

**Mandates of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran;
the Working Group on Arbitrary Detention; and the Special Rapporteur on extrajudicial, summary
or arbitrary executions;**

REFERENCE:
UA IRN 16/2017

18 April 2017

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; Working Group on Arbitrary Detention; and Special Rapporteur on extrajudicial, summary or arbitrary executions, pursuant to Human Rights Council resolutions 28/21, 33/30 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 execution of Mr. Mehdi Bahlouli and Mr. Peyman Barandah, scheduled for 19 April and 10 May 2017 respectively. Both men were below 18 years of age at the time of the alleged offences for which they were sentenced to death.**

According to the information received:

Case of Mr. Mehdi Bahlouli

On 12 November 2001, Mr. Mehdi Bahlouli was sentenced to death by Branch 1601 of the Criminal Court in Tehran. He was 17 years old at the time of the alleged crime, which took place on 14 March 2001 and involved fatally stabbing a man during a fight.

On 18 June 2002, Branch 2 of the Supreme Court upheld his death sentence. Since then and for the past 15 years, Mr. Bahlouli has been held on death row in Karaj's Raja'i Shahr Prison near Tehran.

On 16 April 2017, Mr. Bahlouli's family received a call from prison authorities that they should go for their last visit. His execution has been scheduled for 19 April 2017.

Mr. Mehdi Bahlouli and his family have not been informed by the authorities of their right to seek retrial under Article 91 of the 2013 Islamic Penal Code, which can potentially save his life.

Case of Mr. Peyman Barandah

In August 2012, Mr. Peyman Barandah was sentenced to death for the fatal stabbing of a teenager during a fight. He was 16 years old at the time of the alleged offence. After having spent nearly five years on death row, Mr. Barandah's execution has been scheduled for 10 May 2017.

Without making any judgment as to the accuracy of the information made available to us, we express serious concern that the death penalty may be carried out against Mr. Mehdi Bahlouli and Mr. Peyman Barandah in violation of international human rights treaties to which the Islamic Republic of Iran is a party, as they were children at the time of the alleged offence for which they were sentenced to death. We are also concerned about procedural flaws in Mr. Mehdi Bahlouli's case, taking in to account that he was not informed his right to seek retrial under Article 91 of the 2013 Islamic Penal Code.

In view of the urgency of the matter, and of the irreversibility of the punishment of the death penalty, we call upon your Excellency's Government as a matter of urgency to halt the execution of Mr. Mehdi Bahlouli and Mr. Peyman Barandah, which on the facts available to us constitutes a violation of applicable international human rights law and standards, and thus an arbitrary execution. We further urge you to ensure that Mr. Bahlouli and Mr. Barandahs death sentence are annulled and that both are re-tried in compliance with international standards.

The above alleged facts indicate a prima facie violation of the right of every individual to life and security and not to be arbitrarily deprived of his life, as set forth in article 6(1) of the International Covenant on Civil and Political Rights (ICCPR), ratified by the Islamic Republic of Iran on 24 June 1975. These allegations also seem to be in contravention of articles 6(5) of the ICCPR and 37(a) of the Convention on the Rights of the Child (CRC), both of which strictly prohibit the issuing of death sentences for offences committed by persons below 18 years of age.

We would also like to refer your Excellency's Government to article 14 of the ICCPR and article 40 of the CRC, which enshrine the right to a fair trial, including the right to access to a lawyer and other essential procedural guarantees. The imposition of a death sentence following a trial in which these provisions have not been respected constitutes a violation of the right to life.

The full texts of the human rights instruments and standards recalled above are available on www.ohchr.org or can be provided upon request.

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 international instruments.

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 the details of the proceedings against Mr. Bahlouli and Mr. Barandah and the legal basis and evidence used in court to sentence them to death.
3. Please indicate whether Mr. Bahlouli and Mr. Barandah were informed of his right to seek retrial under Article 91 of the 2013 Islamic Penal Code and of not, please specify the reasons for not doing so.
4. Please indicate whether the application of the provisions of the 2013 Juvenile Sentencing Guidelines relating to alternative punishments to the death penalty was considered for Mr. Bahlouli and Mr. Barandah and if not, the reasons for not doing so.
5. Please provide detailed information on the measures taken to provide Mr. Bahlouli Mr. Barandah with the guarantees of due process and fair trial, as provided in under international human rights law, in particular articles 9,14 and 15 of the ICCPR.
6. Please provide information on juveniles sentenced to death and executed in the Islamic Republic of Iran since January 2017 and those who remain on death row for crimes committed under the age of 18.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence 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.

We intend to publicly express our concerns in the near future as, in our view, the information upon which the press release will be based is sufficiently reliable to indicate a matter warranting immediate attention. We also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations. The press release will indicate that we have been in contact with your Excellency's Government's to clarify the issue/s in question.

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.

Asma Jahangir

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

José Guevara

Vice-Chair-Rapporteur of the Working Group on Arbitrary Detention

Agnes Callamard

Special Rapporteur on extrajudicial, summary or arbitrary executions