in the case of Mr. Holoumi and whether there are any provisions for appeal or pardon from this judicial decision.
5. Please provide information as to whether there are any proposals to reform legislative provisions that currently allow the death penalty to be imposed on minors.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their recurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person responsible of the alleged violations.

Your Excellency's Government's response will be made available in a report to be presented to the Human Rights Council for its consideration.

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